



MESSAGE No. 130

Mr Speaker

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

A handwritten signature in blue ink, appearing to read "K. Doust".

Hon Kate Doust
President of the Legislative Council

Legislative Council Chamber
Perth, 25 June 2020

Schedule indicating the amendments made by the Legislative Council in the Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019

No. 1

Clause 2, page 2, after line 10 — To insert:

- (2) However —
 - (a) if no day is fixed under subsection (1)(b) before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, this Act is repealed on the day after that period ends; or
 - (b) if paragraph (a) does not apply, and a provision of this Act does not come into operation before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, the provision is repealed on the day after that period ends.

No. 2

New Clause 38A, page 61, after line 16 — To insert:

38A. Part 5B inserted

At the end of Part VA insert:

Part 5B — Radar detectors

81G. Offence to drive motor vehicle with radar detector fitted to, within or on vehicle

- (1) In this section —

radar detector means a device or other equipment that is capable of detecting the operation of —

 - (a) an average speed detection system as defined in the *Road Traffic (Administration) Act 2008* section 117B(1); or
 - (b) speed measuring and recording equipment as defined in the *Road Traffic (Administration) Act 2008* section 117(1); or
 - (c) speed measuring equipment as defined in the *Road Traffic (Administration) Act 2008* section 117(1).
- (2) A person must not drive a motor vehicle on a road if the vehicle —
 - (a) is fitted with a radar detector; or
 - (b) has a radar detector within or on the vehicle.

Penalty for this subsection:

- (a) for a first offence, a fine of 64 PU;
- (b) for a second or subsequent offence, a fine of 96 PU.

No. 3

Clause 41, page 63, lines 5 to 27 — To delete the clause.



Clerk of the Legislative Council