

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 147
Issue No. 4

WEDNESDAY, 24 JUNE 2020

ROAD TRAFFIC AMENDMENT (IMPAIRED DRIVING AND PENALTIES)
BILL 2019 [147-1]

When in committee on the *Road Traffic Amendment (Impaired Driving and Penalties) Bill 2019*:

Clause 2

Hon Nick Goiran: To move –

2/2 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before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, this Act is repealed on the day after that period ends; or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the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, the provision is repealed on the day after that period ends.

New Clause 38A

Minister for Environment representing the Minister for Road Safety: To move –

4/NC38A 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 detection 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.

Clause 41

Hon Rick Mazza:

1/41 Page 63, lines 5 to 27 — To oppose the clause.

Hon Tim Clifford: To move –

3/41 Page 63, lines 17 to 23 — To delete the lines and insert:

- (b) to regulate or prohibit, including regulations that are necessary or convenient to regulate or prohibit, the use of a device in or on a motor vehicle that detects the operation of —
 - (i) speed measuring equipment as defined in the *Road Traffic (Administration) Act 2008* section 117(1); or
 - (ii) speed measuring and recording equipment as defined in the *Road Traffic (Administration) Act 2008* section 117(1); or
 - (iii) an average speed detection system as defined in the *Road Traffic (Administration) Act 2008* section 117B(1).

