

**Road Traffic (Consequential Provisions)
Bill 2007**

CONTENTS

Part 1 — Preliminary

- | | | |
|----|--------------|---|
| 1. | Short title | 2 |
| 2. | Commencement | 2 |

**Part 2 — Amendments to the *Road
Traffic Act 1974***

- | | | |
|-----|------------------------|---|
| 3. | The Act amended | 3 |
| 4. | Long title amended | 3 |
| 5. | Section 5 replaced | 3 |
| 5. | Terms used in this Act | 3 |
| 6. | Section 5A repealed | 3 |
| 7. | Part II repealed | 3 |
| 8. | Part III repealed | 3 |
| 9. | Part IV repealed | 4 |
| 10. | Part IVA repealed | 4 |
| 11. | Section 49AA amended | 4 |
| 12. | Section 49 amended | 4 |
| 13. | Section 50A amended | 5 |
| 14. | Section 51 repealed | 5 |
| 15. | Section 53 repealed | 5 |
| 16. | Section 58 repealed | 5 |
| 17. | Section 58A repealed | 5 |
| 18. | Section 64A amended | 5 |
| 19. | Section 64AAA amended | 6 |
| 20. | Section 74 amended | 6 |
| 21. | Section 75 repealed | 6 |
| 22. | Section 76 repealed | 7 |
| 23. | Section 77 repealed | 7 |

Contents

24.	Section 78 repealed	7
25.	Section 78C amended	7
26.	Section 78D amended	7
27.	Section 80G amended	7
28.	Section 80L amended	7
29.	Section 82 repealed	8
30.	Section 82A repealed	8
31.	Section 83 repealed	8
32.	Section 84 repealed	8
33.	Section 85 repealed	8
34.	Section 86 repealed	8
35.	Section 86A repealed	8
36.	Section 87 repealed	8
37.	Section 92 repealed	9
38.	Section 93 repealed	9
39.	Section 97 repealed	9
40.	Section 98 repealed	9
41.	Section 98A repealed	9
42.	Section 99 repealed	9
43.	Section 100 repealed	9
44.	Section 101 repealed	9
45.	Section 101A repealed	9
46.	Section 102 repealed	9
47.	Section 102A repealed	9
48.	Section 102B repealed	10
49.	Section 102C repealed	10
50.	Section 102D repealed	10
51.	Part VIA repealed	10
52.	Section 105 repealed	10
53.	Section 106 amended	10
54.	Section 107 repealed	10
55.	Section 109 repealed	10
56.	Section 110 repealed	10
57.	Section 111 amended	10
58.	Section 111AA repealed	12
59.	Section 111AB amended	12
60.	Section 111A repealed	12
61.	Section 112 repealed	12
62.	Section 113 repealed	12
63.	References to “member of the Police Force” changed to “police officer”	13

64.	References to “member” changed to “police officer”	14
 Part 3 — Consequential amendments to other Acts 		
Division 1 — <i>Agriculture and Related Resources Protection Act 1976</i>		
65.	The Act amended	15
66.	Section 7 amended	15
Division 2 — <i>Biosecurity and Agriculture Management Act 2007</i>		
67.	The Act amended	15
68.	Section 6 amended	15
Division 3 — <i>Botanic Gardens and Parks Authority Act 1998</i>		
69.	The Act amended	16
70.	Section 3 amended	16
71.	Section 50 amended	17
Division 4 — <i>Chattel Securities Act 1987</i>		
72.	The Act amended	17
73.	Section 3 amended	17
74.	Section 7 amended	18
75.	Section 13 amended	19
76.	Section 30 amended	19
Division 5 — <i>Children and Community Services Act 2004</i>		
77.	The Act amended	19
78.	Section 102 amended	19
Division 6 — <i>Children’s Court of Western Australia Act 1988</i>		
79.	The Act amended	20
80.	Section 51A amended	20
Division 7 — <i>Civil Judgments Enforcement Act 2004</i>		
81.	The Act amended	20
82.	Section 113 amended	20
83.	Section 114 amended	21

	Division 8 — Consumer Affairs Act 1971	
84.	The Act amended	21
85.	Schedule amended	21
	Division 9 — Control of Vehicles (Off-road Areas) Act 1978	
86.	The Act amended	21
87.	Section 3 amended	22
88.	Section 7 amended	22
89.	Section 11 amended	22
90.	Section 34 amended	23
91.	Section 36 amended	23
92.	Section 38 amended	23
93.	Section 39 amended	24
	Division 10 — Court Security and Custodial Services Act 1999	
94.	The Act amended	24
95.	Section 47 amended	24
	Division 11 — Credit Act 1984	
96.	The Act amended	25
97.	Section 5 amended	25
	Division 12 — Criminal Appeals Act 2004	
98.	The Act amended	25
99.	Section 11 amended	26
	Division 13 — The Criminal Code	
100.	The Act amended	26
101.	Section 1 amended	26
102.	Section 297 amended	26
103.	Section 318 amended	27
	Division 14 — Criminal Investigation Act 2006	
104.	The Act amended	27
105.	Section 18 amended	27
106.	Section 28 amended	28
107.	Section 135 amended	28
	Division 15 — Criminal Procedure Act 2004	
108.	The Act amended	28
109.	Section 3 amended	28
110.	Section 11 amended	28

	Division 16 — <i>Cross-border Justice Act 2007</i>	
111.	The Act amended	29
112.	Section 138 amended	29
	Division 17 — <i>Dangerous Goods Safety Act 2004</i>	
113.	The Act amended	29
114.	Section 14 amended	30
115.	Section 15 amended	30
	Division 18 — <i>Duties Act 2007</i>	
116.	The Act amended	30
117.	Section 228 amended	30
118.	Section 230 amended	31
119.	Section 240 amended	31
120.	References to “Road Traffic Act” changed to “Vehicles Act”	32
121.	References to “Director General” changed to “CEO”	32
	Division 19 — <i>Emergency Management Act 2005</i>	
122.	The Act amended	32
123.	Section 68 amended	33
	Division 20 — <i>Environmental Protection Act 1986</i>	
124.	The Act amended	33
125.	Section 3 amended	33
	Division 21 — <i>Finance Brokers Control Act 1975</i>	
126.	The Act amended	34
127.	Section 4 amended	34
	Division 22 — <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>	
128.	The Act amended	34
129.	Section 3 amended	35
130.	Section 9 amended	36
131.	Section 10 amended	36
132.	Section 19 amended	36
133.	Section 20 amended	36
134.	Section 26 amended	36
135.	Section 27A amended	37
136.	Section 43 amended	37
137.	Section 44 amended	37
138.	Section 47A amended	38

Contents

139.	Section 55A amended	38
	Division 23 — <i>Fish Resources Management Act 1994</i>	
140.	The Act amended	38
141.	Section 4 amended	38
	Division 24 — <i>Government Railways Act 1904</i>	
142.	The Act amended	38
143.	Section 73 amended	39
	Division 25 — <i>Health Act 1911</i>	
144.	The Act amended	39
145.	Section 246ZZ amended	39
	Division 26 — <i>Land Administration Act 1997</i>	
146.	The Act amended	39
147.	Section 61 amended	40
	Division 27 — <i>Liquor Control Act 1988</i>	
148.	The Act amended	40
149.	Section 119 amended	40
	Division 28 — <i>Local Government Act 1995</i>	
150.	The Act amended	40
151.	Section 3.38 amended	41
152.	Section 3.40 amended	41
153.	Section 9.13 amended	41
154.	Section 9.15 amended	42
155.	Section 9.18 amended	42
	Division 29 — <i>Magistrates Court Act 2004</i>	
156.	The Act amended	43
157.	Section 33 amended	43
	Division 30 — <i>Main Roads Act 1930</i>	
158.	The Act amended	44
159.	Section 13 amended	44
160.	Section 16 amended	44
161.	Section 31 amended	44
	Division 31 — <i>Marine and Harbours Act 1981</i>	
162.	The Act amended	44
163.	Section 18B amended	44

Division 32 — Mines Safety and Inspection Act 1994		
164.	The Act amended	45
165.	Section 4 amended	45
Division 33 — Motor Vehicle Dealers Act 1973		
166.	The Act amended	45
167.	Section 5 amended	45
168.	Section 28A amended	46
169.	Section 33 amended	46
Division 34 — Motor Vehicle Drivers Instructors Act 1963		
170.	The Act amended	46
171.	Section 3 amended	46
172.	Section 5 amended	47
173.	Section 7 amended	47
Division 35 — Motor Vehicle (Third Party Insurance) Act 1943		
174.	The Act amended	47
175.	Section 2 amended	47
176.	Section 3 amended	48
177.	Section 4 amended	48
178.	Section 18 amended	49
179.	Section 21 amended	49
180.	Various provisions amended in relation to Traffic Act	49
Division 36 — Parks and Reserves Act 1895		
181.	The Act amended	49
182.	Section 2 amended	50
183.	Section 7A amended	50
184.	Section 7C amended	50
Division 37 — Perth Market Act 1926		
185.	The Act amended	51
186.	Section 1A amended	51
Division 38 — Petroleum Products Pricing Act 1983		
187.	The Act amended	51
188.	Section 3 amended	51

	Division 39 — <i>Planning and Development Act 2005</i>	
189.	The Act amended	51
190.	Section 4 amended	52
	Division 40 — <i>Prisons Act 1981</i>	
191.	The Act amended	52
192.	Section 15L amended	52
	Division 41 — <i>Retail Trading Hours Act 1987</i>	
193.	The Act amended	52
194.	Section 3 amended	53
	Division 42 — <i>Owner-Drivers (Contracts and Disputes) Act 2007</i>	
195.	The Act amended	53
196.	Section 3 amended	53
	Division 43 — <i>Road Safety Council Act 2002</i>	
197.	The Act amended	53
198.	Section 3 amended	53
199.	Section 6 amended	54
200.	Section 12 amended	55
	Division 44 — <i>Sentencing Act 1995</i>	
201.	The Act amended	56
202.	Section 45 amended	56
203.	Section 105 amended	57
	Division 45 — <i>Taxation Administration Act 2003</i>	
204.	The Act amended	58
205.	Section 34 amended	58
	Division 46 — <i>Taxi Act 1994</i>	
206.	The Act amended	58
207.	Section 16 amended	59
208.	Section 32 amended	59
	Division 47 — <i>Transport Co-ordination Act 1966</i>	
209.	The Act amended	59
210.	Section 27 amended	60
211.	Section 32 amended	60
212.	Section 42 amended	60
213.	Section 47ZD amended	60
214.	Section 47ZE amended	61
215.	Section 47ZG amended	61

216.	Section 58B amended	61
217.	Section 59 amended	61
218.	First Schedule amended	62
	Division 48 — <i>University of Western Australia Act 1911</i>	
219.	The Act amended	62
220.	Section 16A amended	62
	Division 49 — <i>Western Australian Sports Centre Trust Act 1986</i>	
221.	The Act amended	63
222.	Section 18D amended	63
	Division 50 — <i>Young Offenders Act 1994</i>	
223.	The Act amended	63
224.	Section 46 amended	64
225.	Section 55 amended	64
226.	Section 189 amended	64
	Division 51 — <i>Zoological Parks Authority Act 2001</i>	
227.	The Act amended	64
228.	Section 3 amended	65

Western Australia

LEGISLATIVE ASSEMBLY

(As amended during consideration in detail)

**Road Traffic (Consequential Provisions)
Bill 2007**

A Bill for

An Act to amend the *Road Traffic Act 1974* and amend various other Acts as a consequence of the enactment of the *Road Traffic (Administration) Act 2007*, the *Road Traffic (Authorisation to Drive) Act 2007* and the *Road Traffic (Vehicles) Act 2007*, and for related purposes.

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Road Traffic (Consequential Provisions) Act 2007*.

2. Commencement

5 This Act comes into operation as follows:

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act, on the day fixed under the *Road Traffic (Administration) Act 2007* section 2(b).

Part 2 — Amendments to the *Road Traffic Act 1974*

3. The Act amended

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

4. Long title amended

5 The long title is amended by deleting “consolidate and amend the law relating to road traffic; to repeal the *Traffic Act 1919*” and inserting instead —

“

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

”.

5. Section 5 replaced

Section 5 is repealed and the following section is inserted instead —

15 “

5. Terms used in this Act

The *Road Traffic (Administration) Act 2007* Part 1 Division 2 provides for the meanings of some terms and abbreviations in this Act.

20

”.

6. Section 5A repealed

Section 5A is repealed.

7. Part II repealed

Part II is repealed.

25 **8. Part III repealed**

Part III is repealed.

s. 9

9. Part IV repealed

Part IV is repealed.

10. Part IVA repealed

Part IVA is repealed.

5 **11. Section 49AA amended**

Section 49AA is amended by deleting the definition of “bodily harm”.

12. Section 49 amended

- 10 (1) Section 49(1)(a) is amended by deleting “Part IVA” and inserting instead —

“

the *Road Traffic (Authorisation to Drive) Act 2007* Part 2

”.

- 15 (2) Section 49(2)(a) is amended by deleting “section 44(1);” and inserting instead —

“

the *Road Traffic (Authorisation to Drive) Act 2007* section 11(1);

”.

20

- (3) Section 49(4) is amended by deleting “to the State Administrative Tribunal”.

- (4) Section 49(5) is amended by deleting “Director General has been ordered under section 76(3)” and inserting instead —

25

“

CEO has been ordered under the *Road Traffic (Authorisation to Drive) Act 2007* section 30(1)

”.

13. Section 50A amended

Section 50A(1)(a)(ii) is amended by deleting “Director General;” and inserting instead —

“ CEO; ”.

5 **14. Section 51 repealed**

Section 51 is repealed.

15. Section 53 repealed

Section 53 is repealed.

16. Section 58 repealed

10 Section 58 is repealed.

17. Section 58A repealed

Section 58A is repealed.

18. Section 64A amended

(1) Section 64A(2) is amended as follows:

15 (a) in paragraph (a) by deleting “licence;” and inserting instead —

“

licence as defined in the *Road Traffic*
(Authorisation to Drive) Act 2007 section 3(1);

20 or

”;

(b) in paragraph (d) by deleting “section 75(2a) or (2b)” and inserting instead —

“

25 the *Road Traffic (Authorisation to Drive)*
Act 2007 section 22(1) or (2)

”;

s. 19

(c) in paragraph (e) by deleting “licence; or” and inserting instead —

“

licence as defined in the *Road Traffic (Authorisation to Drive) Act 2007* section 3(1);
or

”;

(d) after each of paragraphs (b), (c) and (d) by inserting —

“ or ”.

(2) Section 64A(3)(b) is amended by deleting “section 75(2a) or (2b)” and inserting instead —

“

the *Road Traffic (Authorisation to Drive) Act 2007* section 22(1) or (2)

”.

19. Section 64AAA amended

Section 64AAA(2) is amended by deleting “section 104(2).” and inserting instead —

“

the *Road Traffic (Authorisation to Drive) Act 2007* section 40(2).

”.

20. Section 74 amended

(1) Section 74(1) is repealed.

(2) Section 74(2) is repealed.

21. Section 75 repealed

Section 75 is repealed.

22. Section 76 repealed

Section 76 is repealed.

23. Section 77 repealed

Section 77 is repealed.

5 **24. Section 78 repealed**

Section 78 is repealed.

25. Section 78C amended

Section 78C(6)(b) is amended by deleting “section 86A.” and inserting instead —

10 “ any other road law in relation to the moving of vehicles. ”.

26. Section 78D amended

Section 78D(c) is amended by deleting “members of the Police Force” and inserting instead —

“ police officers ”.

15 **27. Section 80G amended**

(1) Section 80G(3)(c) is amended by deleting “Director General;” and inserting instead —

“ CEO; ”.

(2) Section 80G(7) is amended by deleting “Director General” in
20 both places where it occurs and inserting instead —

“ CEO ”.

28. Section 80L amended

(1) Section 80L(1) is amended as follows:

(a) in paragraph (a) by deleting “Director General” and
25 inserting instead —

“ CEO ”;

s. 29

(b) in paragraph (b) by deleting “Director General” and inserting instead —
“ CEO ”.

5 (2) Section 80L(2) is amended by deleting “Director General” and inserting instead —
“ CEO ”.

29. Section 82 repealed

Section 82 is repealed.

30. Section 82A repealed

10 Section 82A is repealed.

31. Section 83 repealed

Section 83 is repealed.

32. Section 84 repealed

Section 84 is repealed.

15 **33. Section 85 repealed**

Section 85 is repealed.

34. Section 86 repealed

Section 86 is repealed.

35. Section 86A repealed

20 Section 86A is repealed.

36. Section 87 repealed

Section 87 is repealed.

- 37. Section 92 repealed**
Section 92 is repealed.
- 38. Section 93 repealed**
Section 93 is repealed.
- 5 **39. Section 97 repealed**
Section 97 is repealed.
- 40. Section 98 repealed**
Section 98 is repealed.
- 41. Section 98A repealed**
10 Section 98A is repealed.
- 42. Section 99 repealed**
Section 99 is repealed.
- 43. Section 100 repealed**
Section 100 is repealed.
- 15 **44. Section 101 repealed**
Section 101 is repealed.
- 45. Section 101A repealed**
Section 101A is repealed.
- 46. Section 102 repealed**
20 Section 102 is repealed.
- 47. Section 102A repealed**
Section 102A is repealed.

48. Section 102B repealed

Section 102B is repealed.

49. Section 102C repealed

Section 102C is repealed.

5 **50. Section 102D repealed**

Section 102D is repealed.

51. Part VIA repealed

Part VIA is repealed.

52. Section 105 repealed

10 Section 105 is repealed.

53. Section 106 amended

Section 106(1) and (2) are repealed.

54. Section 107 repealed

Section 107 is repealed.

15 **55. Section 109 repealed**

Section 109 is repealed.

56. Section 110 repealed

Section 110 is repealed.

57. Section 111 amended

20 (1) Section 111(1) is amended by deleting “licensing.”

s. 58

(13) Section 111(2b) is repealed.

(14) Section 111(4)(b) is amended by deleting “Director General” and inserting instead —

“ CEO ”.

5 (15) Section 111(4)(d)(ii) is amended by deleting “Director General” and inserting instead —

“ CEO ”.

58. Section 111AA repealed

Section 111AA is repealed.

10 **59. Section 111AB amended**

(1) Section 111AB(2) is amended as follows:

(a) by deleting “Director General” and inserting instead —
“ CEO ”;

15 (b) by deleting “section 111(2)(d).” and inserting instead —
“ section 111(2)(aa) or (c). ”.

(2) Section 111AB(3) is repealed.

(3) Section 111AB(4) is repealed.

60. Section 111A repealed

Section 111A is repealed.

20 **61. Section 112 repealed**

Section 112 is repealed.

62. Section 113 repealed

Section 113 is repealed.

63. References to “member of the Police Force” changed to “police officer”

5 The Act is amended by deleting “member of the Police Force” in each place where it occurs that is specified in the Table to this section and inserting instead —

“ police officer ”.

Table

s. 49(3)	s. 67AA(1)
s. 50A(1)(b)	s. 67AB(1)
s. 54(6)	s. 67A(1)
s. 55(4)	s. 68(3), (7)
s. 56(5)(b)	s. 69(1)
s. 57(1), (2)	s. 69A
s. 59B(3)(c)	s. 69B
s. 60(1c)(a)(i)	s. 70(3b) (3 times)
s. 65 in the definition of “driver assessment”	s. 71A(1)
s. 66(1) (twice), (1aa) (twice), (1a) (3 times), (1b), (2)(a)(i), (2)(a)(ii) (twice), (2)(b) (twice), (2)(c), (2)(ca), (2)(d) (3 times), (3), (4), (5) (6 times), (6), (6a) (3 times), (8), (8a), (9) (5 times), (10), (11) (twice), (12), (13) (7 times)	s. 71B(1) (4 times), (2), (3) (twice), (5) (twice), (6) (twice), (8) (3 times)
s. 66A(1) (3 times), (2) (twice), (3), (4), (5), (6), (7)	s. 78A in the definition of “senior officer”
s. 66B(1) (4 times), (2), (3), (4), (5) (twice), (6) (4 times)	s. 78C(1) (twice), (2) (twice), (3), (4)
s. 66C(1), (2) (twice), (3) (twice), (4), (5), (6), (7)	s. 79
s. 66D(1) (3 times), (3)	

s. 64

- | | |
|--|-----------------------------|
| s. 66E(1) (3 times), (2), (3), (4),
(6) (5 times) | s. 79A |
| s. 66F(1) (twice) | s. 79C(1), (2) (twice), (3) |
| s. 67(1), (3a) (twice) | s. 79D(2)(a) |

64. References to “member” changed to “police officer”

The Act is amended by deleting “the member” in each place where it occurs that is specified in the Table to this section and inserting instead —

5 “ the police officer ”.

Table

- | | |
|-----------------|----------------|
| s. 70(3b)(j)(i) | s. 79A |
| s. 79 | s. 79C(1), (2) |

Part 3 — Consequential amendments to other Acts

Division 1 — *Agriculture and Related Resources Protection Act 1976*

65. The Act amended

5 The amendments in this Division are to the *Agriculture and Related Resources Protection Act 1976*.

66. Section 7 amended

10 Section 7(1) is amended in the definition of “vehicle” by deleting “ascribed to that term in and for the purposes of the *Road Traffic Act 1974*,” and inserting instead —

“

given in the *Road Traffic (Administration) Act 2007* section 4;

”.

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

67. The Act amended

 The amendments in this Division are to the *Biosecurity and Agriculture Management Act 2007*.

68. Section 6 amended

20 (1) Section 6 is amended in paragraph (b) of the definition of “owner” by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 5; ”.

25 (2) Section 6 is amended in the definition of “vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4; ”.

Division 3 — Botanic Gardens and Parks Authority Act 1998

69. The Act amended

The amendments in this Division are to the *Botanic Gardens and Parks Authority Act 1998*.

5 **70. Section 3 amended**

(1) Section 3 is amended in the definition of “owner” as follows:

(a) in paragraph (a) by deleting “who holds the licence for the vehicle that is required under the *Road Traffic Act 1974*,” and inserting instead —

10

“

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2007*;

”;

15

(b) in paragraph (b) by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007*, ”.

20

(2) Section 3 is amended in the definition of “vehicle” by deleting “same meaning as in the *Road Traffic Act 1974*.” and inserting instead —

“

meaning given in the *Road Traffic (Administration) Act 2007* section 4.

”.

71. Section 50 amended

Section 50(1) is amended in the definition of “speed measuring equipment” by deleting “section 98A(2) of the *Road Traffic Act 1974*.” and inserting instead —

5

“

the *Road Traffic (Administration) Act 2007*
section 117(2).

”.

Division 4 — *Chattel Securities Act 1987*

10 **72. The Act amended**

The amendments in this Division are to the *Chattel Securities Act 1987*.

73. Section 3 amended

Section 3(1) is amended in the definition of “lease” as follows:

15

- (a) in paragraph (b), by deleting “within the meaning of the *Road Traffic Act 1974* of which the lessor is registered or an applicant for registration as the owner under the *Road Traffic Act 1974* or a corresponding Act of the Commonwealth or another state or territory of the Commonwealth; or” and inserting instead —

20

“

as defined in the *Road Traffic (Administration) Act 2007* section 4 of which the lessor is, or is applying to be, a licence holder as defined in section 6(1) of that Act;
or

25

”;

(b) in paragraph (c), by deleting “within the meaning of the *Road Traffic Act 1974*,” and inserting instead —

“

5 as defined in the *Road Traffic (Administration) Act 2007* section 4,

”.

74. Section 7 amended

(1) Section 7(5)(b) is amended as follows:

10 (a) by deleting “within the meaning of the *Road Traffic Act 1974*” and inserting instead —

“

as defined in the *Road Traffic (Administration) Act 2007* section 4

”;

15 (b) by deleting “*Road Traffic Act 1974* but” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007* but ”.

(2) Section 7(6)(d) is amended as follows:

20 (a) by deleting “within the meaning of the *Road Traffic Act 1974*” and inserting instead —

“

as defined in the *Road Traffic (Administration) Act 2007* section 4

”;

25 (b) by deleting “*Road Traffic Act 1974* but” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007* but ”.

75. Section 13 amended

(1) Section 13(a) is amended as follows:

(a) by deleting “within the meaning of the *Road Traffic Act 1974*,” and inserting instead —

5

“

as defined in the *Road Traffic (Administration) Act 2007* section 4,

”;

(b) by deleting “that Act;” and inserting instead —

10

“ the *Road Traffic (Vehicles) Act 2007*; ”.

(2) Section 13(b) is amended by deleting “that Act;” and inserting instead —

“ the *Road Traffic (Vehicles) Act 2007*; ”.

76. Section 30 amended

15

Section 30(3)(c) is amended by deleting “*Road Traffic Act 1974*” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007* ”.

Division 5 — Children and Community Services Act 2004

77. The Act amended

20

The amendments in this Division are to the *Children and Community Services Act 2004*.

78. Section 102 amended

Section 102 is amended by deleting “*Road Traffic Act 1974*” and inserting instead —

25

“ *Road Traffic (Administration) Act 2007* section 4 ”.

Division 6 — *Children's Court of Western Australia Act 1988*

79. The Act amended

The amendments in this Division are to the *Children's Court of Western Australia Act 1988*.

5 **80. Section 51A amended**

Section 51A(3)(h) is deleted and the following paragraph is inserted instead —

“

10 (h) the CEO as defined in the *Road Traffic (Administration) Act 2007* section 4;

”.

Division 7 — *Civil Judgments Enforcement Act 2004*

81. The Act amended

15 The amendments in this Division are to the *Civil Judgments Enforcement Act 2004*.

82. Section 113 amended

Section 113 is amended in the Table by inserting the following items in the appropriate alphabetical positions —

“

Road Traffic (Administration) Act 2007
Road Traffic (Authorisation to Drive) Act 2007
Road Traffic (Vehicles) Act 2007

20

”.

83. Section 114 amended

Section 114(a) is amended as follows:

- (a) by deleting “the *Road Traffic Act 1974*” and inserting instead —

5

“

a road law as defined in the *Road Traffic (Administration) Act 2007* section 4

”;

- (b) by deleting “that Act;” and inserting instead —

10

“ a road law; ”.

Division 8 — *Consumer Affairs Act 1971*

84. The Act amended

The amendments in this Division are to the *Consumer Affairs Act 1971*.

15 **85. Schedule amended**

The Schedule is amended by inserting the following items in the appropriate alphabetical positions —

“

Road Traffic (Administration) Act 2007.

20

Road Traffic (Authorisation to Drive) Act 2007.

Road Traffic (Vehicles) Act 2007.

”.

Division 9 — *Control of Vehicles (Off-road Areas) Act 1978*

86. The Act amended

25

The amendments in this Division are to the *Control of Vehicles (Off-road Areas) Act 1978*.

87. Section 3 amended

Section 3(1) is amended as follows:

- 5 (a) in the definition of “off-road vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —
“ *Road Traffic (Vehicles) Act 2007*; ”;
- (b) in the definition of “responsible person” by deleting
“section 5A of the *Road Traffic Act 1974*,” and inserting
instead —
10 “
the *Road Traffic (Administration) Act 2007*
section 4;
”.

88. Section 7 amended

- 15 Section 7(1)(a) is amended by deleting “*Road Traffic Act 1974*,”
and inserting instead —
“ *Road Traffic (Vehicles) Act 2007*; ”.

89. Section 11 amended

- 20 (1) Section 11(1)(b) is amended by deleting “*Road Traffic Act 1974*,” and inserting instead —
“ *Road Traffic (Vehicles) Act 2007*, ”.
- (2) Section 11(3)(a) and “or” after it are deleted and the following
is inserted instead —
25 “
(a) the *Road Traffic (Administration) Act 2007*
section 5(2); or
”.

90. Section 34 amended

Section 34(2) is amended by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007*, ”.

5 **91. Section 36 amended**

(1) Section 36 is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“

10 a road law as defined in the *Road Traffic (Administration) Act 2007* section 4

”.

(2) Section 36(a) is amended by deleting “that Act” and inserting instead —

“ the *Road Traffic Act 1974* ”.

15 (3) Section 36(b) is amended by deleting “in section 53, section 54, section 57, section 58, section 86A or section 89 of that Act to a member of the Police Force” and inserting instead —

“

20 to a police officer in the *Road Traffic (Administration) Act 2007* section 32, 33, 34 or 48 or the *Road Traffic Act 1974* section 54, 55 or 57

”.

92. Section 38 amended

25 (1) Section 38(2) is amended as follows:

(a) by deleting paragraph (ga) and inserting instead —

“

(ga) a person who is authorised by the CEO under the *Road Traffic (Administration) Act 2007*

Road Traffic (Consequential Provisions) Bill 2007

Part 3 Consequential amendments to other Acts

Division 10 Court Security and Custodial Services Act 1999

s. 93

section 22 to perform a function that can be performed by a warden; or

”;

5 (b) by inserting after each of paragraphs (a), (b), (e) and (f) —
“ or ”.

(2) Section 38(11)(a) is amended by deleting “Road Traffic Act 1974,” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007,* ”.

10 (3) Section 38(12)(b) is amended by deleting “*Road Traffic Act 1974,*” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007,* ”.

(4) Section 38(15)(a) is amended by deleting “*Road Traffic Act 1974*” and inserting instead —

15 “ *Road Traffic (Vehicles) Act 2007* ”.

93. Section 39 amended

Section 39(1)(a)(ii) is amended by deleting “*Road Traffic Act 1974,*” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007;* ”.

20 **Division 10 — Court Security and Custodial Services Act 1999**

94. The Act amended

The amendments in this Division are to the Court Security and Custodial Services Act 1999.

95. Section 47 amended

25 Section 47(b) is deleted and the following is inserted instead —

“

(b) the payment of the whole or a part of a penalty under an infringement notice as defined in the

Road Traffic (Administration) Act 2007
section 4 in respect of an alleged offence by the
contract worker; and

- 5 (c) the payment of the whole or a part of a penalty
under an infringement notice under a law, in
any other part of the world, corresponding to a
road law as defined in the *Road Traffic*
(Administration) Act 2007 section 4, in respect
10 of an alleged offence by the contract worker. ”.

Division 11 — *Credit Act 1984*

96. The Act amended

The amendments in this Division are to the *Credit Act 1984*.

97. Section 5 amended

15 Section 5(1) is amended in the definition of “commercial
vehicle” by deleting “within the meaning of the *Road Traffic*
Act 1974,” and inserting instead —

“
20 as defined in the *Road Traffic*
(Administration) Act 2007 section 4,
”.

Division 12 — *Criminal Appeals Act 2004*

98. The Act amended

25 The amendments in this Division are to the *Criminal Appeals*
Act 2004.

99. Section 11 amended

Section 11(3) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“

5 a road law as defined in the *Road Traffic (Administration) Act 2007* section 4,

”.

Division 13 — *The Criminal Code*

100. The Act amended

10 The amendments in this Division are to *The Criminal Code*.

101. Section 1 amended

Section 1(1) is amended in the definition of “motor vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4; ”.

15 **102. Section 297 amended**

Section 297(4)(c)(iii) is deleted and the following subparagraph is inserted instead —

“

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

”.

106. Section 28 amended

Section 28(2) is amended by deleting “member of the Police Force” and inserting instead —

“ police officer ”.

5 **107. Section 135 amended**

Section 135(2)(b) is amended by deleting “member of the Police Force acting under the *Road Traffic Act 1974* section 66, is accompanying such a member” and inserting instead —

10 “
police officer acting under the *Road Traffic Act 1974* section 66, is accompanying a police officer
”.

Division 15 — Criminal Procedure Act 2004

15 **108. The Act amended**

The amendments in this Division are to the *Criminal Procedure Act 2004*.

109. Section 3 amended

20 Section 3(1) is amended in the definition of “vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4; ”.

110. Section 11 amended

Section 11(1) is amended as follows:

25 (a) in the definition of “corresponding law” by deleting “*Road Traffic Act 1974*” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007* ”;

- (b) in the definition of “vehicle licensing law” by deleting “*Road Traffic Act 1974*” and inserting instead —
“ *Road Traffic (Vehicles) Act 2007* ”.

Division 16 — *Cross-border Justice Act 2007*

5 **111. The Act amended**

The amendments in this Division are to the *Cross-border Justice Act 2007*.

112. Section 138 amended

10 Section 138(1) is amended in paragraph (a) of the definition of “road traffic laws” by deleting “State — the *Road Traffic Act 1974*; or” and inserting instead —

“

State, any of the following enactments —

- 15 (i) the *Road Traffic Act 1974*;
- (ii) the *Road Traffic (Administration) Act 2007*;
- (iii) the *Road Traffic (Authorisation to Drive) Act 2007*;
- (iv) the *Road Traffic (Vehicles) Act 2007*;

20

or

”.

Division 17 — *Dangerous Goods Safety Act 2004*

113. The Act amended

25 The amendments in this Division are to the *Dangerous Goods Safety Act 2004*.

114. Section 14 amended

- (1) Section 14(1) is amended by deleting “within the meaning of the *Road Traffic Act 1974*” and inserting instead —

5 “ as defined in the *Road Traffic (Administration) Act 2007* section 5 ”.

- (2) Section 14(2) is amended by deleting “within the meaning of the *Road Traffic Act 1974*” and inserting instead —

10 “ as defined in the *Road Traffic (Administration) Act 2007* section 5 ”.

115. Section 15 amended

- 15 Section 15(2) is amended by deleting “the owner within the meaning of the *Road Traffic Act 1974* of” and inserting instead —

20 “ a responsible person, as defined in the *Road Traffic (Administration) Act 2007* section 4, for ”.

Division 18 — Duties Act 2007

116. The Act amended

The amendments in this Division are to the *Duties Act 2007*.

25 **117. Section 228 amended**

Section 228 is amended as follows:

- (a) by deleting the definitions of “Director General” and “Road Traffic Act”;

(b) by inserting in the appropriate alphabetical positions —

“

“**CEO**” has the meaning given to that term in the *Road Traffic (Administration) Act 2007* section 4;

5

“**Vehicles Act**” means the *Road Traffic (Vehicles) Act 2007*.

”;

(c) in the definition of “heavy vehicle” by deleting “means a vehicle with a gross vehicle mass of more than 4.5 tonnes;” and inserting instead —

10

“

has the meaning given to that term in the Vehicles Act;

”;

15

(d) in the definition of “motor vehicle” by deleting “in the Road Traffic Act section 5,” and inserting instead —

“

to that term in the *Road Traffic (Administration) Act 2007* section 4,

20

”;

(e) by deleting the full stop after the definition of “vehicle” and inserting a semicolon instead.

118. Section 230 amended

25

Section 230(2) is amended by deleting “Road Traffic Act Part III.” and inserting instead —

“ the Vehicles Act. ”.

119. Section 240 amended

30

(1) Section 240(1) is amended by deleting “Road Traffic Act section 19(3).” and inserting instead —

“ Vehicles Act section 7(3). ”.

(2) Section 240(2) is amended by deleting “Road Traffic Act section 19(3)” and inserting instead —

“ Vehicles Act section 7(3) ”.

120. References to “Road Traffic Act” changed to “Vehicles Act”

5 The Act is amended by deleting “Road Traffic Act” in each place where it occurs that is specified in the Table to this section and inserting instead —

“ Vehicles Act ”.

Table

s. 228 in the definition of “corresponding State law”	s. 243(b)
s. 230(1), (3)	s. 251(1), (2)
s. 235(a)	s. 252(1)
s. 242(1)(a), (c)	

10 **121. References to “Director General” changed to “CEO”**

The Act is amended by deleting “Director General” in each place where it occurs that is specified in the Table to this section and inserting instead —

“ CEO ”.

15 **Table**

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

Division 19 — *Emergency Management Act 2005*

122. The Act amended

The amendments in this Division are to the *Emergency Management Act 2005*.

123. Section 68 amended

Section 68 is amended by deleting “the *Road Traffic Act 1974*” and inserting instead —

5 “ a road law as defined in the *Road Traffic (Administration) Act 2007* section 4 ”.

Division 20 — *Environmental Protection Act 1986*

124. The Act amended

10 The amendments in this Division are to the *Environmental Protection Act 1986*.

125. Section 3 amended

Section 3(1) is amended as follows:

15 (a) in paragraph (a) of the definition of “driver” by deleting “within the meaning of the *Road Traffic Act 1974*, has the meaning given by that Act;” and inserting instead —

20 “ as defined in the *Road Traffic (Administration) Act 2007* section 4, has the meaning given by that section; ”;

 (b) in the definition of “motor vehicle” by deleting “*Road Traffic Act 1974*;” and inserting instead —

25 “ *Road Traffic (Administration) Act 2007* section 4; ”;

- (c) in paragraph (a) of the definition of “owner” by deleting “within the meaning of the *Road Traffic Act 1974*, has the meaning given by that Act;” and inserting instead —

5

“

as defined in the *Road Traffic (Administration) Act 2007* section 4, has the meaning given by that section;

”;

10

- (d) in the definition of “road” by deleting “*Road Traffic Act 1974*;” and inserting instead —

“

Road Traffic (Administration) Act 2007 section 4;

”.

Division 21 — *Finance Brokers Control Act 1975*

15

126. The Act amended

The amendments in this Division are to the *Finance Brokers Control Act 1975*.

127. Section 4 amended

20

Section 4 is amended in the definition of “motor vehicle” by deleting “section 5(1) of the *Road Traffic Act 1974*;” and inserting instead —

“ the *Road Traffic (Administration) Act 2007* section 4; ”.

Division 22 — *Fines, Penalties and Infringement Notices Enforcement Act 1994*

25

128. The Act amended

The amendments in this Division are to the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

129. Section 3 amended

Section 3(1) is amended as follows:

- (a) by deleting the definition of “Director General” and inserting instead —

5

“

“Director General” has the meaning that “CEO” has under the *Road Traffic (Administration) Act 2007* section 4;

”;

10

- (b) in the definition of “driver’s licence” by deleting “issued under the *Road Traffic Act 1974* and includes an extraordinary licence issued under that Act;” and inserting instead —

“

15

as defined in the *Road Traffic (Authorisation to Drive) Act 2007* section 3(1) and includes an extraordinary licence as defined in that section;

”;

20

- (c) in the definition of “vehicle licence” by deleting “for a vehicle issued under Part III of the *Road Traffic Act 1974*.” and inserting instead —

“

25

granted in respect of a vehicle under the *Road Traffic (Vehicles) Act 2007*.

”;

- (d) by inserting in the appropriate alphabetical position —

“

30

“road law” has the meaning given to that term in the *Road Traffic (Administration) Act 2007* section 4;

”.

Road Traffic (Consequential Provisions) Bill 2007

Part 3 Consequential amendments to other Acts

Division 22 Fines, Penalties and Infringement Notices Enforcement Act 1994

s. 130

130. Section 9 amended

Section 9 is amended by deleting “the *Road Traffic Act 1974*” and inserting instead —

“ a road law ”.

5 **131. Section 10 amended**

Section 10 is amended by deleting “the *Road Traffic Act 1974*” and inserting instead —

“ a road law ”.

132. Section 19 amended

10 Section 19(9) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“ a road law, ”.

133. Section 20 amended

15 Section 20(6) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“ a road law, ”.

134. Section 26 amended

(1) Section 26(1) is amended by deleting “section 102 of the *Road Traffic Act 1974*” and inserting instead —

20 “ the *Road Traffic (Administration) Act 2007* section 79 ”.

(2) Section 26(2) is amended as follows:

(a) by deleting “the *Road Traffic Act 1974*” and inserting instead —

“

25 a road law as defined in the *Road Traffic (Administration) Act 2007* section 4

”;

(b) by deleting “section 51(1)(a) of that Act and, for the purposes of Part VIA of that Act,” and inserting instead —

“

5 the *Road Traffic (Authorisation to Drive) Act 2007*
 section 16(1)(a), and for the purposes of Part 4 of
 that Act,

”.

10 (3) Section 26(4) is repealed and the following subsection is
 inserted instead —

“

(4) In this section —

 “**infringement notice**” has the meaning given in the
 Road Traffic (Administration) Act 2007 section 4.

15

”.

135. Section 27A amended

Section 27A(9) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“ a road law, ”.

20 **136. Section 43 amended**

Section 43(9) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“ a road law, ”.

137. Section 44 amended

25 Section 44(6) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“ a road law, ”.

138. Section 47A amended

Section 47A(5) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“ a road law, ”.

5 **139. Section 55A amended**

Section 55A(9) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“ a road law, ”.

Division 23 — *Fish Resources Management Act 1994*

10 **140. The Act amended**

The amendments in this Division are to the *Fish Resources Management Act 1994*.

141. Section 4 amended

15 Section 4(1) is amended in the definition of “vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4; ”.

Division 24 — *Government Railways Act 1904*

142. The Act amended

20 The amendments in this Division are to the *Government Railways Act 1904*.

143. Section 73 amended

Section 73(2) is amended by deleting “the *Road Traffic Act 1974*,” and inserting instead —

“

5 a road law as defined in the *Road Traffic (Administration) Act 2007* section 4,

”.

Division 25 — *Health Act 1911*

144. The Act amended

10 The amendments in this Division are to the *Health Act 1911*.

145. Section 246ZZ amended

Section 246ZZ(1)(g) is amended by deleting “section 98(2) and (2b) of the *Road Traffic Act 1974*,” and inserting instead —

“

15 the *Road Traffic (Administration) Act 2007* section 110(3) and (4),

”.

Division 26 — *Land Administration Act 1997*

146. The Act amended

20 The amendments in this Division are to the *Land Administration Act 1997*.

147. Section 61 amended

Section 61(2)(a) is amended as follows:

- (a) by deleting “the *Road Traffic Act 1974*” and inserting instead —

5

“

a road law as defined in the *Road Traffic (Administration) Act 2007* section 4

”;

10

- (b) by deleting “within the meaning of that Act;” and inserting instead —

“ as defined in that section; ”.

Division 27 — *Liquor Control Act 1988*

148. The Act amended

15

The amendments in this Division are to the *Liquor Control Act 1988*.

149. Section 119 amended

Section 119(4)(a) is amended by deleting “, within the meaning of the *Road Traffic Act 1974*;” and inserting instead —

20

“

as defined in the *Road Traffic (Administration) Act 2007* section 4;

”.

Division 28 — *Local Government Act 1995*

150. The Act amended

25

The amendments in this Division are to the *Local Government Act 1995*.

151. Section 3.38 amended

Section 3.38 is amended in the definition of “vehicle” by deleting “*Road Traffic Act 1974*” and inserting instead —
“ *Road Traffic (Vehicles) Act 2007* ”.

5 **152. Section 3.40 amended**

Section 3.40(3) is amended by deleting “*Road Traffic Act 1974*” and inserting instead —
“ *Road Traffic (Vehicles) Act 2007* ”.

153. Section 9.13 amended

10 (1) Section 9.13(1) is amended as follows:

- (a) by deleting the definition of “owner”;
- (b) by inserting in the appropriate alphabetical positions —
“

15 “**responsible person**” has the meaning given in the
Road Traffic (Administration) Act 2007 section 4;

“**vehicle**” has the meaning given in the *Road Traffic (Administration) Act 2007* section 4;

”.

20 (2) Section 9.13(2) is amended by deleting “the owner of” and inserting instead —

“ a responsible person for ”.

(3) Section 9.13(3) is amended by deleting “owner” and inserting instead —

“ responsible person ”.

25 (4) Section 9.13(4) is amended as follows:

- (a) by deleting “the owner of” and inserting instead —
“ a responsible person for ”;

- (b) by deleting “owner and” and inserting instead —
“ responsible person and ”;
- (c) in paragraph (b) by deleting “owner” and inserting
instead —
5 “ responsible person ”.
- (5) Section 9.13(6) is amended as follows:
- (a) by deleting “owner of” and inserting instead —
“ responsible person for ”;
- (b) by deleting “owner is” and inserting instead —
10 “ responsible person is ”.

154. Section 9.15 amended

Section 9.15 is amended as follows:

- (a) by deleting the definition of “owner”;
- (b) after the definition of “prescribed” by deleting the full
15 stop and inserting instead —
“
;
“**responsible person**” has the meaning given in the
Road Traffic (Administration) Act 2007 section 4;
20 “**vehicle**” has the meaning given in the *Road Traffic*
(Administration) Act 2007 section 4.
”.

155. Section 9.18 amended

- (1) Section 9.18(1) is amended as follows:
- 25 (a) by deleting “the owner of” and inserting instead —
“ a responsible person for ”;
- (b) by deleting “owner for” and inserting instead —
“ responsible person for ”.

(2) Section 9.18(2) is amended as follows:

(a) by deleting “the vehicle owner” and inserting instead —

“ a responsible person for a vehicle ”;

(b) in paragraph (a) by deleting “owner to have committed the alleged offence that the person is the owner” and inserting instead —

“

responsible person to have committed the alleged offence that the person is a responsible person for the vehicle

”.

(3) Section 9.18(3) is amended by deleting “owner” and inserting instead —

“ responsible person ”.

Division 29 — Magistrates Court Act 2004

156. The Act amended

The amendments in this Division are to the *Magistrates Court Act 2004*.

157. Section 33 amended

Section 33(7)(g) is deleted and the following paragraph is inserted instead —

“

(g) the CEO as defined in the *Road Traffic (Administration) Act 2007* section 4;

”.

Division 30 — Main Roads Act 1930

158. The Act amended

The amendments in this Division are to the *Main Roads Act 1930*.

5 **159. Section 13 amended**

Section 13(4) is repealed.

160. Section 16 amended

Section 16(1b) is amended by deleting “by regulations made under the *Road Traffic Act 1974*.” and inserting instead —

10

“
under a road law as defined in the *Road Traffic (Administration) Act 2007* section 4.

”.

161. Section 31 amended

15

Section 31(1)(d) is amended by deleting “pursuant to the *Road Traffic Act 1974*,” and inserting instead —

“ under the *Road Traffic (Administration) Act 2007* ”.

Division 31 — Marine and Harbours Act 1981

162. The Act amended

20

The amendments in this Division are to the *Marine and Harbours Act 1981*.

163. Section 18B amended

Section 18B(3) is amended in the definition of “motor vehicle” by deleting “*Road Traffic Act 1974*.” and inserting instead —

25

“ *Road Traffic (Administration) Act 2007* section 4. ”.

Division 32 — Mines Safety and Inspection Act 1994

164. The Act amended

The amendments in this Division are to the *Mines Safety and Inspection Act 1994*.

5 **165. Section 4 amended**

Section 4(1) is amended in paragraph (ea) of the definition of “mining operations”, by deleting “*Road Traffic Act 1974*;” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4; ”.

10 **Division 33 — Motor Vehicle Dealers Act 1973**

166. The Act amended

The amendments in this Division are to the *Motor Vehicle Dealers Act 1973*.

167. Section 5 amended

- 15 (1) Section 5(1) is amended in paragraph (a) of the definition of “demonstration vehicle”, by deleting “that is licensed under the provisions of the *Road Traffic Act 1974* in the name of” and inserting instead —

20 “
in respect of which a licence has been
granted under the *Road Traffic (Vehicles)*
Act 2007 to
”.

- 25 (2) Section 5(2)(a) is amended by deleting “within the meaning given thereto by the *Road Traffic Act 1974*;” and inserting instead —

30 “
as defined in the *Road Traffic (Administration)*
Act 2007 section 4;
”.

168. Section 28A amended

Section 28A(2) is amended by deleting “for the vehicle issued under the *Road Traffic Act 1974*.” and inserting instead —

“

5 granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2007*.

”.

169. Section 33 amended

10 Section 33(3)(e) is amended by deleting “where the vehicle is not then licensed under the *Road Traffic Act 1974*,” and inserting instead —

“

15 if a licence has not been granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2007*,

”.

Division 34 — Motor Vehicle Drivers Instructors Act 1963

170. The Act amended

20 The amendments in this Division are to the *Motor Vehicle Drivers Instructors Act 1963*.

171. Section 3 amended

- (1) Section 3 is amended in the definition of “motor vehicle” by deleting “Part IVA of the *Road Traffic Act 1974*,” and inserting instead —

25 “ the *Road Traffic (Administration) Act 2007* section 4; ”.

- (2) Section 3 is amended in the definition of “road” by deleting “Part IVA of the *Road Traffic Act 1974*,” and inserting instead —

“ the *Road Traffic (Administration) Act 2007* section 4; ”.

172. Section 5 amended

Section 5(1)(d) is amended by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Vehicles) Act 2007*, ”.

5 **173. Section 7 amended**

- (1) Section 7(3)(b) is amended by deleting “such of the provisions of the *Road Traffic Act 1974* and of the regulations made under that Act as relate” and inserting instead —

10 “
any road law, as defined in the *Road Traffic (Administration) Act 2007* section 4 relating
”.

- (2) Section 7(5)(e) is amended by deleting “licence under the *Road Traffic Act 1974*,” and inserting instead —

15 “
driver’s licence under the *Road Traffic (Authorisation to Drive) Act 2007*,
”.

Division 35 — Motor Vehicle (Third Party Insurance) Act 1943

20 **174. The Act amended**

The amendments in this Division are to the *Motor Vehicle (Third Party Insurance) Act 1943*.

175. Section 2 amended

25 Section 2(2) is amended by deleting “the Traffic Act” and inserting instead —

“ , or for the purposes of, the Vehicles Act ”.

176. Section 3 amended

Section 3(1) is amended as follows:

- (a) by deleting the definition of “Director General” and inserting instead —

5

“

“**Director General**” has the meaning that “CEO” has under the *Road Traffic (Administration) Act 2007* section 4;

”;

10

- (b) by deleting the definition of “Traffic Act”;
- (c) by deleting the full stop after the definition of “uninsured motor vehicle” and inserting a semicolon instead;

- (d) by inserting in the appropriate alphabetical position —

15

“

“**Vehicles Act**” means the *Road Traffic (Vehicles) Act 2007*.

”.

177. Section 4 amended

20

- (1) Section 4(3)(b) is amended by deleting “of an offence under section 15 of the Traffic Act” and inserting instead —

“

of, or the penalty has been paid under an infringement notice served on the person for, an offence under the Vehicles Act section 4(2)

25

”.

- (2) Section 4(4) is amended by deleting “Traffic Act a driver’s licence or” and inserting instead —

“

Road Traffic (Authorisation to Drive) Act 2007 a driver’s licence or under the Vehicles Act

30

”.

- (3) Section 4(7)(a) is amended by deleting “an inspector appointed under the Traffic Act or by”.

178. Section 18 amended

5 Section 18(1) is amended by deleting “Traffic Act.” and inserting instead —

“ *Road Traffic (Authorisation to Drive) Act 2007.* ”.

179. Section 21 amended

10 Section 21(1)(c)(i) is amended by deleting “provision of section 18 of the Traffic Act,” and inserting instead —

“
regulation made under the Vehicles Act
section 6,
”.

180. Various provisions amended in relation to Traffic Act

15 The provisions set out in the Table to this section are amended in each case by deleting “Traffic” and inserting instead —

“ Vehicles ”.

Table

s. 2(1)	s. 4(8)
s. 3(1) in the definition of “motor vehicle”	s. 4(9a)(a)
s. 3(5)	s. 21(1)(a)
s. 4(3)(c)	s. 21(1)(c)(ii)

Division 36 — *Parks and Reserves Act 1895*

20 **181. The Act amended**

The amendments in this Division are to the *Parks and Reserves Act 1895*.

182. Section 2 amended

Section 2 is amended as follows:

- 5 (a) in the definition of “owner” by deleting “who is the holder of the requisite vehicle licence or permit under the *Road Traffic Act 1974* in respect of that vehicle,” and inserting instead —
- “
- 10 to whom a licence or permit in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2007*,
- ”;
- (b) in the definition of “vehicle” by deleting “that comes within the interpretation of that term in the *Road Traffic Act 1974*.” and inserting instead —
- 15 “
- as defined in the *Road Traffic (Administration) Act 2007* section 4.
- ”.

183. Section 7A amended

- 20 Section 7A(2) is amended by deleting “*Road Traffic Act 1974*” and inserting instead —
- “ *Road Traffic (Vehicles) Act 2007* ”.

184. Section 7C amended

- 25 Section 7C(1) is amended by deleting “section 98A(2) of the *Road Traffic Act 1974*.” and inserting instead —
- “
- the *Road Traffic (Administration) Act 2007* section 117(2).
- ”.

190. Section 4 amended

Section 4(1) is amended in the definition of “road” by deleting “*Road Traffic Act 1974*” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4 ”.

5

Division 40 — Prisons Act 1981

191. The Act amended

The amendments in this Division are to the *Prisons Act 1981*.

192. Section 15L amended

10 Section 15L(b) is deleted and the following is inserted instead —

“

15 (b) the payment of the whole or a part of a penalty under an infringement notice as defined in the *Road Traffic (Administration) Act 2007* section 4 in respect of an alleged offence by the contract worker; and

20 (c) the payment of the whole or a part of a penalty under an infringement notice under a law, in any other part of the world, corresponding to a road law as defined in the *Road Traffic (Administration) Act 2007* section 4, in respect of an alleged offence by the contract worker.

”.

Division 41 — Retail Trading Hours Act 1987

25 **193. The Act amended**

The amendments in this Division are to the *Retail Trading Hours Act 1987*.

194. Section 3 amended

Section 3(1) is amended in the definition of “motor vehicle” by deleting “*Road Traffic Act 1974* section 5(1);” and inserting instead —

5 “ *Road Traffic (Administration) Act 2007* section 4; ”.

Division 42 — *Owner-Drivers (Contracts and Disputes) Act 2007*

195. The Act amended

The amendments in this Division are to the *Owner-Drivers (Contracts and Disputes) Act 2007*.

10 **196. Section 3 amended**

Section 3 is amended as follows:

- (a) by deleting the definition of “gross vehicle mass”;
 - (b) in the definition of “heavy vehicle” by deleting “means a vehicle, as defined in the *Road Traffic Act 1974*, with a gross vehicle mass of more than 4.5 tonnes;” and
- 15 inserting instead —

“

has the meaning given to that term in the *Road Traffic (Vehicles) Act 2007* section 3(1);

”.

20

Division 43 — *Road Safety Council Act 2002*

197. The Act amended

The amendments in this Division are to the *Road Safety Council Act 2002*.

25 **198. Section 3 amended**

Section 3 is amended in the definition of “road” by deleting “*Road Traffic Act 1974*;” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4; ”.

199. Section 6 amended

- (1) Section 6(1)(e) is amended by deleting “provisions of the Road
Traffic Act 1974 that section 5 of that Act defines as the
“licensing provisions of this Act”,” and inserting instead —
5 “ *Road Traffic (Administration) Act 2007*; ”.
- (2) Section 6(2) is amended by deleting “the chief executive officer
of the department of the Public Service principally assisting in
the administration of the provisions of the *Road Traffic*
Act 1974 that section 5 of that Act defines as the “licensing
10 provisions of this Act” or an officer in that department whose
duties relate to driver or vehicle licensing.” and inserting
instead —
“
—
15 (a) the CEO as defined in the *Road Traffic*
(Administration) Act 2007 section 4; or
(b) an officer in the department of the Public
Service principally assisting in the
administration of the *Road Traffic*
(Authorisation to Drive) Act 2007 whose
20 functions relate to the licensing of drivers; or
(c) an officer in the department of the Public
Service principally assisting in the
administration of the *Road Traffic (Vehicles)*
Act 2007 whose functions relate to the granting
25 of licences in respect of vehicles.
”.

200. Section 12 amended

(1) Section 12(3) is amended in the definition of “photograph-based vehicle infringement notice” as follows:

(a) by deleting “a traffic infringement notice under the *Road Traffic Act 1974*” and inserting instead —

“

an infringement notice as defined in the *Road Traffic (Administration) Act 2007* section 4

”;

(b) in paragraph (a) by deleting “against the *Road Traffic Act 1974*” and inserting instead —

“

under a road law as defined in section 4 of that Act

”;

(c) in paragraph (b) by deleting “the provisions of the *Road Traffic Act 1974* about traffic infringement notices,” and inserting instead —

“ section 90 of that Act, ”.

(2) Section 12(3) is amended in the definition of “prescribed penalty” by deleting “the *Road Traffic Act 1974* for an offence if dealt with under section 102.” and inserting instead —

“

a road law as defined in the *Road Traffic (Administration) Act 2007* section 4 for an offence if dealt with under section 79 of that Act.

”.

- (3) Section 12(4) is amended by deleting ““traffic infringement notice” includes a notice that, because of the *Road Traffic Act 1974* section 102D(2), is to be regarded as being a traffic infringement notice.” and inserting instead —

5

“

“**infringement notice**” includes a notice that, because of the *Road Traffic (Administration) Act 2007* section 104(2), is to be regarded as being an infringement notice.

10

”.

Division 44 — Sentencing Act 1995

201. The Act amended

The amendments in this Division are to the *Sentencing Act 1995*.

15 202. Section 45 amended

- (1) Section 45(5)(a)(i) is amended as follows:
(a) by inserting after “disqualify” —

20

“

, under a road law as defined in the *Road Traffic (Administration) Act 2007* section 4,

”;

- (b) by deleting “under the *Road Traffic Act 1974*;” and inserting instead —

25

“ as defined in that section; ”.

(3) Section 105(5) is amended as follows:

(a) in the definition of “driver’s licence” by deleting “*Road Traffic Act 1974;*” and inserting instead —

5 “
 Road Traffic (Administration) Act 2007 section 4;
”;

(b) in the definition of “motor vehicle” by deleting “*Road Traffic Act 1974;*” and inserting instead —

10 “
 Road Traffic (Administration) Act 2007 section 4;
”.

Division 45 — *Taxation Administration Act 2003*

204. The Act amended

15 The amendments in this Division are to the *Taxation Administration Act 2003*.

205. Section 34 amended

Section 34(2)(b) is amended by deleting “a traffic infringement notice issued under the *Road Traffic Act 1974* section 102,” and inserting instead —

20 “
 an infringement notice as defined in the *Road Traffic (Administration) Act 2007* section 4,
”.

Division 46 — *Taxi Act 1994*

206. The Act amended

25 The amendments in this Division are to the *Taxi Act 1994*.

207. Section 16 amended

- (1) Section 16(8)(b) is amended by deleting “the *Road Traffic Act 1974* or an Act of another State or a Territory corresponding to either of those Acts;” and inserting instead —

5

“

a road law as defined in the *Road Traffic (Administration) Act 2007* section 4 or an Act of another State or a Territory corresponding to any of those written laws;

10

”.

- (2) Section 16(10) is amended in the definition of “owner” by deleting “section 5(1) of the *Road Traffic Act 1974*;” and inserting instead —

“ the *Road Traffic (Administration) Act 2007* section 5; ”.

15

208. Section 32 amended

Section 32(2)(b) is amended by deleting “issued under the *Road Traffic Act 1974*;” and inserting instead —

“

granted under the *Road Traffic (Authorisation to Drive) Act 2007*;

20

”.

Division 47 — *Transport Co-ordination Act 1966*

209. The Act amended

25

The amendments in this Division are to the *Transport Co-ordination Act 1966*.

210. Section 27 amended

Section 27(5) is amended by deleting “part of the Metropolitan Traffic Area, within the meaning of the *Road Traffic Act 1974*.” and inserting instead —

5

“
road in respect of which the Commissioner may exercise power under the *Main Roads Act 1930*.
”.

211. Section 32 amended

10

Section 32 is amended by deleting “the vehicle is licensed in accordance with the *Road Traffic Act 1974*.” and inserting instead —

15

“
a licence has been granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2007*.
”.

212. Section 42 amended

Section 42 is amended by deleting “the vehicle is licensed for its class, under the *Road Traffic Act 1974*.” and inserting instead —

20

“
a licence has been granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2007* for that class of vehicle.
”.

25

213. Section 47ZD amended

Section 47ZD(4) is amended by deleting “is deemed to be the owner pursuant to a notice given to the Director General for the purposes of the *Road Traffic Act 1974*,” and inserting instead —

30

“
, under the *Road Traffic (Administration) Act 2007* section 5(2), is taken to be the owner of the vehicle
”.

214. Section 47ZE amended

Section 47ZE is amended by deleting “is licensed to drive a taxi-car under the *Road Traffic Act 1974*.” and inserting instead —

5

“

holds a driver’s licence under the *Road Traffic (Authorisation to Drive) Act 2007* that authorises the person to drive a taxi-car.

”.

10 **215. Section 47ZG amended**

Section 47ZG(5) is repealed.

216. Section 58B amended

Section 58B(3) is amended in the definition of “motor vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —

15

“ the *Road Traffic (Administration) Act 2007* section 4; ”.

217. Section 59 amended

Section 59 is amended by deleting “the *Road Traffic Act 1974*, but that Act” and inserting instead —

20

“

a road law as defined in the *Road Traffic (Administration) Act 2007* section 4 but a road law

”.

218. First Schedule amended

The First Schedule is amended by deleting “in whose name the vehicle is licensed under the *Road Traffic Act 1974*.” and inserting instead —

5

“

to whom a licence in respect of the vehicle is granted under the *Road Traffic (Vehicles) Act 2007*.

”.

Division 48 — University of Western Australia Act 1911

10 **219. The Act amended**

The amendments in this Division are to the *University of Western Australia Act 1911*.

220. Section 16A amended

15 (1) Section 16A(1) is amended by deleting the definition of “owner” and inserting instead —

“

“**responsible person**” for a vehicle, has the meaning given to that term in the *Road Traffic (Administration) Act 2007* section 4.

20

”.

(2) Section 16A(3)(d) is amended as follows:

- (a) in subparagraph (i) by deleting “the owner of” in both places where it occurs and inserting instead —
“ a responsible person for ”;
- 25 (b) in subparagraph (ii)(II) by deleting “owner of the vehicle” and inserting instead —
“ responsible person ”;
- (c) in subparagraph (ii)(II) by deleting “owner is” and inserting instead —
30 “ responsible person is ”.

(3) Section 16A(3)(f) is amended by deleting “owner of” and inserting instead —

“ responsible person for ”.

Division 49 — *Western Australian Sports Centre Trust Act 1986*

5 **221. The Act amended**

The amendments in this Division are to the *Western Australian Sports Centre Trust Act 1986*.

222. Section 18D amended

Section 18D(3) is amended as follows:

10 (a) in the definition of “motor vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —

“

the *Road Traffic (Administration) Act 2007*
section 4;

15

”;

(b) in the definition of “owner” by deleting “who is the holder of the requisite vehicle licence under the *Road Traffic Act 1974* in respect of that vehicle,” and inserting instead —

20

“

to whom a licence in respect of the vehicle has
been granted under the *Road Traffic (Vehicles)*
Act 2007,

”.

25

Division 50 — *Young Offenders Act 1994*

223. The Act amended

The amendments in this Division are to the *Young Offenders Act 1994*.

224. Section 46 amended

Section 46(5a) is amended by deleting “section 106 of the *Road Traffic Act 1974*” and inserting instead —

“ the *Road Traffic (Administration) Act 2007* section 121 ”.

5 **225. Section 55 amended**

Section 55(4) is amended as follows:

(a) by deleting “the *Road Traffic Act 1974*” and inserting instead —

“

10 a road law as defined in the *Road Traffic (Administration) Act 2007* section 4

”;

(b) by deleting “under that Act” and inserting instead —

“ as defined in that section ”.

15 **226. Section 189 amended**

Section 189(8)(c) is amended by deleting “issued under the *Road Traffic Act 1974*,” and inserting instead —

“

20 as that term is defined in the *Road Traffic (Administration) Act 2007* section 4;

”.

Division 51 — Zoological Parks Authority Act 2001

227. The Act amended

25 The amendments in this Division are to the *Zoological Parks Authority Act 2001*.

228. Section 3 amended

(1) Section 3 is amended in the definition of “owner” as follows:

(a) in paragraph (a) by deleting “who holds the licence for the vehicle that is required under the *Road Traffic Act 1974*,” and inserting instead —

“

to whom a licence was granted under the
Road Traffic (Vehicles) Act 2007;

”;

(b) in paragraph (b) by deleting “the vehicle is not licensed under the *Road Traffic Act 1974*,” and inserting instead —

“ if there is not such a person, ”.

(2) Section 3 is amended in the definition of “vehicle” by deleting “*Road Traffic Act 1974*,” and inserting instead —

“ *Road Traffic (Administration) Act 2007* section 4; ”.

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