

15. Vehicle licences

- (1) A vehicle licence is required for any vehicle described in the First Schedule whilst that vehicle is being used on a road.
- (2) A vehicle licence is not required for —
 - (a) an agricultural implement being towed on a road by another vehicle; or
 - (b) an unlicensed vehicle of any type being towed on a road by a tow truck, as described in the First Schedule,

if the towing vehicle or tow truck, as the case requires, is the subject of a vehicle licence or permit.

- (2a) A vehicle licence is not required for a vehicle that is drawn by an animal.
- (3) Where a vehicle for which there is not a valid vehicle licence granted or issued under this Act is used on any road, the owner of the vehicle and any person so using the vehicle or causing or permitting such use commits an offence against this Act, but —
 - (a) the provisions of this subsection do not apply to the use of a vehicle within the period of 15 days immediately succeeding the day of expiry of a vehicle licence for the vehicle;
 - (b) it is a defence to a complaint for an offence against this subsection against any person other than the owner of the vehicle if the defendant proves that he had no knowledge that a valid vehicle licence had not been granted or issued in respect of the vehicle; and
 - (c) a person shall not be convicted of an offence against this subsection if he has already been convicted, or charged and acquitted of an offence against section 4(3)(a) of the *Motor Vehicle (Third Party Insurance) Act 1943*, and both those offences or alleged offences were committed simultaneously.
- (4) A person who is convicted of an offence against this section shall be liable to a penalty not exceeding 10 PU, and in addition, the court shall order the defendant to pay a further penalty equal to the fees payable under this Act for the issue of a vehicle licence for the vehicle concerned for a period of 6 months, except where the licence for the vehicle has, prior to the conviction being recorded, been renewed under section 18(5).
- (5) Any person who has committed an offence against this section for which he has not been prosecuted shall be liable to pay to the Director General the fees which he might have been ordered to pay on conviction of such offence, and such fees shall be recoverable in any court of competent jurisdiction.
- (6) For the purposes of the provisions of this section a vehicle licence or equivalent document issued in any other State or Territory of the Commonwealth for a vehicle of which the owner is not ordinarily resident within the State of Western Australia shall, during the currency of the licence, be deemed to be a vehicle licence under this Act in respect of the vehicle when used on any road within the State of Western Australia.

[Section 15 amended by No. 105 of 1981 s. 19; No. 11 of 1988 s. 5 and 24; No. 13 of 1994 s. 12; No. 57 of 1995 s. 4; No. 76 of 1996 s. 20(3); No. 50 of 1997 s. 13.]

