

Western Australia

LEGISLATIVE COUNCIL

Road Traffic Amendment Bill (No. 2) 2000

A Bill for

An Act to amend the *Road Traffic Act 1974*.

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Road Traffic Amendment Act (No. 2) 2000*.

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2. Commencement

This Act comes into operation on a day fixed by proclamation.

3. The Act amended

The amendments in this Act are to the *Road Traffic Act 1974**.

5 [* Reprinted as at 17 September 1999.

For subsequent amendments see 1999 Index to Legislation of
Western Australia, Table 1, p. 219.]

4. Section 5 amended

10 Section 5 is amended in the definition of “road” by deleting
“thereon;” and inserting instead —

“

on the highway, road or street, and, in the
regulations, includes any other area that the
Minister has ordered under section 103A to be an
15 area to which the regulations apply;

”.

5. Sections 103A and 103B inserted

After section 103 the following sections are inserted in
Part VI —

20 “

**103A. Power to include areas in the scope of specified
regulations**

(1) The Minister may order, by notice in the *Gazette*, that a
specified area of the State that is open to or used by the
25 public is an area to which specified regulations apply.

(2) Such an order has effect until it is revoked or for the
period specified in the order.

103B. Power to grant exemptions from specified regulations

The regulations may provide for the Minister to declare, by notice in writing in accordance with the regulations, that a specified requirement of the regulations does not apply to a specified person or vehicle.

”.

6. Section 111 amended

Section 111(2)(d) is deleted and the following paragraphs are inserted instead —

“

- (d) prescribing standards for vehicles, including standards relating to —
 - (i) the design, construction, efficiency and performance of, and the equipment to be carried on, vehicles;
 - (ii) the attachment of operational or safety devices;
 - (iii) mass and dimension limits of vehicles and their loads;
 - (iv) roadworthiness;
 - (v) safety, emissions and noise;
 - (vi) the coupling of trailers and motor vehicles;
 - (vii) the identification of vehicles or components of vehicles;
 - (viii) loading and unloading and securing of loads;
 - (ix) vehicles whose size, mass or load exceeds limits set by the regulations;

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- (x) security of vehicles and the equipment to be fitted to vehicles for the purposes of security; and
- (xi) the keeping and production of records;
- 5 (daa) applying, adopting or incorporating, with or without modification, any instrument or writing relating to vehicle standards, as in force or existing at the time the regulations take effect;

”.

10 **7. Section 111A inserted**

After section 111 the following section is inserted —

“

111A. Adoption of other laws, codes etc.

- 15 (1) Regulations made under section 111 may adopt, either wholly or in part or with modifications —
 - (a) a national standard determined under the *Motor Vehicle Standards Act 1989* of the Commonwealth; or
 - 20 (b) any of the standards, rules, codes or specifications of the body known as Standards Australia or a similar specified body.
- 25 (2) If any subsidiary legislation, standard, rule, code or specification is adopted under subsection (1), it is adopted as in force from time to time unless the regulations specify that a particular text is adopted.

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