

# Road Traffic Legislation Amendment Bill 2011

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Western Australia

LEGISLATIVE ASSEMBLY

**Road Traffic Legislation Amendment Bill 2011**

**A Bill for**

**An Act —**

- **to repeal the *Road Traffic (Vehicle Licensing) (Taxing) Act 2001*; and**
  - **to amend the *Road Traffic Act 1974* and various other Acts as a consequence of the enactment of the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Authorisation to Drive) Act 2008*, the *Road Traffic (Vehicles) Act 2011* and the *Road Traffic (Vehicles) (Taxing) Act 2008*; and**
  - **to amend the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Authorisation to Drive) Act 2008* and the *Road Traffic (Vehicles) (Taxing) Act 2008*,**
- and for related purposes.**

The Parliament of Western Australia enacts as follows:

**Part 1 — Preliminary**

**1. Short title**

This is the *Road Traffic Legislation Amendment Act 2011*.

**2. Commencement**

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent (*assent day*);
- (b) section 13(3) and (4) —
  - (i) if the *Road Traffic Legislation Amendment (Alcohol and Drug Related Offences) Act 2011* section 8 (*section 8*) comes into operation on or before assent day — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b); or
  - (ii) otherwise — immediately after section 8 comes into operation;
- (c) sections 15, 16, 17 and 18 —
  - (i) if the *Road Traffic Legislation Amendment (Disqualification by Notice) Act 2010* section 11 (*section 11*) comes into operation on or before assent day — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b); or
  - (ii) otherwise — immediately after section 11 comes into operation;
- (d) Part 2, the rest of Part 3, and Part 4 — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b);
- (e) sections 208(1), 210, 211, 212 and 224 — immediately after the *Road Traffic Legislation Amendment (Information) Act 2011* Part 3 comes into operation;

- 1           (f) the rest of Part 5 and Parts 6 and 7 — on the day fixed  
2           under the *Road Traffic (Administration) Act 2008*  
3           section 2(b) immediately after the provisions mentioned  
4           in that section 2(b), the *Road Traffic (Authorisation to*  
5           *Drive) Act 2008* section 2(b), and the *Road Traffic*  
6           *(Vehicles) (Taxing) Act 2008* section 3, have come into  
7           operation.

1

**Part 2 — Repeal**

2

**3.            Act repealed**

3

The *Road Traffic (Vehicle Licensing) (Taxing) Act 2001* is

4

repealed.

**Part 3 — Consequential amendments to the *Road Traffic Act 1974***

**4. Act amended**

This Part amends the *Road Traffic Act 1974*.

**5. Long title amended**

In the long title delete “**consolidate and amend the law relating to road traffic; to repeal the *Traffic Act 1919***” and insert:

**make provision in relation to the driving and use of vehicles,  
the regulation of traffic**

**6. Section 5 replaced**

Delete section 5 and insert:

**5. Terms used**

The *Road Traffic (Administration) Act 2008* Part 1 Division 2 provides for the meanings of some terms and abbreviations in this Act.

**7. Section 5A deleted**

Delete section 5A.

**8. Parts II to IVA deleted**

Delete Parts II to IVA.

**9. Section 49AA amended**

In section 49AA delete the definition of ***bodily harm***.

**s. 10**

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1     **10.     Section 49 amended**

2         (1)   In section 49(1)(a) delete “Part IVA” and insert:

3  
4                                 the *Road Traffic (Authorisation to Drive)*  
5                                 *Act 2008* Part 2  
6

7         (2)   In section 49(2)(a) delete “section 44(1); or” and insert:

8  
9                                 the *Road Traffic (Authorisation to Drive)*  
10                                *Act 2008* section 11(1); or  
11

12        (3)   In section 49(4) delete “to the State Administrative Tribunal”.

13        (4)   In section 49(5) delete “Director General has been ordered  
14               under section 76(3)” and insert:

15  
16                                CEO has been ordered under the *Road Traffic*  
17                                (*Authorisation to Drive*) *Act 2008* section 30(1)  
18

19     **11.     Sections 51 and 53 deleted**

20               Delete sections 51 and 53.

21     **12.     Sections 58 and 58A deleted**

22               Delete sections 58 and 58A.

23     **13.     Section 64A amended**

24         (1)   In section 64A(2):

25               (a)   in paragraph (a) delete “licence;” and insert:

26  
27                                licence as defined in the *Road Traffic*  
28                                (*Authorisation to Drive*) *Act 2008* section 3(1);  
29                                or  
30



- 1           (b) in paragraph (d) delete “section 75(2a) or (2b)” and  
2           insert:  
3  
4                       the *Road Traffic (Authorisation to Drive)*  
5                       *Act 2008* section 22(1) or (2)  
6
- 7           (c) in paragraph (e) delete “licence; or” and insert:  
8  
9                       licence as defined in the *Road Traffic*  
10                      *(Authorisation to Drive) Act 2008* section 3(1);  
11                      or  
12
- 13       (2) In section 64A(3)(b) delete “section 75(2a) or (2b)” and insert:  
14  
15                       the *Road Traffic (Authorisation to Drive)*  
16                       *Act 2008* section 22(1) or (2)  
17
- 18       (3) In section 64A(5)(d) delete “gross combination mass” and  
19       insert:  
20  
21               GCM  
22
- 23       (4) Delete section 64A(6).
- 24   **14. Section 64AAA amended**  
25       In section 64AAA(2) in the definition of *novice driver* delete  
26       “section 104(2).” and insert:  
27  
28                       the *Road Traffic (Authorisation to Drive) Act 2008*  
29                       section 40(2).  
30

**s. 15**

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1     **15.     Section 71C amended**

2         (1)   In section 71C(1):

3             (a)   in paragraph (a) delete “a member of the Police Force  
4                   (the *member*),” and insert:

5  
6                   a police officer (the *police officer*),  
7

8             (b)   in paragraph (b) delete “a member of the Police Force  
9                   (the *member*)” and insert:

10  
11               a police officer (the *police officer*)  
12

13         (2)   In section 71C(2) delete “member” and insert:

14  
15               police officer  
16

17         (3)   In section 71C(6)(a)(ii) delete “member of the Police Force”  
18               and insert:

19  
20               police officer  
21

22         (4)   In section 71C(7), (8) and (9) delete “member” (each  
23               occurrence) and insert:

24  
25               police officer  
26

27         (5)   In section 71C(9) delete “Director General.” and insert:

28  
29               CEO.  
30

31               Note: The heading to amended section 71C is to read:

32                   **Disqualification by police officer**

1     **16.     Section 71E amended**

2         (1) In section 71E(1):

3             (a) delete “member of the Police Force” and insert:

4  
5                     police officer

6  
7             (b) in paragraph (a) delete “member” and insert:

8  
9                     police officer

10  
11         (2) In section 71E(2):

12             (a) delete “member of the Police Force” and insert:

13  
14                     police officer

15  
16             (b) delete “the member” and insert:

17  
18                     the police officer

19  
20             (c) in paragraph (b) delete “Director General.” and insert:

21  
22                     CEO.

23  
24             Note: The heading to amended section 71E is to read:

25                     **Revocation of disqualification notice by police officer**

26     **17.     Section 71F amended**

27         In section 71F(6) delete “Director General.” and insert:

28  
29             CEO.

**s. 18**

---

1 **18. Section 71G amended**

2 In section 71G(2) delete “Director General.” and insert:

3

4 CEO.

5

6 **19. Section 74 amended**

7 Delete section 74(1) and (2).

8 **20. Sections 75 to 78 deleted**

9 Delete sections 75 to 78.

10 **21. Section 78A amended**

11 In section 78A in the definition of *senior police officer* delete  
12 “person appointed under the *Police Act 1892* Part I to be a  
13 member of the Police Force of Western Australia” and insert:

14

15 police officer

16

17 **22. Section 78C amended**

18 In section 78C(6)(b) delete “section 86A.” and insert:

19

20 any other road law in relation to the moving of vehicles.

21

22 **23. Section 78D amended**

23 In section 78D(c) delete “members of the Police Force” and  
24 insert:

25

26 police officers

27

1     **24.     Section 79BA amended**

2             In section 79BA(1)(a) delete “member of the Police Force (the  
3             ***member***)” and insert:

4  
5             police officer (the ***police officer***)  
6

7     **25.     Section 80L amended**

8             Delete section 80L(2) and insert:

9  
10            (2)   The *Road Traffic (Vehicles) Act 2011* section 10(1)(a),  
11               (2), (3), (4) and (5) do not apply if the CEO is given  
12               notice under subsection (1)(a).  
13

14    **26.     Sections 82 to 87 deleted**

15            Delete sections 82 to 87.

16    **27.     Sections 92 to 102D deleted**

17            Delete sections 92 to 102D.

18    **28.     Part VIA deleted**

19            Delete Part VIA.

20    **29.     Section 105 deleted**

21            Delete section 105.

22    **30.     Section 106 amended**

23            Delete section 106(1) and (2).

24    **31.     Sections 107, 109 and 110 deleted**

25            Delete sections 107, 109 and 110.

**s. 32**

---

- 1     **32.     Section 111 amended**
- 2         (1) In section 111(1) delete “licensing.”.
- 3         (2) In section 111(2):
- 4             (a) in paragraph (a)(iii) and (iiia) delete “erect traffic signs
- 5                 and” and insert:
- 6
- 7                             erect, establish or display traffic or road
- 8                             signs, road markings,
- 9
- 10            (b) delete paragraph (a)(iv);
- 11            (c) in paragraph (b) delete “owners, responsible persons.”;
- 12            (d) delete paragraphs (d), (da), (e), (g) and (i);
- 13            (e) in paragraph (k) delete “section, not being an offence
- 14                 referred to in paragraph (l) or (m);” and insert:
- 15
- 16                 section;
- 17
- 18            (f) delete paragraph (l) and (m);
- 19            (g) after each of paragraph (a)(i), (ii) and (iii) insert:
- 20
- 21                 or
- 22
- 23         (3) Delete section 111(2a) and (2b).
- 24     **33.     Section 111AA deleted**
- 25         Delete section 111AA.
- 26     **34.     Section 111AB amended**
- 27         (1) In section 111AB(2) delete “section 111(2)(d).” and insert:
- 28
- 29             section 111(2)(aa) or (c).
- 30

1       (2) Delete section 111AB(3) and (4).

2       **35. Sections 111A to 113 deleted**

3               Delete sections 111A to 113.

4       **36. Various references to “Director General” amended**

5               In the provisions listed in the Table delete “Director General”  
6               (each occurrence) and insert:

7

8               CEO

9

10

**Table**

s. 50A(1)(a)(ii)	s. 79BC(4)
s. 79BD(1), (2)	s. 79B(1)(c), (3A)(b), (3C)(b)
s. 80G(7)	s. 80L(1)(a) and (b)
s. 111(4)(b) and (d)(ii)	s. 111AB(2)

11

12       **37. Various references to “member of the Police Force”**  
13       **amended**

14               In the provisions listed in the Table delete “member of the  
15               Police Force” (each occurrence) and insert:

16

17               police officer

18

**s. 37**

---

1

**Table**

s. 49(3)	s. 50A(1)(b)
s. 54(6)	s. 55(4)
s. 56(5)(b)	s. 57(1), (2)
s. 59B(3)(c)	s. 60(1c)(a)(i), (1D)
s. 65 def. of <i>driver assessment</i>	s. 66(1), (1aa), (1a), (1b), (2), (3), (4), (5), (6), (6a), (10), (11), (12)
s. 66A(1), (2), (3), (4), (5), (6), (7)	s. 66B(1), (2), (3), (4)
s. 66C(1), (2), (3), (4), (5), (6), (7)	s. 66D(1), (3)
s. 66E(1), (2), (3), (4)	s. 66F(1)
s. 67(1), (3a)	s. 67AA(1) def. of <i>requirement</i>
s. 67AB(1) def. of <i>requirement</i>	s. 67A(1)
s. 68(3), (7)	s. 69(1)
s. 69A	s. 69B
s. 70(3b)	s. 71A(1) def. of <i>sample</i>
s. 71B(1), (2), (3), (5), (6), (8)	s. 78C(1), (2A), (2), (3), (4)
s. 79(1), (2), (3A), (3)	s. 79A(1)
s. 79BB(2)	s. 79BCA(2), (7)
s. 79BCB(2)	s. 79BCD(2), (7)



s. 79BCE(2)	s. 79C(1), (2), (3)
s. 79D(2)(a), (7)	

Note: The heading to amended section 67A is to read:

**Failure to comply with other requirements of police officer**

**38. Various references to “the member” amended**

In the provisions listed in the Table delete “the member” (each occurrence) and insert:

the police officer

**Table**

s. 70(3b)(j)(i)	s. 78C(4)
s. 79(1), (3A)	s. 79A(1)
s. 79BA(1)(b), (b)(ii) and (2)	s. 79C(1)(a) and (b), (2)(a) and (b)

1       **Part 4 — Consequential amendments to other Acts**

2       **Division 1 — *Agriculture and Related Resources Protection***  
3                                   ***Act 1976* amended**

4       **39.       Act amended**

5               This Division amends the *Agriculture and Related Resources*  
6               *Protection Act 1976*.

7       **40.       Section 7 amended**

8               In section 7(1) in the definition of **vehicle** delete “ascribed to  
9               that term in and for the purposes of the *Road Traffic Act 1974*;  
10              and insert:

11                                   given in the *Road Traffic (Administration) Act 2008*  
12                                   section 4;  
13  
14

15       **Division 2 — *Biosecurity and Agriculture Management***  
16                                   ***Act 2007* amended**

17       **41.       Act amended**

18               This Division amends the *Biosecurity and Agriculture*  
19               *Management Act 2007*.

20       **42.       Section 6 amended**

21           (1) In section 6 in the definition of **owner** paragraph (b) delete  
22           “*Road Traffic Act 1974*; and” and insert:

23  
24                                   *Road Traffic (Administration) Act 2008* section 5; and  
25

1       (2) In section 6 in the definition of **vehicle** delete “*Road Traffic*  
2       *Act 1974*,” and insert:

3  
4       *Road Traffic (Administration) Act 2008* section 4;  
5

6               **Division 3 — Botanic Gardens and Parks Authority**  
7               *Act 1998* amended

8       **43. Act amended**

9               This Division amends the *Botanic Gardens and Parks Authority*  
10              *Act 1998*.

11      **44. Section 3 amended**

12      (1) In section 3 in the definition of **owner**:

13              (a) in paragraph (a) delete “who holds the licence for the  
14              vehicle that is required under the *Road Traffic Act 1974*;  
15              or” and insert:

16  
17                              to whom a licence in respect of the vehicle has  
18                              been granted under the *Road Traffic (Vehicles)*  
19                              *Act 2011*; or  
20

21              (b) in paragraph (b) delete “the vehicle is not licensed under  
22              the *Road Traffic Act 1974*,” and insert:

23  
24                              there is not such a person,  
25

26      (2) In section 3 in the definition of **vehicle** delete “same meaning as  
27      in the *Road Traffic Act 1974*.” and insert:

28  
29                              meaning given in the *Road Traffic (Administration)*  
30                              *Act 2008* section 4.  
31

1     **45.     Section 50 amended**

2             In section 50(1) in the definition of *speed measuring equipment*  
3             delete “section 98A(2) of the *Road Traffic Act 1974*.” and  
4             insert:

5

6                     the *Road Traffic (Administration) Act 2008*  
7                     section 117(2).

8

9                     **Division 4 — *Bush Fires Act 1954* amended**

10    **46.     Act amended**

11             This Division amends the *Bush Fires Act 1954*.

12    **47.     Section 14B amended**

13             In section 14B(3) delete “*Road Traffic Act 1974*” and insert:

14

15                     *Road Traffic (Vehicles) Act 2011*

16

17                     **Division 5 — *Chattel Securities Act 1987* amended**

18    **48.     Act amended**

19             This Division amends the *Chattel Securities Act 1987*.

20    **49.     Section 3 amended**

21             In section 3(1) in the definition of *lease*:

- 22             (a)    in paragraph (b) delete “within the meaning of the *Road*  
23                     *Traffic Act 1974* of which the lessor is registered or an  
24                     applicant for registration as the owner under the *Road*  
25                     *Traffic Act 1974* or a corresponding Act of the

1 Commonwealth or another state or territory of the  
2 Commonwealth; or” and insert:

3  
4 as defined in the *Road Traffic (Administration)*  
5 *Act 2008* section 4 of which the lessor is, or is  
6 applying to be, a licence holder as defined in  
7 section 6(1) of that Act; or  
8

9 (b) in paragraph (c) delete “within the meaning of the *Road*  
10 *Traffic Act 1974*,” and insert:

11  
12 as defined in the *Road Traffic (Administration)*  
13 *Act 2008* section 4,  
14

15 **50. Section 7 amended**

16 (1) In section 7(5)(b):

17 (a) delete “within the meaning of the *Road Traffic*  
18 *Act 1974*” and insert:

19  
20 as defined in the *Road Traffic (Administration)*  
21 *Act 2008* section 4  
22

23 (b) delete “*Road Traffic Act 1974* but” and insert:

24  
25 *Road Traffic (Vehicles) Act 2011* but  
26

27 (2) In section 7(6)(d):

28 (a) delete “within the meaning of the *Road Traffic*  
29 *Act 1974*” and insert:

30  
31 as defined in the *Road Traffic (Administration)*  
32 *Act 2008* section 4  
33

**Road Traffic Legislation Amendment Bill 2011**

**Part 4** Consequential amendments to other Acts

**Division 6** Children and Community Services Act 2004 amended

**s. 51**

---

1 (b) delete “*Road Traffic Act 1974* but” and insert:

2

3 *Road Traffic (Vehicles) Act 2011* but

4

5 **51. Section 13 amended**

6 In section 13:

7 (a) in paragraph (a) delete “within the meaning of the *Road*  
8 *Traffic Act 1974*,” and insert:

9

10 as defined in the *Road Traffic (Administration)*  
11 *Act 2008* section 4,

12

13 (b) in paragraph (a) delete “that Act;” and insert:

14

15 the *Road Traffic (Vehicles) Act 2011*;

16

17 (c) in paragraph (b) delete “that Act;” and insert:

18

19 the *Road Traffic (Vehicles) Act 2011*;

20

21 **52. Section 30 amended**

22 In section 30(3)(c) delete “*Road Traffic Act 1974*” and insert:

23

24 *Road Traffic (Vehicles) Act 2011*

25

26 **Division 6 — *Children and Community Services***  
27 ***Act 2004* amended**

28 **53. Act amended**

29 This Division amends the *Children and Community Services*  
30 *Act 2004*.

1   **54.     Section 102 amended**

2           In section 102 delete “*Road Traffic Act 1974*” and insert:  
3  
4           *Road Traffic (Administration) Act 2008* section 4)

6           **Division 7 — *Children’s Court of Western Australia***  
7                                   ***Act 1988* amended**

8   **55.     Act amended**

9           This Division amends the *Children’s Court of Western*  
10          *Australia Act 1988*.

11   **56.     Section 51A amended**

12          Delete section 51A(3)(h) and insert:

13  
14                   (h)   the CEO as defined in the *Road Traffic*  
15                         *(Administration) Act 2008* section 4;  
16

17   **Division 8 — *Civil Judgments Enforcement Act 2004* amended**

18   **57.     Act amended**

19          This Division amends the *Civil Judgments Enforcement*  
20          *Act 2004*.

21   **58.     Section 113 amended**

22          In section 113 in the Table insert in alphabetical order:

23                   *Road Traffic (Administration) Act 2008*  
                    *Road Traffic (Authorisation to Drive) Act 2008*  
                    *Road Traffic (Vehicles) Act 2011*

24





1     **63.     Section 3 amended**

2         (1)   In section 3(1) in the definition of *off-road vehicle* delete “*Road*  
3             *Traffic Act 1974*,” and insert:

4  
5             *Road Traffic (Vehicles) Act 2011*;

6  
7         (2)   In section 3(1) in the definition of *responsible person* delete  
8             “section 5A of the *Road Traffic Act 1974*,” and insert:

9  
10            the *Road Traffic (Administration) Act 2008* section 6;

11  
12     **64.     Section 7 amended**

13         In section 7(1)(a) delete “*Road Traffic Act 1974*; or” and insert:

14  
15             *Road Traffic (Vehicles) Act 2011*; or

16  
17     **65.     Section 11 amended**

18         (1)   In section 11(1)(b) delete “*Road Traffic Act 1974*,” and insert:

19  
20             *Road Traffic (Vehicles) Act 2011*,

21  
22         (2)   Delete section 11(3)(a) and insert:

23  
24             (a)   the *Road Traffic (Administration) Act 2008*  
25                 section 5(2); or  
26

**Road Traffic Legislation Amendment Bill 2011**

**Part 4** Consequential amendments to other Acts

**Division 10** Control of Vehicles (Off-road Areas) Act 1978 amended

**s. 66**

---

1 **66. Section 34 amended**

2 In section 34(2) delete “*Road Traffic Act 1974*,” and insert:

3  
4 *Road Traffic (Vehicles) Act 2011*,

5

6 **67. Section 36 amended**

7 (1) In section 36 delete “the *Road Traffic Act 1974*,” and insert:

8

9 a road law as defined in the *Road Traffic*  
10 *(Administration) Act 2008* section 4

11

12 (2) In section 36(a) delete “that Act” and insert:

13

14 the *Road Traffic Act 1974*

15

16 (3) In section 36(b) delete “in section 53, section 54, section 57,  
17 section 58, section 86A or section 89 of that Act to a member of  
18 the Police Force” and insert:

19

20 to a police officer in the *Road Traffic*  
21 *(Administration) Act 2008* section 32, 33, 34 or  
22 48 or the *Road Traffic Act 1974* section 54, 55  
23 or 57

24

25 Note: The heading to amended section 36 is to read:

26 **Road law provisions**

1     **68.     Section 38 amended**

2           (1)   In section 38(2):

3               (a)   delete paragraph (ga) and insert:

4  
5                   (ga)   a person who is authorised by the CEO under  
6                       the *Road Traffic (Administration) Act 2008*  
7                       section 22 to perform a function that can be  
8                       performed by a warden; or

9  
10              (b)   after each of paragraphs (a), (b), (e) and (f) insert:

11  
12                   or

13  
14           (2)   In section 38(11)(a) delete “*Road Traffic Act 1974*,” and insert:

15  
16                   *Road Traffic (Vehicles) Act 2011*,

17  
18           (3)   In section 38(12)(b) delete “*Road Traffic Act 1974*,” and insert:

19  
20                   *Road Traffic (Vehicles) Act 2011*,

21  
22           (4)   In section 38(15)(a) delete “*Road Traffic Act 1974*” and insert:

23  
24                   *Road Traffic (Vehicles) Act 2011*

25  
26     **69.     Section 39 amended**

27           In section 39(1)(a)(ii) delete “*Road Traffic Act 1974*; or” and  
28           insert:

29  
30                   *Road Traffic (Vehicles) Act 2011*; or

31

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1           **Division 13 — *Criminal Appeals Act 2004* amended**

2       **74.     Act amended**

3           This Division amends the *Criminal Appeals Act 2004*.

4       **75.     Section 11 amended**

5           In section 11(3) delete “the *Road Traffic Act 1974*,” and insert:

6  
7                       a road law as defined in the *Road Traffic*  
8                       (*Administration*) *Act 2008* section 4,

10           **Division 14 — *Criminal Investigation Act 2006* amended**

11       **76.     Act amended**

12           This Division amends the *Criminal Investigation Act 2006*.

13       **77.     Section 18 amended**

14       (1)   In section 18(1) in the definition of **road** delete “*Road Traffic*  
15           *Act 1974* section 5(1);” and insert:

16  
17                       *Road Traffic (Administration) Act 2008* section 4;

18  
19       (2)   In section 18(1) in the definition of **vehicle** delete “*Road Traffic*  
20           *Act 1974* section 5(1).” and insert:

21  
22                       *Road Traffic (Administration) Act 2008* section 4.

23  
24       **78.     Section 28 amended**

25           In section 28(2) delete “member of the Police Force” and insert:

26  
27                       police officer  
28

1     **79.     Section 135 amended**

2             In section 135(2)(b) delete “member of the Police Force acting  
3             under the *Road Traffic Act 1974* section 66, is accompanying  
4             such a member” and insert:

5  
6                             police officer acting under the *Road Traffic*  
7                             *Act 1974* section 66, is accompanying a police  
8                             officer  
9

10            **Division 15 — *Criminal Procedure Act 2004* amended**

11     **80.     Act amended**

12             This Division amends the *Criminal Procedure Act 2004*.

13     **81.     Section 3 amended**

14             In section 3(1) in the definition of **vehicle** delete “*Road Traffic*  
15             *Act 1974*,” and insert:

16  
17                             *Road Traffic (Administration) Act 2008* section 4;  
18

19     **82.     Section 11 amended**

20             (1) In section 11(1) in the definition of **corresponding law** delete  
21             “*Road Traffic Act 1974*” and insert:

22  
23                             *Road Traffic (Vehicles) Act 2011*  
24

25             (2) In section 11(1) in the definition of **vehicle licensing law** delete  
26             “*Road Traffic Act 1974*” and insert:

27  
28                             *Road Traffic (Vehicles) Act 2011*  
29

**Division 16 — *Cross-border Justice Act 2008* amended**

**83. Act amended**

This Division amends the *Cross-border Justice Act 2008*.

**84. Section 68 amended**

In section 68(2)(h) delete “the *Road Traffic Act 1974*” and insert:

any enactment referred to in paragraph (a) of the definition of *road traffic laws* in section 138(1)

**85. Section 138 amended**

In section 138(1) in the definition of *road traffic laws* paragraph (a) delete “State — the *Road Traffic Act 1974*; or” and insert:

State, any of the following enactments —

- (i) the *Road Traffic Act 1974*;
- (ii) the *Road Traffic (Administration) Act 2008*;
- (iii) the *Road Traffic (Authorisation to Drive) Act 2008*;
- (iv) the *Road Traffic (Vehicles) Act 2011*;

or

**Division 17 — *Dangerous Goods Safety Act 2004* amended**

**86. Act amended**

This Division amends the *Dangerous Goods Safety Act 2004*.

1   **87.     Section 14 amended**

2       (1) In section 14(1) delete “within the meaning of the *Road Traffic*  
3       *Act 1974*” and insert:

4                               as defined in the *Road Traffic (Administration)*  
5                               *Act 2008* section 5  
6  
7

8       (2) In section 14(2) delete “within the meaning of the *Road Traffic*  
9       *Act 1974*” and insert:

10                              as defined in the *Road Traffic (Administration)*  
11                              *Act 2008* section 5  
12  
13

14   **88.     Section 15 amended**

15       In section 15(2) delete “the owner within the meaning of the  
16       *Road Traffic Act 1974* of” and insert:

17                              a responsible person, as defined in the *Road Traffic*  
18                              *(Administration) Act 2008* section 4, for  
19  
20

21                              **Division 18 — *Duties Act 2008* amended**

22   **89.     Act amended**

23       This Division amends the *Duties Act 2008*.

24   **90.     Section 228 amended**

25       (1) In section 228 delete the definitions of:

26       *Director General*

27       *Road Traffic Act*



- 1       (2) In section 228 insert in alphabetical order:  
2  
3               *CEO* has the meaning given in the *Road Traffic*  
4               *(Administration) Act 2008* section 4;  
5               *Vehicles Act* means the *Road Traffic (Vehicles)*  
6               *Act 2011*.  
7
- 8       (3) In section 228 in the definition of **heavy vehicle** delete “means a  
9       vehicle with a gross vehicle mass of more than 4.5 tonnes;” and  
10       insert:  
11  
12               has the meaning given in the Vehicles Act;  
13
- 14       (4) In section 228 in the definition of **motor vehicle** delete “in the  
15       Road Traffic Act section 5,” and insert:  
16  
17               in the *Road Traffic (Administration) Act 2008*  
18               section 4,  
19
- 20       (5) In section 228 in the definition of **vehicle** delete  
21       “section 230(1).” and insert:  
22  
23               section 230(1);  
24
- 25   **91. Section 230 amended**  
26       In section 230(2) delete “Road Traffic Act Part III.” and insert:  
27  
28       the Vehicles Act.  
29

1     **92.     Section 240 amended**

2         (1) In section 240(1) delete “Road Traffic Act section 19(3).” and  
3             insert:

4  
5             Vehicles Act section 7(3).  
6

7             Note: The heading to amended section 240 is to read:

8                     **If no vehicle licence fee payable under Vehicles Act**

9         (2) In section 240(2) delete “Road Traffic Act section 19(3)” and  
10            insert:

11  
12            Vehicles Act section 7(3)  
13

14     **93.     Section 243 amended**

15            In section 243(b) delete “Road Traffic Act” and insert:

16  
17            *Road Traffic Act 1974* or the Vehicles Act  
18

19     **94.     Section 244A amended**

20            In section 244A(5):

21                 (a) delete “Road Traffic” and insert:

22  
23                     Vehicles  
24

25                 (b) delete “section 19(3)” and insert:

26  
27                     regulations made under section 7(3)  
28

**95. Various references to “Road Traffic Act” amended**

In the provisions listed in the Table delete “Road Traffic Act” (each occurrence) and insert:

Vehicles Act

**Table**

s. 228 def. of <i>corresponding State law</i>	s. 230(1), (3)
s. 235(a)	s. 242(1)(a) and (c)
s. 251(1), (2)	s. 252(1)

**96. Various references to “Director General” amended**

In the provisions listed in the Table delete “Director General” (each occurrence) and insert:

CEO

**Table**

s. 233(1)	s. 234(2)
s. 235(a)	s. 241
s. 252(1), (3)	s. 253(1), (2), (3)
s. 255	

Note: The heading to amended section 253 is to read:

**Functions of CEO and Commissioner**

Note: The heading to amended section 255 is to read:

**CEO’s duties**

1        **Division 19 — *Emergency Management Act 2005* amended**

2        **97.        Act amended**

3                This Division amends the *Emergency Management Act 2005*.

4        **98.        Section 68 amended**

5                In section 68 delete “*Road Traffic Act 1974*” and insert:

6

7                        *Road Traffic (Vehicles) Act 2011*

8

9        **Division 20 — *Environmental Protection Act 1986* amended**

10       **99.        Act amended**

11                This Division amends the *Environmental Protection Act 1986*.

12       **100.       Section 3 amended**

13        (1) In section 3(1) in the definition of ***driver*** paragraph (a) delete  
14                “within the meaning of the *Road Traffic Act 1974*, has the  
15                meaning given by that Act; or” and insert:

16

17                                as defined in the *Road Traffic (Administration)*  
18                                *Act 2008* section 4, has the meaning given by  
19                                that section; or

20

21        (2) In section 3(1) in the definition of ***motor vehicle*** delete “*Road*  
22                *Traffic Act 1974*,” and insert:

23

24                        *Road Traffic (Administration) Act 2008* section 4;

25

1       (3) In section 3(1) in the definition of **owner** paragraph (a) delete  
2       “within the meaning of the *Road Traffic Act 1974*, has the  
3       meaning given by that Act; or” and insert:

4                               as defined in the *Road Traffic (Administration)*  
5                               *Act 2008* section 4, has the meaning given by  
6                               section 5 of that Act; or  
7

8  
9       (4) In section 3(1) in the definition of **road** delete “*Road Traffic*  
10       *Act 1974*,” and insert:

11  
12                       *Road Traffic (Administration) Act 2008* section 4;  
13

14                       **Division 21 — Fair Trading Act 2010 amended**

15       **101. Act amended**

16                       This Division amends the *Fair Trading Act 2010*.

17       **102. Section 63 amended**

18                       In section 63 in the definition of **motor vehicle** delete “*Road*  
19                       *Traffic Act 1974* section 5(1).” and insert:

20  
21                       *Road Traffic (Administration) Act 2008* section 4.  
22

23       **103. Schedule 1 amended**

24                       In Schedule 1 insert in alphabetical order:

25                       *Road Traffic (Administration) Act 2008.*

26                       *Road Traffic (Authorisation to Drive) Act 2008.*

27                       *Road Traffic (Vehicles) Act 2011.*  
28  
29

1        **Division 22 — *Finance Brokers Control Act 1975* amended**

2        **104.     Act amended**

3                This Division amends the *Finance Brokers Control Act 1975*.

4        **105.     Section 4 amended**

5                In section 4 in the definition of ***motor vehicle*** delete  
6                “section 5(1) of the *Road Traffic Act 1974*,” and insert:

7

8                the *Road Traffic (Administration) Act 2008* section 4;

9

10        **Division 23 — *Fines, Penalties and Infringement Notices***  
11                ***Enforcement Act 1994* amended**

12        **106.     Act amended**

13                This Division amends the *Fines, Penalties and Infringement*  
14                *Notices Enforcement Act 1994*.

15        **107.     Section 3 amended**

16                (1) In section 3(1) delete the definition of ***Director General***.

17                (2) In section 3(1) insert in alphabetical order:

18

19                        ***Director General*** means the CEO as defined in the  
20                        *Road Traffic (Administration) Act 2008* section 4;

21                        ***road law*** has the meaning given in the *Road Traffic*  
22                        *(Administration) Act 2008* section 4;

23

- 1       (3) In section 3(1) in the definition of ***driver's licence*** delete  
2       “granted under the *Road Traffic Act 1974* and includes an  
3       extraordinary licence granted under that Act;” and insert:  
4  
5               as defined in the *Road Traffic (Authorisation to Drive)*  
6               *Act 2008* section 3(1) and includes an extraordinary  
7               licence as defined in that section;  
8  
9       (4) In section 3(1) in the definition of ***vehicle licence*** delete “for a  
10       vehicle issued under Part III of the *Road Traffic Act 1974*.” and  
11       insert:

12  
13               granted in respect of a vehicle under the *Road Traffic*  
14               *(Vehicles) Act 2011*.  
15

16   **108. Section 26 amended**

- 17       (1) In section 26(1) delete “section 102 of the *Road Traffic*  
18       *Act 1974*” and insert:

19  
20               the *Road Traffic (Administration) Act 2008* section 79  
21

- 22       (2) In section 26(2):  
23           (a) delete “the *Road Traffic Act 1974* —” and insert:

24  
25               a road law —  
26

- 27           (b) delete “a traffic” (each occurrence) and insert:

28  
29               an  
30

**Road Traffic Legislation Amendment Bill 2011**

**Part 4** Consequential amendments to other Acts

**Division 23** Fines, Penalties and Infringement Notices Enforcement Act  
1994 amended

**s. 109**

---

1 (c) delete “section 51(1)(a) of that Act and, for the purposes  
2 of Part VIA of that Act,” and insert:

3  
4 the *Road Traffic (Authorisation to Drive) Act 2008*  
5 section 16(1)(a), and for the purposes of Part 4 of  
6 that Act,  
7

8 (3) Delete section 26(4) and insert:

9  
10 (4) In subsection (2)(a) and (b) —  
11 *infringement notice* has the meaning given in the *Road*  
12 *Traffic (Administration) Act 2008* section 4.  
13

14 Note: The heading to amended section 26 is to read:

15 **Road laws: effect of proceedings under this Part**

16 **109. Various references to “the *Road Traffic Act 1974*” amended**

17 In the provisions listed in the Table delete “the *Road Traffic*  
18 *Act 1974*” and insert:

19  
20 a road law  
21

22 **Table**

s. 9	s. 10
s. 19(9)	s. 20(6)
s. 27A(9)	s. 43(9)
s. 44(6)	s. 47A(5)
s. 55A(9)	



1     **Division 24 — *Fish Resources Management Act 1994* amended**

2     **110.     Act amended**

3             This Division amends the *Fish Resources Management*  
4             *Act 1994*.

5     **111.     Section 4 amended**

6             In section 4(1) in the definition of **vehicle** delete “*Road Traffic*  
7             *Act 1974*,” and insert:

8  
9             *Road Traffic (Administration) Act 2008* section 4;  
10

11            **Division 25 — *Government Railways Act 1904* amended**

12     **112.     Act amended**

13             This Division amends the *Government Railways Act 1904*.

14     **113.     Section 73 amended**

15             In section 73(2A) delete “the *Road Traffic Act 1974*,” and  
16             insert:

17  
18                     a road law as defined in the *Road Traffic*  
19                     *(Administration) Act 2008* section 4,  
20

21            **Division 26 — *Juries Act 1957* amended**

22     **114.     Act amended**

23             This Division amends the *Juries Act 1957*.

1 **115. Section 5 amended**

2 In section 5(3)(b)(iv) delete “the *Road Traffic Act 1974*,” and  
3 insert:

4  
5 a road law as defined in the *Road*  
6 *Traffic (Administration) Act 2008*  
7 section 4;  
8

9 **Division 27 — *Land Administration Act 1997* amended**

10 **116. Act amended**

11 This Division amends the *Land Administration Act 1997*.

12 **117. Section 61 amended**

13 In section 61(2)(a):

14 (a) delete “the *Road Traffic Act 1974*” and insert:

15  
16 a road law as defined in the *Road Traffic*  
17 *(Administration) Act 2008* section 4  
18

19 (b) delete “within the meaning of that Act; and” and insert:

20  
21 as defined in that section; and  
22

23 **Division 28 — *Liquor Control Act 1988* amended**

24 **118. Act amended**

25 This Division amends the *Liquor Control Act 1988*.

1   **119.   Section 119 amended**

2           Delete section 119(4)(a) and insert:

- 3  
4                   (a)   on a road as defined in the *Road Traffic*  
5                           *(Administration) Act 2008* section 4; or  
6

7           **Division 29 — *Local Government Act 1995* amended**

8   **120.   Act amended**

9           This Division amends the *Local Government Act 1995*.

10   **121.   Section 3.38 amended**

11           In section 3.38 in the definition of **vehicle** delete “*Road Traffic*  
12           *Act 1974*” and insert:

13  
14                   *Road Traffic (Vehicles) Act 2011*  
15

16   **122.   Section 3.40 amended**

17           In section 3.40(3) delete “*Road Traffic Act 1974*” and insert:

18  
19                   *Road Traffic (Vehicles) Act 2011*  
20

21   **123.   Section 9.13 amended**

22           In section 9.13(1) in the definition of **owner** delete “who holds  
23           the licence for the vehicle that is required under the *Road*  
24           *Traffic Act 1974* or, if the vehicle is not licensed under that  
25           Act,” and insert:

26  
27                   to whom a licence in respect of the vehicle has been  
28                   granted under the *Road Traffic (Vehicles) Act 2011*, or,  
29                   if there is not such a person,  
30

1   **124.   Section 9.15 amended**

2           In section 9.15 in the definition of *owner* delete “who holds the  
3           licence for the vehicle that is required under the *Road Traffic*  
4           *Act 1974* or, if the vehicle is not licensed under that Act,” and  
5           insert:

6  
7                       to whom a licence in respect of the vehicle has been  
8                       granted under the *Road Traffic (Vehicles) Act 2011*, or,  
9                       if there is not such a person,  
10

11                   **Division 30 — *Magistrates Court Act 2004* amended**

12   **125.   Act amended**

13           This Division amends the *Magistrates Court Act 2004*.

14   **126.   Section 33 amended**

15           Delete section 33(7)(g) and insert:

16  
17                       (g)   the CEO as defined in the *Road Traffic*  
18                       *(Administration) Act 2008* section 4;  
19

20                   **Division 31 — *Main Roads Act 1930* amended**

21   **127.   Act amended**

22           This Division amends the *Main Roads Act 1930*.

23   **128.   Section 13 amended**

24           Delete section 13(4).

1     **129.     Section 16 amended**

2             In section 16(1b) delete “by regulations made under the *Road*  
3             *Traffic Act 1974.*” and insert:

4  
5                     under a road law as defined in the *Road Traffic*  
6                     *(Administration) Act 2008* section 4.  
7

8     **130.     Section 31 amended**

9             In section 31(1)(d) delete “pursuant to the *Road Traffic*  
10             *Act 1974,*” and insert:

11  
12                     under the *Road Traffic (Administration) Act 2008*  
13

14             **Division 32 — *Marine and Harbours Act 1981* amended**

15     **131.     Act amended**

16             This Division amends the *Marine and Harbours Act 1981*.

17     **132.     Section 18B amended**

18             In section 18B(3) in the definition of ***motor vehicle*** delete  
19             “*Road Traffic Act 1974.*” and insert:

20  
21                     *Road Traffic (Administration) Act 2008* section 4.  
22

23             **Division 33 — *Mines Safety and Inspection Act 1994* amended**

24     **133.     Act amended**

25             This Division amends the *Mines Safety and Inspection*  
26             *Act 1994.*

1 **134. Section 4 amended**

2 In section 4(1) in the definition of *mining operations*  
3 paragraph (ea) delete “*Road Traffic Act 1974*; and” and insert:

4  
5 *Road Traffic (Administration) Act 2008* section 4; and  
6

7 **Division 34 — Motor Vehicle (Third Party Insurance)**  
8 **Act 1943 amended**

9 **135. Act amended**

10 This Division amends the *Motor Vehicle (Third Party*  
11 *Insurance) Act 1943*.

12 **136. Section 2 amended**

13 In section 2(2) delete “defined in the Traffic Act” and insert:

14  
15 defined in, or for the purposes of, the Vehicles Act  
16

17 Note: The heading to amended section 2 is to read:

18 **This Act to be read with the Road Traffic (Vehicles) Act**

19 **137. Section 3 amended**

20 (1) In section 3(1) delete the definitions of:

21 ***Director General***

22 ***Traffic Act***

23 (2) In section 3(1) insert in alphabetical order:

24  
25 ***Director General*** means the CEO as defined in the  
26 *Road Traffic (Administration) Act 2008* section 4;

27 ***Vehicles Act*** means the *Road Traffic (Vehicles)*  
28 *Act 2011*.  
29

- 1       (3) In section 3(1) in the definition of *uninsured motor vehicle*  
2       delete “instrumentality.” and insert:  
3  
4       instrumentality;  
5
- 6       **138. Section 4 amended**
- 7       (1) In section 4(3B) delete “of an offence under section 15 of the  
8       Traffic Act” and insert:  
9  
10       of, or the penalty has been paid under an infringement  
11       notice served on the person for, an offence under the  
12       Vehicles Act section 4(2)  
13
- 14       (2) In section 4(4) delete “Traffic Act a driver’s licence or” and  
15       insert:  
16  
17       *Road Traffic (Authorisation to Drive) Act 2008* a  
18       driver’s licence or under the Vehicles Act  
19
- 20       (3) In section 4(7A) delete “an inspector appointed under the  
21       Traffic Act or by any member of the Police Force,” and insert:  
22  
23       a police officer,  
24
- 25       (4) In section 4(7B) delete “inspector or the member of the Police  
26       Force” and insert:  
27  
28       police officer  
29

1 **139. Section 18 amended**

2 In section 18(1) delete “Traffic Act.” and insert:

3

4 *Road Traffic (Authorisation to Drive) Act 2008.*

5

6 **140. Section 21 amended**

7 In section 21(1C)(a) delete “provision of section 18 of the  
8 Traffic Act,” and insert:

9

10 regulation made under the Vehicles Act  
11 section 6,

12

13 **141. Various references to “Traffic” amended**

14 In the provisions listed in the Table delete “Traffic” and insert:

15

16 Vehicles

17

18 **Table**

s. 2(1)	s. 3(1) def. of <i>motor vehicle</i>
s. 3(5)	s. 4(3C)
s. 4(8)	s. 4(9)
s. 21(1A)	s. 21(1C)(b)

19 **Division 35 — *Motor Vehicle Dealers Act 1973* amended**

20 **142. Act amended**

21 This Division amends the *Motor Vehicle Dealers Act 1973*.



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- (2) In section 5(2)(a) delete “within the meaning given thereto by the *Road Traffic Act 1974*; and” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4; and

15  
16  
17  
18  
19  
20  
21

- granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2011*.

22  
23  
24  
25  
26  
27  
28  
29

- if a licence has not been granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2011*,

1                    **Division 36 — *Motor Vehicle Drivers Instructors***  
2    ***Act 1963* amended**

3    **146.    Act amended**

4                    This Division amends the *Motor Vehicle Drivers Instructors*  
5                    *Act 1963*.

6    **147.    Section 3 amended**

7            (1)    In section 3 in the definition of ***motor vehicle*** delete “Part IVA  
8                    of the *Road Traffic Act 1974*,” and insert:

9  
10                    the *Road Traffic (Administration) Act 2008* section 4;  
11

12            (2)    In section 3 in the definition of ***road*** delete “Part IVA of the  
13                    *Road Traffic Act 1974*,” and insert:

14  
15                    the *Road Traffic (Administration) Act 2008* section 4;  
16

17    **148.    Section 5 amended**

18                    In section 5(1)(d) delete “*Road Traffic Act 1974*,” and insert:

19  
20                    *Road Traffic (Vehicles) Act 2011*,  
21

22    **149.    Section 7 amended**

23            (1)    In section 7(3)(b) delete “such of the provisions of the *Road*  
24                    *Traffic Act 1974* and of the regulations made under that Act as  
25                    relate” and insert:

26  
27    any road law, as defined in the *Road Traffic*  
28    (*Administration*) *Act 2008* section 4 relating  
29

- 1       (2) In section 7(5)(e) delete “licence under the *Road Traffic*  
2       *Act 1974*,” and insert:

3  
4                               driver’s licence under the *Road Traffic*  
5                               (*Authorisation to Drive*) *Act 2008*,  
6

7                   **Division 37 — *Owner-Drivers (Contracts and Disputes)***  
8                   ***Act 2007* amended**

9       **150.     Act amended**

10               This Division amends the *Owner-Drivers (Contracts and*  
11               *Disputes) Act 2007*.

12       **151.     Section 3 amended**

- 13       (1) In section 3 delete the definition of ***gross vehicle mass***.

- 14       (2) In section 3 in the definition of ***heavy vehicle*** delete “means a  
15       vehicle, as defined in the *Road Traffic Act 1974*, with a gross  
16       vehicle mass of more than 4.5 tonnes;” and insert:

17  
18                               has the meaning given in the *Road Traffic (Vehicles)*  
19                               *Act 2011* section 3(1);  
20

21                   **Division 38 — *Parks and Reserves Act 1895* amended**

22       **152.     Act amended**

23               This Division amends the *Parks and Reserves Act 1895*.

24       **153.     Section 2 amended**

- 25       (1) In section 2 in the definition of ***owner*** delete “who is the holder  
26       of the requisite vehicle licence or permit under the *Road Traffic*

1           *Act 1974* in respect of that vehicle, or, if the vehicle is not the  
2           subject of a licence or permit under that Act,” and insert:

3  
4                       to whom a licence or permit in respect of the vehicle  
5                       has been granted under the *Road Traffic (Vehicles)*  
6                       *Act 2011*, or if there is not such a person,  
7

8           (2) In section 2 in the definition of **vehicle** delete “that comes  
9           within the interpretation of that term in the *Road Traffic*  
10          *Act 1974*.” and insert:

11  
12                       as defined in the *Road Traffic (Administration)*  
13                       *Act 2008* section 4.  
14

15   **154. Section 7A amended**

16           In section 7A(2) delete “*Road Traffic Act 1974*” and insert:

17  
18                       *Road Traffic (Vehicles) Act 2011*  
19

20   **155. Section 7C amended**

21           In section 7C(1) delete “section 98A(2) of the *Road Traffic*  
22          *Act 1974*.” and insert:

23  
24                       the *Road Traffic (Administration) Act 2008*  
25                       section 117(2).  
26

27                       **Division 39 — Perth Market Act 1926 amended**

28   **156. Act amended**

29           This Division amends the *Perth Market Act 1926*.

1     **157.     Section 1A amended**

2             In section 1A in the definition of *owner* delete “who is the  
3             holder of the requisite vehicle licence under the *Road Traffic*  
4             *Act 1974* in respect of the vehicle, or, if the vehicle is not  
5             licensed under that Act,” and insert:

6  
7                     to whom a licence in respect of the vehicle has been  
8                     granted under the *Road Traffic (Vehicles) Act 2011*, or  
9                     if there is not such a person,  
10

11            **Division 40 — *Petroleum Products Pricing Act 1983* amended**

12     **158.     Act amended**

13             This Division amends the *Petroleum Products Pricing Act 1983*.

14     **159.     Section 3 amended**

15             In section 3(1) in the definition of *motor vehicle* delete  
16             “section 5 of the *Road Traffic Act 1974*,” and insert:

17  
18                     the *Road Traffic (Administration) Act 2008* section 4;  
19

20            **Division 41 — *Planning and Development Act 2005* amended**

21     **160.     Act amended**

22             This Division amends the *Planning and Development Act 2005*.

23     **161.     Section 4 amended**

24             In section 4(1) in the definition of *road* delete “*Road Traffic*  
25             *Act 1974*” and insert:

26  
27                     *Road Traffic (Administration) Act 2008* section 4)  
28

1 **Division 42 — *Prisons Act 1981* amended**

2 **162. Act amended**

3 This Division amends the *Prisons Act 1981*.

4 **163. Section 15L amended**

5 Delete section 15L(b) and insert:

- 6
- 7 (b) the payment of the whole or a part of a penalty
- 8 under an infringement notice as defined in the
- 9 *Road Traffic (Administration) Act 2008*
- 10 section 4 in respect of an alleged offence by the
- 11 contract worker; and
- 12 (c) the payment of the whole or a part of a penalty
- 13 under an infringement notice under a law, in
- 14 any other part of the world, corresponding to a
- 15 road law as defined in the *Road Traffic*
- 16 *(Administration) Act 2008* section 4, in respect
- 17 of an alleged offence by the contract worker.
- 18

19 **Division 43 — *Prohibited Behaviour Orders Act 2010* amended**

20 **164. Act amended**

21 This Division amends the *Prohibited Behaviour Orders*

22 *Act 2010*.

23 **165. Section 10 amended**

24 Delete section 10(7)(b) and insert:

- 25
- 26 (b) a condition which a court imposed when
- 27 directing an extraordinary licence, as defined in
- 28 the *Road Traffic (Authorisation to Drive)*
- 29 *Act 2008* section 3(1), to be granted; or
- 30

**Division 44 — Rail Safety Act 2010 amended**

**166. Act amended**

This Division amends the *Rail Safety Act 2010*.

**167. Section 3 amended**

In section 3 in the definition of **public road** delete “*Road Traffic Act 1974* section 5(1);” and insert:

*Road Traffic (Administration) Act 2008* section 4;

**Division 45 — Retail Trading Hours Act 1987 amended**

**168. Act amended**

This Division amends the *Retail Trading Hours Act 1987*.

**169. Section 3 amended**

In section 3(1) in the definition of **motor vehicle** delete “*Road Traffic Act 1974* section 5(1);” and insert:

*Road Traffic (Administration) Act 2008* section 4;

**Division 46 — Road Safety Council Act 2002 amended**

**170. Act amended**

This Division amends the *Road Safety Council Act 2002*.

**171. Section 3 amended**

In section 3 in the definition of **road** delete “*Road Traffic Act 1974*,” and insert:

*Road Traffic (Administration) Act 2008* section 4;

1   **172.   Section 6 amended**

2       (1)   In section 6(1)(e) delete “provisions of the *Road Traffic*  
3       *Act 1974* that section 5 of that Act defines as the ***licensing***  
4       ***provisions of this Act***,” and insert:

5

6       *Road Traffic (Administration) Act 2008*;

7

8       (2)   In section 6(2) delete “must be either the chief executive officer  
9       of the department of the Public Service principally assisting in  
10      the administration of the provisions of the *Road Traffic*  
11      *Act 1974* that section 5 of that Act defines as the ***licensing***  
12      ***provisions of this Act*** or an officer in that department whose  
13      duties relate to driver or vehicle licensing.” and insert:

14

15           must be either —

16           (a)   the CEO as defined in the *Road Traffic*  
17           *(Administration) Act 2008* section 4; or

18           (b)   an officer in the department of the Public  
19           Service principally assisting in the  
20           administration of the *Road Traffic*  
21           *(Authorisation to Drive) Act 2008* whose  
22           functions relate to the licensing of drivers; or

23           (c)   an officer in the department of the Public  
24           Service principally assisting in the  
25           administration of the *Road Traffic (Vehicles)*  
26           *Act 2011* whose functions relate to the granting  
27           of licences in respect of vehicles.

28



1   **173.   Section 12 amended**

2       (1)   In section 12(3) in the definition of *photograph-based vehicle*  
3       *infringement notice*:

4           (a)   delete “a traffic infringement notice under the *Road*  
5               *Traffic Act 1974*” and insert:

6  
7               an infringement notice as defined in the *Road Traffic*  
8               *(Administration) Act 2008* section 4  
9

10          (b)   in paragraph (a) delete “against the *Road Traffic*  
11               *Act 1974*” and insert:

12  
13               under a road law as defined in section 4 of  
14               that Act  
15

16          (c)   in paragraph (b) delete “the provisions of the *Road*  
17               *Traffic Act 1974* about traffic infringement notices,” and  
18               insert:

19  
20               section 90 of that Act,  
21

22       (2)   In section 12(3) in the definition of *prescribed penalty* delete  
23       “the *Road Traffic Act 1974* for an offence if dealt with under  
24       section 102;” and insert:

25  
26               a road law as defined in the *Road Traffic*  
27               *(Administration) Act 2008* section 4 for an offence if  
28               dealt with under section 79 of that Act;  
29

- 1 (3) In section 12(4) delete the definition of *traffic infringement*  
2 *notice* and insert:

3  
4 *infringement notice* includes a notice that, because of  
5 the *Road Traffic (Administration) Act 2008*  
6 section 104(2), is to be regarded as being an  
7 infringement notice.  
8

9 **Division 47 — *Sentencing Act 1995* amended**

10 **174. Act amended**

11 This Division amends the *Sentencing Act 1995*.

12 **175. Section 45 amended**

13 In section 45(5):

- 14 (a) in paragraph (a)(i) delete “disqualify” and insert:

15  
16 disqualify, under a road law as defined  
17 in the *Road Traffic (Administration)*  
18 *Act 2008* section 4,  
19

- 20 (b) in paragraph (a)(i) delete “under the *Road Traffic*  
21 *Act 1974*,” and insert:

22  
23 as defined in that section;

- 24  
25 (c) in paragraph (b) delete “the *Road Traffic Act 1974*,” and  
26 insert:

27  
28 a road law as defined in the *Road Traffic*  
29 *(Administration) Act 2008* section 4,  
30

- 1 (d) in paragraph (b) delete “under that Act;” and insert:  
2  
3 as defined in that section;  
4

5 **176. Section 105 amended**

- 6 (1) In section 105(3) delete “chief executive officer of the  
7 department of the Public Service principally assisting in the  
8 administration of the provisions of the *Road Traffic Act 1974*  
9 that section 5 of that Act defines as the “licensing provisions of  
10 this Act” for the purposes of administering those provisions.”  
11 and insert:

12  
13 CEO as defined in the *Road Traffic (Administration)*  
14 *Act 2008* section 4.  
15

- 16 (2) In section 105(4)(a):

- 17 (a) delete “disqualify” and insert:

18  
19 disqualify, under a road law as defined in the  
20 *Road Traffic (Administration) Act 2008*  
21 section 4,  
22

- 23 (b) delete “under the *Road Traffic Act 1974*,” and insert:

24  
25 as defined in that section;  
26

- 27 (3) In section 105(5) in the definition of ***driver’s licence*** delete  
28 “*Road Traffic Act 1974*,” and insert:

29  
30 *Road Traffic (Administration) Act 2008* section 4;  
31

**Road Traffic Legislation Amendment Bill 2011**

**Part 4** Consequential amendments to other Acts

**Division 48** Taxation Administration Act 2003 amended

**s. 177**

---

- 1 (4) In section 105(5) in the definition of ***motor vehicle*** delete “*Road*  
2 *Traffic Act 1974*,” and insert:

3

4 *Road Traffic (Administration) Act 2008* section 4;  
5

6 **Division 48 — Taxation Administration Act 2003 amended**

7 **177. Act amended**

8 This Division amends the *Taxation Administration Act 2003*.

9 **178. Section 34 amended**

10 In section 34(2)(b) delete “a traffic infringement notice issued  
11 under the *Road Traffic Act 1974* section 102,” and insert:

12

13 an infringement notice as defined in the *Road*  
14 *Traffic (Administration) Act 2008* section 4,  
15

16 **Division 49 — Taxi Act 1994 amended**

17 **179. Act amended**

18 This Division amends the *Taxi Act 1994*.

19 **180. Section 16 amended**

- 20 (1) In section 16(8)(b) delete “the *Road Traffic Act 1974* or an Act  
21 of another State or a Territory corresponding to either of those  
22 Acts; and” and insert:

23

24 a road law as defined in the *Road Traffic*  
25 *(Administration) Act 2008* section 4 or an Act  
26 of another State or a Territory corresponding to  
27 any of those written laws; and  
28

1       (2) In section 16(10) in the definition of **owner** delete “section 5(1)  
2       of the *Road Traffic Act 1974*,” and insert:

3

4       the *Road Traffic (Administration) Act 2008* section 5;

5

6       **181. Section 32 amended**

7       In section 32(2)(b) delete “issued under the *Road Traffic*  
8       *Act 1974*; and” and insert:

9

10                               granted under the *Road Traffic (Authorisation*  
11                               *to Drive) Act 2008*; and

12

13                               **Division 50 — The Criminal Code amended**

14       **182. Act amended**

15       This Division amends *The Criminal Code*.

16       **183. Section 1 amended**

17       In section 1(1) in the definition of **motor vehicle** delete “*Road*  
18       *Traffic Act 1974*,” and insert:

19

20       *Road Traffic (Administration) Act 2008* section 4;

21

22       **184. Section 297 amended**

23       Delete section 297(4)(c)(iii) and insert:

24

25                               (iii) a taxi as defined in the *Taxi Act 1994*  
26                               section 3(1) or an omnibus as defined in  
27                               the *Transport Co-ordination Act 1966*  
28                               section 4(1);

29

1 **185. Section 318 amended**

2 Delete section 318(1)(g)(iii) and insert:

- 3
- 4 (iii) a taxi as defined in the *Taxi Act 1994*
- 5 section 3(1) or an omnibus as defined in
- 6 the *Transport Co-ordination Act 1966*
- 7 section 4(1);
- 8

9 **Division 51 — *Transport Co-ordination Act 1966* amended**

10 **186. Act amended**

11 This Division amends the *Transport Co-ordination Act 1966*.

12 **187. Section 27 amended**

13 In section 27(5) delete “part of the Metropolitan Traffic Area,

14 within the meaning of the *Road Traffic Act 1974*.” and insert:

15

16 road in respect of which the Commissioner may

17 exercise power under the *Main Roads Act 1930*.

18

19 **188. Section 32 amended**

20 In section 32 delete “the vehicle is licensed in accordance with

21 the *Road Traffic Act 1974*.” and insert:

22

23 a licence has been granted in respect of the vehicle

24 under the *Road Traffic (Vehicles) Act 2011*.

25

26 Note: The heading to amended section 32 is to read:

27 **Omnibuses to be licensed under *Road Traffic (Vehicles) Act 2011***

1     **189.     Section 42 amended**

2             In section 42 delete “the vehicle is licensed for its class, under  
3             the *Road Traffic Act 1974*.” and insert:

4  
5                     a licence has been granted in respect of the vehicle  
6                     under the *Road Traffic (Vehicles) Act 2011* for that  
7                     class of vehicle.

8  
9             Note: The heading to amended section 42 is to read:

10                     **Commercial goods vehicles to be licensed under *Road Traffic***  
11                     ***(Vehicles) Act 2011***

12     **190.     Section 47ZD amended**

13             In section 47ZD(4) delete “the person who is deemed to be the  
14             owner pursuant to a notice given to the Director General for the  
15             purposes of the *Road Traffic Act 1974*,” and insert:

16  
17                     the person who, under the *Road Traffic*  
18                     *(Administration) Act 2008* section 5(2), is taken to be  
19                     the owner of the vehicle

20  
21     **191.     Section 47ZE amended**

22             In section 47ZE delete “is licensed to drive a taxi-car under the  
23             *Road Traffic Act 1974*.” and insert:

24  
25                     holds a driver’s licence under the *Road Traffic*  
26                     *(Authorisation to Drive) Act 2008* that authorises the  
27                     person to drive a taxi-car.

28  
29             Note: The heading to amended section 47ZE is to read:

30                     **Taxi drivers to be licensed under *Road Traffic (Authorisation to***  
31                     ***Drive) Act 2008***

1 **192. Section 47ZG amended**

2 Delete section 47ZG(5).

3 **193. Section 58B amended**

4 (1) In section 58B(3) in the definition of *motor vehicle* delete  
5 “*Road Traffic Act 1974*,” and insert:

6

7 *Road Traffic (Administration) Act 2008* section 4;

8

9 (2) In section 58B(3) in the definition of *owner* delete “who is the  
10 holder of the requisite vehicle licence under the *Road Traffic*  
11 *Act 1974* in respect of that vehicle,” and insert:

12

13 to whom a licence in respect of the vehicle has been  
14 granted under the *Road Traffic (Vehicles) Act 2011*,

15

16 **194. Section 59 amended**

17 In section 59 delete “the *Road Traffic Act 1974*, but that Act”  
18 and insert:

19

20 a road law as defined in the *Road Traffic*  
21 *(Administration) Act 2008* section 4 but a road law

22

23 Note: The heading to amended section 59 is to read:

24 **Effect of other road laws**

25 **195. First Schedule amended**

26 In the First Schedule delete “in whose name the vehicle is licensed  
27 under the *Road Traffic Act 1974*.” and insert:

28

29 to whom a licence in respect of the vehicle is granted under  
30 the *Road Traffic (Vehicles) Act 2011*.

31



1                    **Division 52 — *University of Western Australia***  
2                    ***Act 1911* amended**

3    **196.    Act amended**

4                    This Division amends the *University of Western Australia*  
5                    *Act 1911*.

6    **197.    Section 16A amended**

7                    In section 16A(1) in the definition of ***owner*** delete “*Road*  
8                    *Traffic Act 1974*.” and insert:

9  
10                    *Road Traffic (Administration) Act 2008*.  
11

12                    **Division 53 — *Western Australian Sports Centre Trust***  
13                    ***Act 1986* amended**

14    **198.    Act amended**

15                    This Division amends the *Western Australian Sports Centre*  
16                    *Trust Act 1986*.

17    **199.    Section 18D amended**

18                    (1) In section 18D(3) in the definition of ***motor vehicle*** delete  
19                    “*Road Traffic Act 1974*,” and insert:

20  
21                    *Road Traffic (Administration) Act 2008* section 4;  
22

1       (2) In section 18D(3) in the definition of **owner** delete “who is the  
2 holder of the requisite vehicle licence under the *Road Traffic*  
3 *Act 1974* in respect of that vehicle, or, if the vehicle is not  
4 licensed under that Act,” and insert:

5

6                   to whom a licence in respect of the vehicle has been  
7 granted under the *Road Traffic (Vehicles) Act 2011*, or,  
8 if there is not such a person,  
9

10                   **Division 54 — *Young Offenders Act 1994* amended**

11       **200. Act amended**

12                   This Division amends the *Young Offenders Act 1994*.

13       **201. Section 46 amended**

14                   In section 46(5a) delete “section 106 of the *Road Traffic*  
15 *Act 1974*” and insert:

16

17                   the *Road Traffic (Administration) Act 2008* section 121  
18

19       **202. Section 55 amended**

20                   In section 55(4):

21                   (a) delete “the *Road Traffic Act 1974*” and insert:

22

23                               a road law as defined in the *Road Traffic*  
24 *(Administration) Act 2008* section 4  
25

26                   (b) delete “under that Act” and insert:

27

28                               as defined in that section  
29

1     **203.     Section 189 amended**

2             In section 189(8)(c) delete “issued under the *Road Traffic*  
3             *Act 1974*; or” and insert:

4  
5                             as that term is defined in the *Road Traffic*  
6                             *(Administration) Act 2008* section 4; or  
7

8             **Division 55 — Zoological Parks Authority Act 2001 amended**

9     **204.     Act amended**

10            This Division amends the *Zoological Parks Authority Act 2001*.

11    **205.     Section 3 amended**

12        (1) In section 3 in the definition of **owner**:

13            (a) in paragraph (a) delete “who holds the licence for the  
14            vehicle that is required under the *Road Traffic Act 1974*;  
15            or” and insert:

16  
17                           to whom a licence in respect of the vehicle has  
18                           been granted under the *Road Traffic (Vehicles)*  
19                           *Act 2011*; or  
20

21            (b) in paragraph (b) delete “the vehicle is not licensed under  
22            the *Road Traffic Act 1974*,” and insert:

23  
24                           there is not such a person,  
25

26        (2) In section 3 in the definition of **vehicle** delete “*Road Traffic*  
27        *Act 1974*,” and insert:

28  
29                           *Road Traffic (Administration) Act 2008* section 4;  
30

1                   **Part 5 — Road Traffic (Administration)**  
2                               **Act 2008 amended**

3   **206. Act amended**

4                   This Part amends the *Road Traffic (Administration) Act 2008*.

5   **207. Long title amended**

6                   In the long title delete “*(Vehicles) Act 2008*” and insert:

7  
8                   *(Vehicles) Act 2011*  
9

10   **208. Section 4 amended**

11           (1) In section 4 insert in alphabetical order:

12  
13                               *optional plates information* means information about  
14                               optional number plates to which regulations mentioned  
15                               in the *Road Traffic (Vehicles) Act 2011* section 136  
16                               apply including —

- 17                               (a) details of the person who have the right to use  
18                                       those number plates; and  
19                               (b) details of the persons to whom those number  
20                                       plates have been supplied;  
21

22           (2) In section 4 in the definition of *inspection station* delete “2008  
23                   section 71;” and insert:

24  
25                   2011 section 70;  
26

- 1       (3) In section 4 in the definition of *permit information* after  
2       “learner’s permits” insert:  
3  
4               or permits under the *Road Traffic (Vehicles) Act 2011*  
5       section 13  
6  
7       (4) In section 4 in the definition of *vehicle licence information*:  
8           (a) in paragraph (b) delete “licences;” and insert:  
9  
10               licences; and  
11  
12           (b) after paragraph (b) insert:  
13  
14               (c) information contained in the register of vehicle  
15               licences mentioned in the *Road Traffic*  
16               *(Vehicles) Act 2011* section 14;  
17

18   **209. Section 8 amended**

19       In section 8(5) delete “2008 section 65(1)(b) or 66(1)(b).” and  
20       insert:  
21

22       2011 section 64(1)(b) or 65(1)(b).  
23

24   **210. Section 11 amended**

25       After section 11(5A)(c) insert:  
26

27               (da) optional plates information;  
28

**s. 211**

---

1   **211.   Section 12 amended**

2       (1) In section 12(1) in the definition of *relevant authorisation* after  
3       paragraph (c) insert:

4  
5                   (da) a permit under the *Road Traffic (Vehicles)*  
6                   *Act 2011* section 13; or

7  
8       (2) After section 12(2)(c) insert:

9  
10                   (da) optional plates information;

11  
12   **212.   Section 13A amended**

13       After section 13A(2)(c) insert:

14  
15                   (da) optional plates information;

16  
17   **213.   Section 16A inserted**

18       After section 15 insert:

19  
20       **16A.   Disclosure of information for the purposes of the**  
21       ***Personal Property Securities Act 2009***  
22       **(Commonwealth)**

23       The CEO may disclose the following information to  
24       the Registrar as defined in the *Personal Property*  
25       *Securities Act 2009* (Commonwealth) section 10 —

26                   (a) information relating to vehicles that have been  
27                   stolen or written off;

28                   (b) vehicle licence information that the CEO  
29                   considers to be relevant to the operation of the  
30                   register as defined in that Act.

31

1     **214.     Section 18 amended**

2             In section 18(2):

3                 (a)    in paragraph (c) delete “2008 section 64(2) or (3), 65(2)  
4                         or (5) or 66(3) or (5); or” and insert:

5  
6                         2011 section 63(2) or (3), 64(2) or (5) or 65(3) or (5); or  
7

8                 (b)    in paragraph (d) delete “2008 section 68(2); or” and  
9                         insert:

10  
11                        2011 section 67(2); or  
12

13                 (c)    in paragraph (e) delete “2008 section 72(1); or” and  
14                         insert:

15  
16                        2011 section 71(1); or  
17

18     **215.     Section 20 amended**

19             In section 20(3) delete “2008 section 38(g), 44(g) or 46(j)” and  
20             insert:

21  
22             2011 section 37(h), 43(g) or 45(j)  
23

24     **216.     Section 36 amended**

25             In section 36(3) in the definition of *label* delete “2009  
26             section 15 or 26;” and insert:

27  
28             2011 section 15 or 27;  
29

**s. 217**

---

1   **217.   Section 52 amended**

2           In section 52(2)(b) delete “2008 section 71.” and insert:

3

4           2011 section 70.

5

6   **218.   Section 70 replaced**

7           Delete section 70 and insert:

8

9           **70.    Seized material: receipts, copies, access to originals**

10          (1) In this section —

11           *entitled person*, in relation to a seized record, means a  
12           person who —

13           (a) appears entitled to possession of the record; and

14           (b) does not already have a copy of the record.

15          (2) A police officer who seizes and removes a record,  
16           device or other thing under Division 5 must give a  
17           receipt for it to the person from whom it is seized and  
18           removed.

19          (3) A police officer must give a copy of a seized record to  
20           an entitled person, on the request of the entitled person  
21           to do so, as soon as possible after the request is  
22           received but in any event not later than the period  
23           ending 6 months after the day on which the request is  
24           received.

25          (4) A police officer must return a seized record to an  
26           entitled person, on the request of the entitled person to  
27           do so, unless the officer reasonably suspects that doing  
28           so will jeopardise the evidentiary value of the record.

29          (5) A police officer must allow an entitled person to  
30           inspect a seized record and make and keep a copy of it,



1           on the request of the entitled person to do so, unless the  
2           officer reasonably suspects that doing so will  
3           jeopardise the evidentiary value of the record.

- 4           (6) Unless a police officer reasonably suspects that  
5           complying with a request mentioned in subsection (4)  
6           or (5) will jeopardise the evidentiary value of a seized  
7           record, the officer must comply with the request as  
8           soon as possible after the request is received but in any  
9           event not later than the period ending 6 months after  
10          the day on which the request is received.

12   **219.   Section 105 amended**

13           After section 105(3) insert:

- 14  
15          (3A) A prosecution for an offence under the *Road Traffic*  
16               *(Vehicles) Act 2011* section 29(1) requires the approval  
17               of a prescribed person or a person of a prescribed class  
18               of persons.  
19          (3B) Failure to comply with subsection (3A) does not affect  
20               the validity of the prosecution notice.  
21

22   **220.   Section 109 amended**

- 23          (1) In section 109(1)(m) delete “2008 section 41” and insert:

24  
25               2011 section 40  
26

**s. 221**

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- 1 (2) After section 109(2) insert:  
2
- 3 (3) In the absence of evidence to the contrary, proof is not  
4 required in any proceedings for an offence under a road  
5 law —
- 6 (a) that the prosecutor is authorised to commence  
7 the prosecution; or
- 8 (b) that the prosecutor has any approval that is  
9 required under section 105(3A); or
- 10 (c) that a signature on the prosecution notice  
11 alleging the offence is the signature of a person  
12 authorised to commence the prosecution.  
13
- 14 **221. Section 111 amended**
- 15 (1) In section 111(1):
- 16 (a) in paragraph (c)(i) delete “2008 section 67; or” and  
17 insert:  
18  
19 2011 section 70; or  
20
- 21 (b) in paragraph (c)(ii) delete “2008 section 67,” and insert:  
22  
23 2011 section 70,  
24
- 25 (2) In section 111(3)(d) delete “2008 section 71,” and insert:  
26  
27 2011 section 70,  
28

1     **222.     Section 116 amended**

2             In section 116(1) in the definition of *office holder* delete  
3             paragraph (d) and insert:

- 4
- 5                     (d)   a person authorised by the CEO for the  
6                             purposes of section 105(2)(c); or
- 7                     (e)   a person who may give an approval for the  
8                             purposes of section 105(3A); or
- 9                     (f)   an approved officer, as that term is defined in  
10                            the *Road Traffic (Vehicles) Act 2011*  
11                            section 77.  
12

13     **223.     Section 133 amended**

14             In section 133:

- 15                     (a)   delete “The regulations” and insert:

16

17                     (1)   The regulations

- 18
- 19                     (b)   in paragraph (f) delete “2008 section 78,” and insert:  
20                             2011 section 77,

- 21
- 22
- 23                     (c)   at the end of section 133 insert:

- 24
- 25                     (2)   The regulations may provide for the review of a  
26                             decision by a court, the State Administrative Tribunal  
27                             or other tribunal, or any other body or person.  
28

**s. 224**

---

1   **224.   Section 143A amended**

2           After section 143A(2) insert:

3

- 4           (3)   Subsection (2) does not apply to information relating to  
5               particular commercial operations, even if its disclosure  
6               could not reasonably be expected to lead to the  
7               identification of the commercial operation to which it  
8               relates.

9

10   **225.   Part 9 Division 1 heading amended**

11           In the heading to Part 9 Division 1 delete “*(Consequential*  
12           *Provisions) Act 2008*” and insert:

13

14           *Legislation Amendment Act 2011*

15

16   **226.   Part 9 Division 1 Subdivision 1 heading amended**

17           In the heading to Part 9 Division 1 Subdivision 1 delete  
18           “*(Consequential Provisions) Act 2008*” and insert:

19

20           *Legislation Amendment Act 2011*

21

22   **227.   Section 147 amended**

- 23           (1)   In section 147 in the definition of *amending Act* delete  
24               “*(Consequential Provisions) Act 2008*,” and insert:

25

26           *Legislation Amendment Act 2011*;

27

- 1       (2) In section 147 in the definition of *commencement day* delete  
2       “(Consequential Provisions) Act 2008 Part 2” and insert:

3

4       *Legislation Amendment Act 2011* Part 3

5

6       **228. Part 9 Division 1 Subdivision 2 heading amended**

7       In the heading to Part 9 Division 1 Subdivision 2 delete  
8       “(Consequential Provisions) Act 2008” and insert:

9

10       *Legislation Amendment Act 2011*

11

12       **229. Section 165 amended**

13       In section 165:

- 14           (a) delete “(Consequential Provisions) Act 2008 Part 3,”  
15           and insert:

16

17           *Legislation Amendment Act 2011* Part 4,

18

- 19           (b) delete “(Consequential Provisions) Act 2008 Part 3.”  
20           and insert:

21

22           *Legislation Amendment Act 2011* Part 4.

23

24       **230. Part 9 Division 2 heading amended**

25       In the heading to Part 9 Division 2 delete “**2008**”.

**231. Section 166 amended**

*(Vehicles) Act 2011 or the Road Traffic Legislation Amendment Act 2011.*

## 2011

s. 4 def. of <i>equipment, GCM, GVM, heavy vehicle, involved person, journey documentation, light vehicle, load, passenger, road law</i> par. (d), <i>road transport, transport documentation</i> and <i>vehicle licence</i>	s. 6(1) def. of <i>licensed</i> and (2)(b)
s. 10(1)	s. 12(1) def. of <i>permit</i>
s. 18(2)(f)	s. 20(1) and (2)
s. 28 def. of <i>MDLR compliance purposes</i> par. (a)(i) and <i>MDLR offence</i> par. (a)	s. 36(3) def. of <i>number plate</i>
s. 52(5)(c) and (d)	s. 54(1) def. of <i>premises</i> par. (d) and (e) and (8)(a) and (b)

s. 56(1)(a)	s. 58(2)(a)(i) and (ii)
s. 81(1) def. of <i>offence</i> and (3)	s. 84(2)
s. 85(a)(iii)	s. 91(a)
s. 106(1)(c)	s. 109(1)(l)
s. 111(3)(c)	s. 120
s. 133(b), (c), (d), (e) and (g)	

1           **Part 6 — *Road Traffic (Authorisation to Drive)***  
2                           ***Act 2008* amended**

3   **233.     Act amended**

4           This Part amends the *Road Traffic (Authorisation to Drive)*  
5           *Act 2008*.

6   **234.     Part 6 Division 1 heading amended**

7           In the heading to Part 6 Division 1 delete “*(Consequential*  
8           *Provisions) Act 2008*” and insert:

9  
10           ***Legislation Amendment Act 2011***

11  
12   **235.     Section 64 amended**

13       (1)   In section 64 in the definition of ***amending Act*** delete  
14       “*(Consequential Provisions) Act 2008*,” and insert:

15  
16           *Legislation Amendment Act 2011*;

17  
18       (2)   In section 64 in the definition of ***commencement day*** delete  
19       “*(Consequential Provisions) Act 2008* Part 2” and insert:

20  
21           *Legislation Amendment Act 2011* Part 3  
22



1                   **Part 7 — *Road Traffic (Vehicles) (Taxing)***  
2                                   ***Act 2008* amended**

3   **236.     Act amended**

4                   This Part amends the *Road Traffic (Vehicles) (Taxing) Act 2008*.

5   **237.     Long title amended**

6                   In the long title delete “**2008**” and insert:

7  
8                   ***2011***

9  
10   **238.    Section 3 amended**

11                  In section 3 delete “*2008*” and insert:

12  
13                  ***2011***  
14

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