



Western Australia

Road Traffic (Licensing) Regulations 1975

Reprinted as at 11 February 2000

Western Australia

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Defined Terms



Western Australia

Reprinted under the
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at 11 February 2000

Road Traffic Act 1974

Road Traffic (Licensing) Regulations 1975

Part I — Preliminary

1. Citation

These regulations may be cited as the *Road Traffic (Licensing) Regulations 1975*¹.

[2. *Repealed in Gazette 31 March 1989 p.856.*]

3. Interpretation

- (1) In these regulations unless the context otherwise requires —
- “**authorized vehicle examiner**” means a person authorized in accordance with regulation 3A to examine and test vehicles;
- “**axle**” means the axis of rotation of a row of tyres;
- “**compliance plate**” in relation to a vehicle means a plate that —
- (a) is approved by the Australian Motor Vehicle Certification Board;
 - (b) relates to the vehicle; and

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- (c) indicates that the vehicle complies with all Australian Design Rules applicable to vehicles of that make, model and year of manufacture;

“heavy trailer” means a semi-trailer, converter dolly trailer or trailer, other than a plant trailer, with an MRC exceeding 4 500 kilograms;

“heavy vehicle” means —

- (a) a vehicle with an MRC exceeding 4 500 kilograms that is —
- (i) a caravan (motor propelled or trailer type);
 - (ii) a fork lift truck;
 - (iii) a mobile crane;
 - (iv) a motor car;
 - (v) a motor wagon;
 - (vi) an omnibus;
 - (vii) a plant trailer;
 - (viii) a tow truck or tow motor;
 - (ix) a tractor, including plant or prime mover types;

or

- (b) a heavy trailer;

“licensee” means a person holding a vehicle licence under the Act or these regulations;

“manufacturer’s gross vehicle mass” means the value recorded by the Director General as the maximum laden mass recommended by the manufacturer, by specification or otherwise, at which that vehicle, or a vehicle of the same make and class or series, or a similar class or series, should be operated;

“MRC” (which stands for “mass rating for charging”) means —

- (a) the mass recorded on the compliance plate as —
- (i) the aggregate trailer mass;

- (ii) the gross trailer mass rating; or
- (iii) the gross vehicle mass;

or

- (b) in relation to a vehicle where there is no compliance plate, the maximum permissible loaded mass of the vehicle as determined by the Director General;

“name plates” means identification tablets or number plates referred to in regulation 24(4b);

“ordinary plates” means identification tablets or number plates that are not personalized plates, dealers plates referred to in regulation 26, special plates or name plates;

“personalized plates” means —

- (a) in relation to personalized plates issued before the coming into operation of the *Road Traffic (Licensing) Amendment Regulations 1988*², identification tablets or number plates being reflective plates consisting of no more than 7 characters, the first being a letter and the last being the letter “P”;
- (b) in relation to personalized plates issued after the coming into operation of the *Road Traffic (Licensing) Amendment Regulations 1988*², identification tablets or number plates being reflective plates consisting of no more than 6 characters, the first being a letter.

“reflective plates” means identification tablets or number plates that have —

- (a) non-reflective identifying characters superimposed on a reflective background; or
- (b) reflective identifying characters superimposed on a non-reflective background;

“registration label” means the certificate of registration issued by a licensing authority as provided by section 27 of the Act;

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“**special plates**” means identification tablets or number plates referred to in regulation 24(4a);

“**tare**” has the same meaning as is given to that word in the *Road Traffic (Vehicle Standards) Regulations 1977*.

- (2) Where in these regulations reference is made to the use or driving of a vehicle, the reference is to the doing of those things on a road.
- (3) On a vehicle’s compliance plate —
 - “ATM” refers to “aggregate trailer mass”;
 - “GTMR” refers to “gross trailer mass rating”;
 - “GVM” refers to “gross vehicle mass”.
- (4) For the purposes of these regulations —
 - (a) 2 axles not more than one metre apart shall be regarded as one axle;
 - (b) 3 axles, where the outside axles are not more than 2 metres apart, shall be regarded as 2 axles; and
 - (c) 4 axles, where the outside axles are not more than 3.2 metres apart, shall be regarded as 3 axles.

[Regulation 3 amended in Gazette 1 August 1975 p.2795; 5 December 1975 p.4369; 23 July 1976 p.2534; 20 May 1977 pp.1510-11; 10 November 1977 p.4189; 29 September 1978 p.3578; 31 December 1980 p.4427; 2 February 1982 p.401; 24 May 1985 p.1761; 29 November 1985 p.4452; 10 June 1988 p.1906; 30 June 1989 p.1906; 21 September 1990 p.4940; 28 September 1990 pp.5072-3; 24 November 1995 p.5449; 22 December 1995 pp.6194-5; 24 May 1996 pp.2173-4; 31 January 1997 p.682; 1 July 1997 p.3273; 25 May 1999 p.2068.]

Part IA — Inspection of vehicles

[Heading inserted in Gazette 31 December 1980 p.4427.]

3A. Persons may be authorized to examine vehicles

- (1) The Director General may authorize —
 - (a) persons to examine and test vehicles;
 - (b) persons to establish premises as inspection stations for the purpose of examining and testing vehicles,and may cancel any such authorization.
- (1a) The fees specified in item 1 of Schedule 2 are payable by a person authorized under subregulation (1) to establish premises as an inspection station.
- (2) An authorization under this regulation —
 - (a) shall be subject to such conditions as the Director General specifies in the authorization;
 - (b) shall be in writing and, if cancelled, shall be cancelled in writing; and
 - (c) shall be displayed at the authorized inspection station where the examination and testing of vehicles is carried out.

[Regulation 3A inserted in Gazette 31 December 1980 p.4427; amended in Gazette 2 February 1982 p.401; 20 September 1991 p.4945; 17 August 1993 p.4429; 31 January 1997 p.683.]

3B. Fees for inspection and testing

- (1) Except as provided in subregulation (2a), the fees specified in item 2 of Schedule 2 shall be payable by the owner of a vehicle for examination of the vehicle by the Director General for the purposes of the Act or these or any other regulations made under the Act.

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(2) The fees referred to in subregulations (1) and (2a) are for an initial examination and, where necessary, one re-examination of the vehicle in respect of the same application or matter.

(2a) Where a vehicle, other than an earthmoving or agricultural implement —

(a) is being examined for the purpose of being licensed for the first time in this State;

(b) is required, under the *Road Traffic (Vehicle Standards) Regulations 1977*, to be fitted with a compliance plate and is not fitted with a compliance plate;

(c) is a vehicle which has been imported into Australia under the provisions of the *Motor Vehicle Standards Act 1989*, of the Commonwealth, which relate to —

(i) personally imported vehicles;

(ii) trial and evaluation vehicles; or

(iii) special purpose vehicles, such as rally cars, racing cars, demonstration vehicles and vintage cars,

except when the vehicle is subject to a temporary permit which requires the re-export of that vehicle after a specified period, not exceeding 24 months; and

(d) is a vehicle which is not currently registered in another Australian State or Territory,

the fees specified in item 3 of Schedule 2 shall be payable by the owner of the vehicle for the examination of that vehicle.

(2c) Where the Director General is satisfied that a compliance plate has previously been fitted to a vehicle, but is no longer attached due to loss or damage, then the vehicle is deemed to be fitted with a compliance plate for the purposes of subregulation (2a).

(3) Where the controls of a vehicle have been, in the opinion of a person authorized to issue a certificate of inspection in relation to the vehicle, substantially modified to enable use by a disabled

person, the owner of that vehicle is exempt from the payment of fees referred to in subregulation (1) or (2a) if that owner is the person for whose use the vehicle has been modified.

[Regulation 3B inserted in Gazette 31 December 1980 p.4427; amended in Gazette 2 February 1982 p.401; 20 August 1982 p.3270; 21 October 1983 p.4269; 26 October 1984 p.3457; 26 September 1986 p.3691; 14 August 1987 p.3169; 30 June 1989 p.1906; 18 August 1989 p.2758; 8 September 1989 pp.3171-2; 21 September 1990 p.4940; 20 September 1991 pp.4945-56; 26 June 1992 p.2795; 17 August 1993 p.4429; 31 January 1997 p.683.]

3C. Certificate of inspection

- (1) The following persons may issue or refuse to issue a certificate of inspection in relation to a vehicle —
 - (a) members of the Police Force;
 - (b) wardens appointed to perform duties relating to the inspection of vehicles;
 - (c) authorized vehicle examiners.

- (2) Where the examination and testing of a vehicle is undertaken —
 - (a) by a person other than a person authorized to issue a certificate under subregulation (1); or
 - (b) by an authorized vehicle examiner at a place which is not an authorized inspection station, or such other place as the Director General approves,

a valid certificate cannot be issued.

[Regulation 3C inserted in Gazette 31 December 1980 p.4427; amended in Gazette 2 February 1982 p.401; 20 September 1991 p.4946; 31 January 1997 p.683.]

Part II — Licences

4. Inspection for licensing purposes

- (1) Where an application for the issue, renewal or transfer of a vehicle licence is received and, under a notice given pursuant to section 29(1) of the Act, the issue, renewal or transfer, as the case may be, of that licence is prohibited unless and until the vehicle has been examined and a certificate of inspection has been issued, the Director General shall either —
 - (a) examine the vehicle; or
 - (b) require the applicant to produce to the Director General a certificate of inspection issued by an authorized vehicle examiner not more than 3 months before the date of the application.
- (2) Where an application for the issue or renewal of a vehicle licence is received and subregulation (1) does not apply, the Director General may, if the Director General thinks necessary —
 - (a) examine the vehicle; or
 - (b) require the applicant to cause the vehicle to be examined by an authorized vehicle examiner,

and shall not issue or renew the licence if the vehicle is not found to be such as may be licensed under regulation 9.

[Regulation 4 inserted in Gazette 31 December 1980 p.4427; amended in Gazette 2 February 1982 p.401; 29 July 1994 p.3859; 31 January 1997 pp.682 and 683.]

4A. Applicant for grant or transfer of vehicle licence to declare whether vehicle is fitted with immobilizer

- (1) Except as stated in subregulation (2), an applicant —
 - (a) for the grant of a licence for a vehicle under section 18 of the Act; or

- (b) for the transfer of the licence for a vehicle under section 24 of the Act,

in respect of a motor vehicle to which regulation 1017B of the Vehicle Standards Regulations applies, shall declare in writing, at the time of making the application, whether the vehicle meets the requirement prescribed by regulation 1017A(1) of those regulations for the vehicle to be fitted with an approved device.

- (2) Subregulation (1) does not apply if the application is referred to in regulation 1017A(2) of the Vehicle Standards Regulations.

- (3) In this regulation —

“**approved device**” has the meaning given by regulation 1017A(4) of the Vehicle Standards Regulations;

“**Vehicle Standards Regulations**” means the *Road Traffic (Vehicle Standards) Regulations 1977*.

[Regulation 4A inserted in Gazette 2 February 1999 pp.352-3.]

5. **Proof of ownership before issue or transfer of licence**

The Director General may, before the issue or transfer of a licence, require the applicant to furnish proof of his ownership of the vehicle, whether by statutory declaration or otherwise.

[Regulation 5 amended in Gazette 2 February 1982 p.401; 31 January 1997 p.683.]

5A. **Search of vehicle ownership records**

- (1) A person may request the Director General, either orally or in writing, to conduct a search of the Director General’s records in relation to the ownership of any vehicle.
- (2) Upon payment of the fees specified in item 4 of Schedule 2, the current status of ownership may be investigated by the Director General and an extract may be produced stating the current

status of ownership of the vehicle, according to the Director General's records.

[Regulation 5A inserted in Gazette 24 November 1989 p.4349; amended in Gazette 20 September 1991 pp.4946-7; 17 August 1993 p.4430; 31 January 1997 pp.682 and 683.]

6. Weighbridge certificate may be required

An applicant for a licence for a vehicle shall, if required, deliver to the licensing authority a weight ticket obtained from the person in charge of a weighing machine, verified and registered in accordance with the *Weights and Measures Act 1915*, showing —

- (a) the unladen mass supported on the front axle; and
- (b) the unladen mass supported on the rear axle or axle group,

and in each case including the mass of the axle or any axle group.

[Regulation 6 amended in Gazette 11 April 1986 p.1382.]

7. Application for licence to be in writing and on form to be provided

An application for a vehicle licence, shall be in writing, signed by or on behalf of the applicant, and made on a form provided by the Director General.

[Regulation 7 amended in Gazette 2 February 1982 p.401; 31 January 1997 p.683.]

8. Form of licence

Any licence issued by the Director General shall be in the form from time to time approved by the Minister.

[Regulation 8 amended in Gazette 2 February 1982 p.401; 31 January 1997 p.683.]

8A. Recording fee

There shall be payable in respect of the grant or renewal of a vehicle licence the recording fee specified in item 5 of Schedule 2.

[Regulation 8A inserted in Gazette 12 December 1980 p.4215; amended in Gazette 20 August 1982 p.3270; 21 October 1983 p.4269; 26 October 1984 p.3457; 26 September 1986 p.3691; 28 August 1987 p.3438; 17 August 1993 p.4430.]

8B. Transfer fee

There shall be payable in respect of the transfer of a vehicle licence the fee specified in item 6 of Schedule 2.

[Regulation 8B inserted in Gazette 1 October 1982 p.3889; amended in Gazette 21 October 1983 p.4270; 26 September 1986 p.3691; 8 September 1989 pp.3171-2; 21 September 1990 p.4940; 17 August 1993 p.4430.]

9. Classes of vehicle licences

- (1) Subject to the succeeding provisions of this regulation, the Director General may license a motor vehicle as of any one of 3 classes, namely Class A, Class B or Class C.
- (2) The Director General may license a motor vehicle as of Class A, for unlimited use, if the vehicle conforms, in every respect, to the requirements of the *Road Traffic (Vehicle Standards) Regulations 1977*, and not otherwise.
- (3) The Director General may license a motor vehicle as of Class B, where —
 - (a) the vehicle does not comply, in some respect, with the *Road Traffic (Vehicle Standards) Regulations 1977*, if —
 - (i) the dimensions of the vehicle do not exceed those prescribed by those regulations and the vehicle conforms to the requirements of Part 14

of the *Road Traffic (Vehicle Standards) Regulations 1977*; and

- (ii) the use of the vehicle is limited in such manner as the Director General may direct and, in any event, is so limited that it will not constitute a hazard to other road users;
 - (b) the vehicle is a tractor or self-propelled agricultural implement, if its use is limited to agricultural or horticultural pursuits; or
 - (c) the dimensions of the vehicle exceed those prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, or the vehicle does not conform to the requirements of Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, if the licensing of the vehicle is specially approved, or the licensing of vehicles of its class is generally approved, by the Director General and the use of the vehicle is limited in conformity with any conditions to which that approval is subject.
- (4) The Director General may license, as of Class C, a motor vehicle that —
- (a) is so constructed, or has such weight carried by one or more axles, that it could not, without reconstruction, be made to conform to the *Road Traffic (Vehicle Standards) Regulations 1977*; and
 - (b) is of a class not designed primarily for the carriage of passengers or goods, but for use in the industrial pursuits of mining, quarrying, earth moving, earth drilling, forestry, timber getting, the making, maintenance or cleaning of roads or the construction of major works,
- if the licensing of the vehicle is specially approved, or the licensing of vehicles of its class is generally approved, by the Director General and the use of the vehicle is limited in conformity with any condition to which that approval is subject.

- (5) The Director General shall indorse every licence of Class B or Class C with the limitations to which its issue is subject and a person who uses, or permits or suffers a person in his employ to use, a vehicle the subject of such a licence otherwise than in conformity with those limitations commits an offence.

[Regulation 9 amended in Gazette 10 November 1977 p.4190; 2 February 1982 p.401; 28 September 1990 pp.5072-3; 31 January 1997 p.683; 4 August 1998 p.3991.]

9A. Classes of licences for heavy vehicles

- (1) Without limiting regulation 9, the Director General shall grant or renew a vehicle licence for a heavy vehicle as of one of the classes listed in Schedule 3.
- (2) The Director General shall license a heavy vehicle as of a particular class according to —
- (a) the description of the vehicle;
 - (b) the number of axles that the vehicle has; and
 - (c) the MRC of the vehicle,
- as indicated in Schedule 3.
- (3) If more than one class is appropriate for a vehicle —
- (a) of that description;
 - (b) with that number of axles; and
 - (c) with that MRC,
- the licence shall be of whichever of those classes the owner of the vehicle nominates before the licence is granted or renewed.
- (4) If in column 4 of Schedule 3 —
- (a) “nil” is indicated, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul a heavy trailer;

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- (b) a number is indicated, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul more than that number of heavy trailers;
 - (c) a number is indicated followed by a trailer description, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul more than that number of heavy trailers of that description but unless otherwise specified the hauling of trailers not of that description is not limited; or
 - (d) “nil” is indicated followed by a trailer description, a licence of that class includes a limitation that the vehicle shall not be used to haul a heavy trailer of that description.
- (5) A vehicle licence of class SR2, SR3, SR4 or SR5 in Schedule 3 includes a limitation that the vehicle shall not be used to haul a heavy trailer if the vehicle and trailer together have more than 6 axles.
 - (6) A person who uses, or permits a person to use, a heavy vehicle the subject of a licence that includes a limitation otherwise than in conformity with that limitation commits an offence.

[Regulation 9A inserted in Gazette 24 May 1996 pp.2174-5; amended in Gazette 31 January 1997 p.683.]

10. Licence to be carried in certain cases

- (1) A person shall not use, or permit or suffer a person in his employ to use, a vehicle licensed as of Class C, unless the licence is carried on the vehicle.
- (2) The holder of a Class B or Class C licence or a person having it in his possession shall produce the licence to a member of the Police Force, on demand.
- (3) Subregulation (1) does not apply to a vehicle to which section 100(2) of the Act applies.

[Regulation 10 amended in Gazette 2 February 1982 p.401.]

10A. Licensing of certain motorized wheel chairs not required

Any motorized wheel chair that is designed so as to be not capable of a speed exceeding 7 kilometres per hour is exempted from paragraph (b) of the description of “**Motor carrier**” in the First Schedule to the Act.

[Regulation 10A inserted in Gazette 21 July 1989 p.2220.]

10B. Licensing of certain lawn mowing equipment required

Lawn mowing is a pursuit within the meaning of the expression “**industry**” for the purposes of the description of “**Tractor (other than prime mover type)**” in the First Schedule to the Act.

[Regulation 10B inserted in Gazette 21 July 1989 p.2220.]

11. Director General may issue permits for unlicensed vehicles

- (1) In this regulation “**permit**” means a permit under section 26(1) of the Act.
- (2) A person may apply to the Director General for a permit —
 - (a) in respect of a period not exceeding 2 days; or
 - (b) in respect of a period of one month or any number of months up to and including 12 months,and shall specify in the application the period in respect of which the permit is requested.
- (3) Application for a permit in relation to a vehicle that —
 - (a) does not comply with the requirements necessary for licensing under the Act; and
 - (b) is designed or used primarily for recreational, sporting or like purposes,

shall be made in writing to the Director General at least 14 days prior to the commencement of the period in respect of which the permit is requested.

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- (4) Subject to subregulation (5) the Director General may issue a permit in the form determined from time to time by the Minister and the Director General shall indorse the permit with conditions limiting the use of the vehicle and specifying the period in respect of which the permit is to remain operative.
- (5) The issue of a permit incorporating in the one document a policy of insurance under the *Motor Vehicle (Third Party Insurance) Act 1943* shall be subject to the provisions of Regulation 30B of the *Motor Vehicle (Third Party Insurance) Regulations 1962* as amended from time to time.
- (6) Upon making an application under subregulation (2), the applicant shall pay to the Director General —
 - (a) if the permit is requested in respect of a period not exceeding 2 days —
 - (i) the fee specified in item 7 of Schedule 2; and
 - (ii) where the Director General is also required or requested to issue a policy of insurance under the *Motor Vehicle (Third Party Insurance) Act 1943* —
 - (A) the appropriate premium for, and surcharge on, the policy of insurance as prescribed pursuant to that Act and the *Motor Vehicle (Third Party Insurance Surcharge) Act 1962*³ respectively; and
 - (B) an amount of 25 cents being stamp duty on the policy of insurance;
 - or
 - (b) if the permit is requested in respect of a period of one or more months —
 - (i) the amount —
 - (A) assessed by dividing the relevant fee as set out in Part III of the Second Schedule to the Act by 12 then

multiplying that sum by the number of months in respect of which the permit is requested; or

- (B) the amount specified in item 8 of Schedule 2,

whichever is the greater; and

- (ii) where the Director General is also required or requested to issue a policy of insurance under the *Motor Vehicle (Third Party Insurance) Act 1943* —

- (A) the appropriate premium for, and surcharge on, the policy of insurance as prescribed pursuant to that Act and the *Motor Vehicle (Third Party Insurance Surcharge) Act 1962*³ respectively; and
- (B) an amount of 25 cents being stamp duty on the policy of insurance.

[(7) *repealed*]

- (8) A person shall not drive, or cause or permit the driving of, a vehicle in respect of which a permit has been issued, except in accordance with the terms and conditions of the permit.

[Regulation 11 inserted in Gazette 24 December 1976 pp.5038-9; amended in Gazette 30 December 1977 p.4751; 26 June 1981 p.2296; 2 February 1982 p.402; 4 March 1983 p.771; 21 October 1983 p.4270; 26 September 1986 p.3691; 8 September 1989 pp.3171-2; 21 September 1990 p.4940; 20 September 1991 p.4947; 26 June 1992 p.2795; 17 August 1993 p.4430; 22 December 1995 p.6195; 24 May 1996 p.2175; 31 January 1997 pp.682 and 683.]

[12. *Repealed in Gazette 10 November 1977 p.4189.*]

13. Signs to be displayed

A person shall not use or cause to be used a vehicle on which there is displayed a sign which indicates that the vehicle or its load exceeds the prescribed dimensions, unless at the time that the vehicle is so used, such a sign is required to be displayed on the vehicle pursuant to conditions specified in a permit issued under this regulation.

14. Fee for duplicate or certified copy of licence

The Director General shall, on payment of the fee specified in item 9 of Schedule 2, issue a duplicate or certified copy of a vehicle licence that has been lost or destroyed, to the person named in the licence or, in the event of his death, to his executor or administrator.

[Regulation 14 amended in Gazette 30 December 1977 p.4750; 18 December 1981 p.5194; 2 February 1982 p.402; 21 October 1983 p.4270; 21 September 1990 p.4940; 26 June 1992 p.2795; 17 August 1993 p.4430; 31 January 1997 p.683.]

15. Licences unlawfully held, or not current, and change of address

- (1) A person shall not use a vehicle of which the licence is held in contravention of the provisions of any Act or these regulations.
- (2) Where a licence is lawfully suspended or cancelled or has been obtained by misrepresentation or fraud, or is held in contravention of the provisions of any Act or these regulations, the licence holder shall, on demand by a member of the Police Force, forthwith deliver up the licence.
- (3) The holder of a licence shall, within 21 days after every change of his address or place of business as stated in the licence, give notice in writing of the change to the Director General.

[Regulation 15 amended in Gazette 13 March 1981 p.939; 2 February 1982 p.401; 31 January 1997 p.683.]

Part III — Licences for overseas vehicles

16. Application for vehicle licence and for extension or renewal

- (1) An application for a vehicle licence under the provisions of section 31 of the Act, or for an extension or renewal of a licence or registration under the provisions of section 33 of the Act, shall be made to the Director General.
- (2) An application shall set out —
 - (a) the full name and permanent overseas address of the owner of the vehicle;
 - (b) the owner's principal addresses while in Australia and in this State;
 - (c) such a description of the vehicle as, in the opinion of the Director General, is sufficient to permit its identification; and
 - (d) details relating to —
 - (i) the arrival of the vehicle in, and the proposed removal of the vehicle out of, the Commonwealth and the State;
 - (ii) the *Triptyque* or *Carnet de passages en douane* relating to the vehicle;
 - (iii) the vehicle licence issued in respect of the vehicle in the country from which the vehicle is brought to the Commonwealth; and
 - (iv) the Third Party Insurance Policy required to be held in respect of the vehicle.
- (3) A licensing authority is not obliged to grant to an applicant a vehicle licence, or an extension or renewal of a licence or registration, referred to in Part IV of the Act, if the applicant has, in the opinion of the Director General, in any way contravened or failed to comply with any provision of the Act or these regulations; and an applicant shall, if required by the

Director General, furnish to the Director General with his application, such additional information as the Director General considers necessary and relevant for the granting and issue, or the extension or renewal, of the licence.

[Regulation 16 amended in Gazette 2 February 1982 p.402; 31 January 1997 p.683.]

17. Contract of Third Party Insurance required

Unless the requisite contract of Third Party Insurance is in force, with respect to a vehicle for which a licence under section 31 of the Act, or an extension or renewal under section 33, is sought, the applicant shall not be granted the licence or the extension or renewal, until he enters into the required contract.

18. Identification tablets or plates on motor vehicles to which Part IV of the Act applies

- (1) Where a motor vehicle to which Part IV of the Act applies is not, when landed in or brought to this State, equipped with a set of identification tablets or number plates in accordance with the law of the country or State or Territory of the Commonwealth from which it was landed or brought, or where any such tablet or plate is so mutilated that any material part is obscured, obliterated or indistinct a person may not use that vehicle on any road in the State, unless and until the owner of the vehicle applies to the Director General for, and has obtained a set of temporary plates that, when issued, are affixed by the owner to the vehicle; and the provisions of the Act and of these regulations relating to identification tablets and number plates shall apply, *mutatis mutandis* and so far as they can be applied to temporary plates so issued, as though the temporary plates were identification tablets or number plates issued in respect of a motor vehicle to which the provisions of Part IV of the Act do not apply.

- (2) Where an application for a set of temporary number plates is received by the Director General from the owner of a motor vehicle referred to in subregulation (1), the Director General shall issue to the applicant a set of number plates or identification tablets on payment of the charge prescribed or authorized by these regulations for a similar set when issued to a permanent resident of the State.
- (3) Upon the issue of a set of temporary plates for a motor vehicle referred to in subregulation (1), the owner shall fit them or cause them to be fitted to the vehicle, in accordance with these regulations, and shall keep them so fitted, until the licence or the extension or renewal of the licence issued under the authority of section 31 or section 33 of the Act expires or until the earlier exportation of the vehicle from the Commonwealth.
- (4) Upon the expiry of a vehicle licence issued, extended or renewed under Part IV of the Act, or on, or immediately prior to, the exportation from the Commonwealth of the vehicle for which the licence was issued, the owner or person in charge of the vehicle shall leave any temporary plates issued in respect of that vehicle with the Director General, immediately prior to the expiry or exportation.

*[Regulation 18 amended in Gazette 2 February 1982 p.402;
31 January 1997 p.683.]*

19. Vehicles with steering on left hand side

Where a vehicle to which Part IV of the Act applies is equipped with the steering wheel on the left hand side, a vehicle licence in respect of that vehicle, whether issued, renewed, or extended in accordance with that Part, has no force or effect, and a person shall not use the vehicle on a road, unless that vehicle is equipped in accordance with the provisions of regulation 111(6) of the *Road Traffic (Vehicle Standards) Regulations 1977*.

*[Regulation 19 amended in Gazette 10 November 1977 p.4190;
28 September 1990 pp.5072-3.]*

20. Permits for use of vehicle not conforming with requirements of the Act or regulations

Where it appears to the Director General that a vehicle to which Part IV of the Act applies does not conform to the requirements of the Act or regulations relating to its construction, the Director General may with the approval of the Minister, indorse on the licence issued, renewed or extended under that Part, a permit authorizing the use of that vehicle on roads, generally, or on any specified road or roads subject to such conditions as the Minister may authorize to be imposed and the vehicle shall then be used in accordance with the terms of that permit, only.

*[Regulation 20 amended in Gazette 2 February 1982 p.402;
31 January 1997 p.683.]*

21. When licence for overseas vehicle ceases to have force and effect

- (1) Where a vehicle in respect of which a licence under Part IV of the Act is in force, is transferred to a permanent resident of the Commonwealth, the licence is thereupon cancelled.
- (2) Where a licence is cancelled in accordance with subregulation (1) or where a vehicle in respect of which a licence was in force is not exported from Australia on the expiry of the licence, a person shall not use the vehicle, unless it is licensed in accordance with the provisions of the Act and such of these regulations as are applicable to vehicles owned by permanent residents of the State.

Part IIIA — Vehicle licence fee exemptions and concessions

[Heading inserted in Gazette 24 November 1995 p.5449.]

Division 1 — Preliminary

[Heading inserted in Gazette 24 November 1995 p.5449.]

21A. Interpretation

- (1) In this Part, unless the contrary intention appears —
- “**farm**” means the land on which a farmer carries on the farmer’s farming business;
- “**farmer**” means a person who carries on business as a farmer or grazier;
- “**farming business**” means the business of farming or grazing;
- “**load capacity**”, in relation to a vehicle, means —
- (a) the load or carrying capacity specified in the vehicle’s licence or the records kept under the Act; or
 - (b) if no capacity is so specified, the difference between —
 - (i) the vehicle’s maximum permissible gross weight or aggregate weight specified in the vehicle’s licence or the records kept under the Act; and
 - (ii) the vehicle’s tare weight;
- “**stock**” means cattle, sheep, goats or swine;
- “**vehicle licence fee**” means the relevant fee as set out in Part III of the Second Schedule to the Act or, if the grant or renewal of a vehicle licence is for a period of less than 12 months, the fee calculated under section 18(7)(a) and (b) of the Act.

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- (2) A reference in this Part to a vehicle being used for any purpose is to be read as a reference to the vehicle being used for that purpose during the period in respect of which a vehicle licence for the vehicle is to be granted or renewed.
- (3) A reference in this Part to a vehicle licence fee in relation to a vehicle is a reference to a vehicle licence fee for the grant or renewal of a vehicle licence for that vehicle.

[Regulation 21A inserted in Gazette 24 November 1995 pp.5449-50; amended in Gazette 24 May 1996 p.2175.]

21B. Statutory declaration

The Director General may, in order to be satisfied of any of the matters referred to in this Part, require any information contained in an application for the grant or renewal of a vehicle licence to be verified by a statutory declaration.

[Regulation 21B inserted in Gazette 24 November 1995 p.5450; amended in Gazette 31 January 1997 p.682.]

Division 2 — Exemptions

[Heading inserted in Gazette 24 November 1995 p.5450.]

21C. Crown vehicles

- (1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle —
 - (a) is owned by the Crown and has an MRC not exceeding 4 500 kilograms;
 - (b) is owned by a local authority;
 - (c) is owned by the Western Australian Fire Brigades Board⁴ constituted under the *Fire Brigades Act 1942*, or any other fire brigade, and is to be used exclusively for preventing and extinguishing fires or dealing with other emergencies; or
 - (d) is to be used exclusively as an ambulance.

- (2) No vehicle licence fee is payable for a vehicle to which this regulation applies.

[Regulation 21C inserted in Gazette 24 November 1995 p.5450; amended in Gazette 24 May 1996 p.2175; 31 January 1997 p.683.]

21D. Farm vehicles

- (1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle is owned by a farmer and is to be used only on the owner's farm or —
- (a) to pass from one portion of the farm to another;
 - (b) to travel between the farm and some other place to carry out fire fighting or fire prevention operations;
 - (c) to travel between the farm and some other place to take part in fire control exercises previously authorized by a bush fire control officer appointed under the *Bush Fires Act 1954*; or
 - (d) if the farm is in an area that is declared by the Minister for Primary Industry to be drought affected or water deficient, to travel between the farm and a water supply for the purpose of carting water for stock or for domestic purposes.
- (2) This regulation does not apply to a tractor or tractor plant to which regulation 21M applies.
- (3) No vehicle licence fee is payable for a vehicle to which this regulation applies.

[Regulation 21D inserted in Gazette 24 November 1995 p.5450; amended in Gazette 31 January 1997 p.683.]

Division 3 — Reduction of fee

[Heading inserted in Gazette 24 November 1995 p.5450.]

21F. Trailers and semi-trailers used outside South West Division

- (1) This regulation applies to a vehicle that is a trailer or semi-trailer if the Director General is satisfied that the vehicle —
 - (a) has a tare weight exceeding 2 tonnes; and
 - (b) is to be used exclusively on roads outside the South West Division within the meaning of the *Land Act 1928*⁵.
- (2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

[Regulation 21F inserted in Gazette 24 November 1995 pp.5450-1; amended in Gazette 31 January 1997 p.683.]

[21FA. Repealed in Gazette 25 May 1999 p.2068.]

21G. Vehicles used for prospecting

- (1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle —
 - (a) is owned by —
 - (i) a *bona fide* prospector; or
 - (ii) a person (other than a company within the meaning of the Corporations Law) who searches for or produces metals or minerals from land in which the person holds an interest;and
 - (b) is to be used by that prospector or person solely or principally in connection with prospecting.

- (2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

[Regulation 21G inserted in Gazette 24 November 1995 p.5451; amended in Gazette 31 January 1997 p.683.]

21H. Vehicles used for pulling sandalwood

- (1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle —
- (a) is owned by a *bona fide* sandalwood puller; and
 - (b) is to be used by that person solely or principally in connection with the pulling of sandalwood.

- (2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

[Regulation 21H inserted in Gazette 24 November 1995 p.5451; amended in Gazette 31 January 1997 p.683.]

21I. Vehicles used for kangaroo hunting

- (1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle —
- (a) is owned by a *bona fide* kangaroo hunter; and
 - (b) is to be used by that person solely or principally in connection with the hunting of kangaroos.

- (2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

[Regulation 21I inserted in Gazette 24 November 1995 p.5451; amended in Gazette 31 January 1997 p.683.]

21J. Vehicles used for beekeeping

- (1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle —
- (a) is owned by a person who is a beekeeper within the meaning of the *Beekeepers Act 1963* and who engages in

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the keeping of bees substantially as a means of livelihood; and

(b) is to be used by the person solely or principally in connection with beekeeping.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

[Regulation 21J inserted in Gazette 24 November 1995 p.5451; amended in Gazette 31 January 1997 p.683.]

21K. Vehicles used to transport stock

(1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle —

(a) has a tare weight exceeding 1 524 kilograms;

(b) is owned by a person who carries on the business of transporting stock; and

(c) is to be used by the person solely or principally for journeys that involve the carriage of stock.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

(3) A vehicle licence in respect of which a reduced vehicle licence fee is paid under subregulation (2) is taken to be subject to conditions that —

(a) the vehicle shall not be used for any journey that involves the carriage of goods other than a journey that involves the carriage of stock; and

(b) goods other than stock shall not be carried on the vehicle in the course of a journey that involves the carriage of stock unless the carriage of those goods is authorized by the Director General under subregulation (4).

(4) The Director General may authorize the use of a vehicle to which this regulation applies to carry goods other than stock on a specified journey or on a specified part of a journey.

- (5) An authorization shall be in writing and may be amended or revoked by the Director General.
- (6) The fee specified in item 9A of Schedule 2 is payable for the grant of an authorization.
- (7) All fees received by the Director General under subregulation (6) are to be credited to the Consolidated Fund.

[Regulation 21K inserted in Gazette 24 November 1995 p.5452; amended in Gazette 31 January 1997 p.683.]

21L. Farm haulage vehicles

- (1) This regulation applies to a vehicle that is a motor wagon, trailer, semi-trailer or is to be used for the purpose of hauling a trailer or semi-trailer, if the Director General is satisfied that the vehicle —
 - (a) is owned by a farmer; and
 - (b) is to be used solely or principally for carrying the products of, or requisites for, the owner's farming business.
- (2) This regulation does not apply to —
 - (a) a tractor or tractor plant to which regulation 21M applies; or
 - (b) a vehicle that has a tare weight of less than 1 524 kilograms.
- (2a) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.
- (3) A reduction under this regulation does not apply at any one time in respect of more than one vehicle used in connection with the carrying on of the same business.

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- (4) Subregulation (3) does not prevent a reduction applying in respect of —
- (a) a semi-trailer if a reduction also applies in respect of a vehicle that is to be used for the purpose of hauling that semi-trailer; or
 - (b) a vehicle if a reduction also applies in respect of a semi-trailer that is to be hauled by that vehicle.

[Regulation 21L inserted in Gazette 24 November 1995 pp.5452-3; amended in Gazette 17 December 1996 p.7014; 31 January 1997 p.683.]

21M. Tractors or tractor plant used for farming etc.

- (1) This regulation applies to a vehicle that is a tractor (other than a prime mover type) or tractor plant if the Director General is satisfied that the vehicle is only to be used for one or more of the following —
- (a) to pass from one portion of a farm to another;
 - (b) to travel between a farm and some other place for farming activities;
 - (c) to carry out fire fighting or fire prevention operations;
 - (d) to take part in fire control exercises previously authorized by a bush fire control officer appointed under the *Bush Fires Act 1954*;
 - (e) if a farm is in an area that is declared by the Minister for Primary Industry to be drought affected or water deficient, to travel between that farm and a water supply for the purpose of carting water for stock or for domestic purposes.
- (2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced to \$4.

[Regulation 21M inserted in Gazette 29 October 1999 p.5401.]

[21N. Repealed in Gazette 12 May 1998 p.2798.]

210. Certain semi-trailers

- (1) This regulation applies to a semi-trailer that the Director General is satisfied will, during the period for which the licence fee is to be calculated —
 - (a) be towed by a prime mover registered in the name of the owner of the semi-trailer; and
 - (b) not be used in combination with any other trailer.
- (2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 75%.

[Regulation 210 inserted in Gazette 12 May 1998 p.2799.]

21P. Vehicles owned by pensioners

- (1) This regulation applies to a vehicle if the Director General is satisfied that the vehicle —
 - (a) is a motor car or motor wagon, with a tare weight not exceeding 3 000 kilograms, a motor propelled caravan, a motor cycle or a moped; and
 - (b) is owned by a person who holds a current pensioner concession card issued by the Department of Social Security, or the Department of Veteran's Affairs, of the Commonwealth.
- (2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.
- (3) A person is not entitled to a reduction under this regulation in respect of more than one vehicle at any one time.

[Regulation 21P inserted in Gazette 24 November 1995 p.5454; amended in Gazette 31 January 1997 p.683.]

21PA. Caravans (motor propelled)

The vehicle licence fee that, but for this regulation, would be payable for a caravan (motor propelled) is reduced by 50%.

[Regulation 21PA inserted in Gazette 24 May 1996 p.2176.]

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21PB. Family vehicles

- (1) This regulation applies to a vehicle that is a motor car or motor wagon —
 - (a) to be registered in the name of a natural person;
 - (b) with a tare that does not exceed 3 000 kg; and
 - (c) that the Director General is satisfied will, during the period for which the licence fee is to be calculated, be used solely for social, domestic or pleasure purposes and not for the carriage of passengers or goods, for hire or reward or in any business, trade or profession.
- (2) The vehicle licence fee that, but for this regulation, would be payable for a vehicle to which this regulation applies is reduced —
 - (a) by \$28; or
 - (b) if a reduction of \$28 would result in the fee being less than \$1, to \$1.
- (3) A reduction under subregulation (2) is to be applied to a vehicle licence fee after that fee has been reduced by all other applicable reductions.

[Regulation 21PB inserted in Gazette 12 May 1998 p.2799.]

21Q. Reductions not cumulative

- (1) Subject to subregulation (3), only one reduction under this Division is to be applied to the vehicle licence fee of a vehicle for any year.
- (2) If a vehicle qualifies for 2 or more reductions under this Division, the owner of the vehicle may choose which one is to be applied.
- (3) A vehicle licence fee that has been reduced under a regulation in this Division, can be further reduced in accordance with regulations 21PA and 21PB.

[Regulation 21Q inserted in Gazette 24 November 1995 p.5454; amended in Gazette 24 May 1996 p.2176; 17 December 1996 p.7014; 12 May 1998 p.2799; 25 May 1999 p.2068.]

Part IV — Number plates, engine identification marks and vehicle identification numbers

[Heading inserted in Gazette 31 March 1989 p.856.]

22. Director General to provide number plates

- (1) The Director General shall provide and issue identification plates or number plates in respect of every vehicle that is licensed under Part III of the Act other than —
 - (a) a vehicle which is being, or is to be, operated as a taxi using taxi plates issued under the *Taxi Act 1994*;
 - (b) a taxi-car licensed under the *Transport Co-ordination Act 1966*; and
 - (c) an omnibus licensed under the *Transport Co-ordination Act 1966* (not being an omnibus operated by the Western Australian Government Railways Commission).
- (2) The charges specified in item 10 of Schedule 2 are payable in respect of the issue of identification tablets and number plates (other than special plates or name plates).
 - (2a) The Director General may on behalf of the Crown in right of the State dispose of the right to display special plates by public auction or public tender or private treaty.
 - (2aa) On application for the issue of name plates the fee specified in item 11 of Schedule 2 is payable.
 - (2b) Except as otherwise provided in this regulation, the charges specified in item 12 of Schedule 2 are payable in respect of the transfer of the right to display special plates.
 - (2ba) The charge specified in item 13 of Schedule 2 is payable in respect of the transfer of the right to display name plates.

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- (2c) Where the right to display special plates or name plates is transferred —
- (a) pursuant to an agreement or order under the *Family Law Act 1975* of the Commonwealth; or
 - (b) to a beneficiary by a trustee or other person in a fiduciary capacity under a trust whether express or implied,

the charge to be paid in respect of the transfer is the charge specified in item 14 of Schedule 2.

- (2d) Where the right to display a special plate or name plate is owned by a body corporate and the Director General is of the opinion that there has been a significant change in the ownership or control of the body corporate the right to display the special plate or name plate is deemed to have been transferred and the Director General shall require the owner of the right to display the special plate or name plate to pay the relevant charge referred to in subregulation (2b) in respect of the transfer.
- (2e) The charge for an application for the issue of special plates or name plates to replace special plates or name plates bearing the same characters is the charge specified in item 15 of Schedule 2.
- (3) Notwithstanding the charges imposed under these regulations every identification tablet or number plate remains the property of the Director General and shall be returned thereto by the person being the owner, or other person in possession of the vehicle in respect of which it was issued, forthwith upon the cancellation of or the disqualification of the licensee from holding, the licence, or within 15 days of the expiry of the licence, in respect of which the identification tablet or number plate was issued.
- (3a) At any time whilst the use of a vehicle is prohibited under regulation 107 of the *Road Traffic (Vehicle Standards)*

Regulations 1977, the Director General may, by notice served on the owner or other person in possession of that vehicle, demand the return of identification tablets or number plates issued in respect of that vehicle and the owner or other person upon whom such a notice is served shall forthwith return those identification tablets or number plates to the Director General.

- (4) A person who wishes to obtain personalized plates, special plates or name plates to replace ordinary plates previously issued in respect of a vehicle shall return those ordinary plates to the Director General.
- (5) Except in a case referred to in subregulation (6) a person who wishes to obtain ordinary plates to replace personalized plates, special plates or name plates previously issued in respect of a vehicle shall return those personalized plates, special plates or name plates, as the case may be, to the Director General.
- (6) A person to whom a set of personalized plates, special plates or name plates has been issued may, with the approval of the Director General, and on payment of the fee specified in item 16 of Schedule 2 to the Director General, transfer those plates —
 - (a) in the case of special plates or name plates, to another vehicle owned by him; or
 - (b) in the case of personalized plates, to another vehicle owned by him or by a member of his immediate family,and shall, where the vehicle from which the personalized plates, special plates or name plates, as the case may be, were removed, is still licensed, obtain a set of ordinary plates from the Director General and affix those plates to the vehicle.
- (7) The Director General shall not issue special plates or name plates in respect of the following kinds of vehicles —
 - (a) taxis;

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(b) omnibuses.

*[Regulation 22 inserted in Gazette 1 August 1975 pp.2795-6;
amended in Gazette 5 December 1975 p.4369; 15 October 1976
p.3676; 20 May 1977 p.1511; 10 November 1977 p.4190;
30 December 1977 p.4751; 10 March 1978 p.688;
29 September 1978 p.3579; 11 May 1979 p.1223;
12 December 1980 p.4215; 26 June 1981 p.2296;
2 February 1982 p.402; 20 August 1982 p.3270;
23 September 1983 p.3815; 21 October 1983 p.4270;
11 November 1983 p.4512; 14 December 1984 p.4129;
24 May 1985 pp.1761-2; 29 November 1985 p.4452 (erratum
in Gazette 6 December 1985 p.4532); 11 April 1986 p.1382;
26 September 1986 p.3691; 10 June 1988 p.1906;
8 September 1989 pp.3171-2; 21 September 1990 pp.4940-1;
28 September 1990 pp.5072-3; 6 September 1991 p.4713;
13 March 1992 p.1205; 26 June 1992 p.2795; 17 August 1993
pp.4430-1; 31 December 1993 p.6908; 22 July 1994 p.3788;
10 January 1995 p.65; 31 January 1997 p.683.]*

23. Lost number plates

- (1) Where a number plate or number plates issued in respect of a vehicle are lost as a result of being stolen or any other cause, the owner of the vehicle shall, forthwith, send to the Director General notice in writing of that happening and the Director General shall, on proof, by statutory declaration of the loss, and on production of the licence or certificate of registration, issue another set of number plates in respect of the vehicle but where the lost number plate is —
- (a) a special plate;
 - (b) a name plate; or
 - (c) a personalized plate,

the Director General shall issue a number plate in substitution for that number plate being of the same type or class, and

bearing the same characters or numerals or both, as the case may be, as that number plate.

- (2) Where a number plate issued in respect of a vehicle has become dilapidated or is damaged, to such an extent as to render it illegible, the owner of the vehicle shall return the plate to the Director General, together with the licence of the vehicle, and the Director General shall where the number plate is an ordinary number plate either issue another number plate in substitution for the dilapidated or damaged number plate or a new set of number plates, as it thinks fit, and where the number plate so dilapidated or damaged is —
- (a) a special plate;
 - (b) a name plate; or
 - (c) a personalized plate,

the Director General shall issue another number plate in substitution for that number plate, being of the same type or class, and bearing the same characters or numerals or both, as the case may be, as that number plate.

[Regulation 23 amended in Gazette 2 February 1982 p.402; 24 May 1985 p.1762; 29 November 1985 p.4452; 29 May 1987 pp.2221-2; 31 January 1997 p.683.]

24. Nature of number plates

- (1) Subject to this regulation, identification tablets and number plates shall display the expression “W.A.” or “Western Australia” and such other words, letters and numerals as the Director General with the approval of the Minister may determine.

[(2) repealed]

- (3) Identification tablets or number plates may be issued by the Director General displaying a letter or letters approved by the Director General indicating the district in which the owner of

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the vehicle resides, together with a numeral or numerals and shall in addition have the expression “W.A.” or “Western Australia”, displayed above the letter or letters, numeral or numerals, or contained in any words displayed pursuant to subregulation (1), on the identification tablet or number plate.

- (4) Any identification tablet or number plate issued pursuant to subregulation (3) to an owner residing in the district of a Shire, shall have enamelled or painted in the same colour as the lettering and numerals, a circular figure in the shape of a disc of approximately 38 millimetres in diameter, between the lettering and the numerals unless the letters on the identification tablet or number plate indicating the district are not duplicated in any other district in which case the Director General may issue a tablet or plate without the circular figure in the shape of a disc.
- (4a) Special plates may consist of —
- (a) a non-reflective tablet containing the expression “W.A.” or “Western Australia” in white arranged vertically on the left of the tablet and white numerals arranged horizontally on a black background;
 - (b) a unique series consisting of the trade name of a particular make or model of vehicle in black letters on a white reflective background; or
 - (c) a unique series, other than a unique series referred to in paragraph (b), consisting of —
 - (i) a reflective background containing such words, letters, numerals, symbols, or logo; or
 - (ii) such reflective words, letters, numerals, symbols, or logo on a non-reflective background,as may be approved by the Director General and using such colours as are approved by the Director General.
- (4b) Name plates may consist of a reflective background containing the expression “W.A.” or “Western Australia” in blue arranged horizontally at the top of the tablet and such number of letters that

constitute a name or a combination of name or acronym chosen by the applicant with the approval of the Director General.

- (5) Identification tablets and number plates shall bear the prescribed characters enamelled or painted thereon, in the colour and on the background approved by the Director General for the class of tablets or plates concerned.
- (6) Except where the identification tablets or number plates are special plates, the Director General may, by notice served on a licensee, require the licensee to surrender to the Director General any identification tablets or number plates specified in the notice that are not reflective plates and on receipt of the appropriate charge payable under regulation 22 for the issue of plates, issue to the licensee a set of reflective plates by way of replacement.
- (6a) The Director General may, by notice served on a licensee, require the licensee to surrender to the Director General any identification tablets or number plates specified in the notice that are issued in respect of an interchangeable semi-trailer the licence for which was issued on payment of a reduced fee in accordance with a direction of the Director General under section 19(16) of the Act and on receipt of the appropriate charge payable under regulation 22 for the issue of plates, issue to the licensee a set of number plates with the letters "IT" and the word "interchangeable" on the plate by way of replacement.
- (7) For the purposes of subregulations (6) and (6a), a notice may be served on a licensee by —
 - (a) personally serving the notice upon him;
 - (b) by serving the notice upon him through the ordinary course of the post; or
 - (c) by leaving the notice addressed to the licensee, without naming him or stating his address, in, upon or attached to the vehicle to which are affixed the identification tablets or number plates to which the notice relates.

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- (8) A licensee who fails, within 14 days after the service on him of a notice pursuant to subregulations (6) and (6a) to surrender to the licensing authority, the identification tablets or number plates specified in the notice commits an offence.

[Regulation 24 inserted in Gazette 1 August 1975 p.2796; amended in Gazette 12 August 1977 p.2610; 2 February 1982 p.402; 24 May 1985 p.1762; 29 November 1985 p.4452; 15 May 1987 p.2122; 10 June 1988 p.1906; 1 July 1988 p.2145; 6 September 1991 p.4714; 17 August 1993 p.4431; 22 December 1995 p.6195; 31 January 1997 p.683; 1 July 1997 p.3273.]

25. Number plate to be fixed on vehicle

- (1) The owner or person in charge of a vehicle shall rigidly fix and keep the identification tablet or number plates of the vehicle thereon so that —
- (a) in the case of a motor cycle or a trailer or jinker, the identification tablet or number plate is fixed and kept in a conspicuous place on the back of the vehicle, in an upright position and so that the characters thereon are clearly visible and legible, by day and by night;
 - (b) in the case of a motor vehicle not referred to in paragraph (a), where the identification tablet or number plate is duplicated, one is fixed and kept in a conspicuous place in front, and one is fixed and kept in a conspicuous place on the back of the vehicle, in an upright position and so that the characters thereon are clearly visible and legible by day and by night;
 - (c) in the case of an identification tablet or number plate that is a special plate that consists only of the expression “W.A.”, or “Western Australia”, and numerals, the special plate is mounted on the vehicle within a reflective frame supplied by the Director General that provides a border of not less than 10 mm around the perimeter of the special plate; and

- (d) in any case, the characters on the identification tablet or number plate are not covered in any way by any type of film or cover, unless it is a transparent film or cover that —
 - (i) is of a type approved by the Director General as being non-reflective;
 - (ii) bears the name of its manufacturer and its serial or other identification number in a conspicuous place, but not so as to obscure the characters on the identification tablet or number plate; and
 - (iii) is kept clean, in good condition and free from discoloration, heavy scratching and any marking other than those referred to in subparagraph (ii).
- (2) A member of the Police Force may seize and take possession of an identification tablet or number plate that he has reasonable grounds to believe —
 - (a) has not been issued in connection with a licence that is in force for the current licensing period;
 - (b) is fixed to a vehicle other than that for which it was issued; or
 - (c) should have been returned to the Director General in accordance with these regulations.

[Regulation 25 amended in Gazette 11 September 1981 p.3926; 2 February 1982 p.402; 24 May 1985 p.1762; 18 November 1988 p.4531; 28 November 1995 p.5521; 22 December 1995 p.6196; 31 January 1997 p.683; 1 July 1997 p.3273.]

25A. Certificate of right to display

- (1) The Director General shall issue to a person who is entitled to the right to display special plates issued under these regulations a certificate in the form of Form 5 in Schedule 1 and, in the case of a special plate referred to in regulation 24(4a)(a), a miniature of the special plate in a size determined by the Director General.

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- (2) A person who is entitled to the right to display special plates may transfer that entitlement.
- (3) A transfer for the purposes of subregulation (2) shall be by instrument in writing in duplicate in the form of Form 6 in Schedule 1 and signed by the vendor and the purchaser.
- (4) The vendor of a right to display a special plate shall, within 14 days of the execution of the instrument of transfer by the vendor, lodge with the Director General —
 - (a) the duplicate of the instrument of transfer of the special plates;
 - (b) where the special plates in question are not held by the Director General, the special plates; and
 - (c) the certificate of ownership issued by the Director General in respect of the right to display the special plates.
- (5) The purchaser of the right to display special plates shall forward to the Director General —
 - (a) the original of the instrument of transfer of the right to display the special plates together with the prescribed charge; and
 - (b) notification of the vehicle in respect of which the special plates are to be displayed,

the Director General shall issue to the purchaser of the right to display the special plates —

- (c) a certificate of ownership of the special plates;
- (d) in the case of special plates referred to in regulation 24(4a)(a), a miniature of the special plates; and

(e) subject to regulation 25B, the special plates.

[Regulation 25A inserted in Gazette 24 May 1985 p.1762-3; amended in Gazette 6 September 1991 p.4714; 17 August 1993 p.4431; 31 January 1997 pp.683-4.]

25B. Retention of special plates by Director General

- (1) Where the person who is entitled to the right to display a special plate on a vehicle does not nominate a licensed vehicle on which the special plate in question is to be used as an identification tablet or number plate the special plate shall be retained by the Director General.
- (2) Where a special plate is retained by the Director General under subregulation (1) the person who is entitled to the right to display the special plate is liable to pay to the Director General the fee specified in item 17 of Schedule 2 for storage of the special plate.
- (3) Where the person who is entitled to the right to display a special plate on a vehicle fails to pay the fee referred to in subregulation (2) for 3 consecutive years the Director General may by notice served on that person at his last known address and published in a newspaper circulating throughout the State notify him that unless he pays all the fees and charges due in respect of the storage of the special plate on or before the date specified in the notice his entitlement to the right to display the special plates will cease.
- (4) Where a person is notified under subregulation (3) and fails to comply with the requirements of the notice the entitlement of that person to the right to display the special plates ceases with effect from the date specified in the notice.

[Regulation 25B inserted in Gazette 24 May 1985 p.1763; amended in Gazette 8 September 1989 p.3171-2; 21 September 1990 p.4941; 17 August 1993 p.4431; 31 January 1997 pp.683-4.]

r. 25C

25C. Name plates to be treated as special plates

The provisions of regulations 25A and 25B apply to and in relation to name plates as though name plates were special plates except that the Director General shall not issue a miniature of a name plate under regulation 25A(1) or (5)(d).

[Regulation 25C inserted in Gazette 29 November 1985 p.4452; amended in Gazette 31 January 1997 pp.683-4.]

26. Application for dealers plates

- (1) A person of one of the classes prescribed in subregulation (2) may apply in writing to the Director General for number plates, to be known as dealers plates, to be assigned and issued to him pursuant to section 26(2) of the Act.
- (2) The classes of persons to whom dealers plates may be assigned and issued are —
 - (a) manufacturers of vehicles;
 - (b) dealers in vehicles;
 - (c) registered used car dealers;
 - (d) persons carrying on the business of a repairer of motor vehicles;
 - (e) persons carrying on the business of transporting motor vehicles on behalf of —
 - (i) a manufacturer or dealer in new motor vehicles;
or
 - (ii) a registered used car dealer;
 - (f) vehicle body builders;
 - (g) any class of persons approved by the Director General for the purposes of this regulation.

- (3) The fee specified in item 18 of Schedule 2 is payable for the assignment and issue of dealers plates.

[Regulation 26 inserted in Gazette 15 February 1980 p.464; amended in Gazette 26 June 1981 p.2296; 2 February 1982 p.402; 21 October 1983 p.4270; 24 May 1985 p.1760; 26 September 1986 p.3691; 21 September 1990 p.4941; 26 June 1992 p.2796; 17 August 1993 p.4432; 22 December 1995 p.6196; 31 January 1997 pp.683-4.]

26A. Annual fee for dealers plates

- (1) A person to whom dealers plates are issued shall pay, in advance, the annual fee specified in item 19 of Schedule 2 for the use and possession of each set of plates.
- (2) The Director General shall —
- (a) on payment of an annual fee under subregulation (1); and
 - (b) where a replacement plate or replacement set of plates is issued pursuant to regulation 26B(2) or a substituted plate or new set of plates is issued pursuant to regulation 26B(3), without requiring payment of a further annual fee therefor,

issue in respect of each plate an adhesive label to be attached to that plate indicating the month and year in which the annual fee will next become payable in respect of the use and possession of the plate.

- (3) A person shall not use or permit to be used on any vehicle a dealers plate —
- (a) to which an adhesive label issued under this regulation in respect thereof is not conspicuously affixed; or

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- (b) if the period for which the annual fee was last paid in respect thereof has expired.

[Regulation 26A inserted in Gazette 15 February 1980 pp.464-5; amended in Gazette 12 December 1980 p.4215; 2 February 1982 p.402; 20 August 1982 p.3270; 21 October 1983 p.4270; 26 September 1986 p.3691; 8 September 1989 pp.3171-2; 21 September 1990 p.4941; 17 August 1993 p.4432; 31 January 1997 pp.683-4.]

26B. Deposits

- (1) A person to whom dealers plates are issued shall pay to the Director General, together with the plate fee, a deposit of \$20.00 in respect of each set of plates.
- (2) Where a dealers plate or a set of dealers plates is lost the person to whom that plate or set of plates was issued shall send to the Director General notice in writing of the loss whereupon the deposit is forfeited to the Director General, and the Director General shall, on proof by statutory declaration of the loss, the return of any plate of the set that was not lost, and payment of a further deposit of \$20.00 together with the plate fee, assign and issue a replacement set of plates and the annual fee paid in respect of the replaced set of plates shall be deemed to have been paid in respect of the replacement set of plates.
- (3) Where a dealers plate has become dilapidated, or is damaged, to such an extent as to render it illegible, the person to whom the plate was issued shall return the plate to the Director General and the Director General shall, on payment of the relevant plate fee, either issue another plate bearing the same characters in substitution for the dilapidated or damaged plate or issue a new set of dealers plates, as the Director General thinks fit, and in either case the annual fee and the deposit paid in respect of the dilapidated or damaged plates shall be deemed to have been paid in respect of the substituted plate or the new set of dealers plates, as the case may be.

- (4) Subject to subregulation (5) where the person to whom a set of dealers plates is issued returns those plates to the Director General, the Director General shall refund to him the deposit paid in respect of those plates.
- (5) Where dealers plates are not returned to the Director General within 15 days after the end of the period for which the annual fee was last paid in respect of those plates the deposit paid in respect of those plates is forfeited to the Director General.

[Regulation 26B inserted in Gazette 15 February 1980 p.465; amended in Gazette 2 February 1982 p.402; 31 January 1997 pp.683 and 684.]

26C. Conditions of use

- (1) The conditions applying to the use of an unlicensed vehicle bearing dealers plates are that —
 - (a) the vehicle is used in accordance with the *Road Traffic (Vehicle Standards) Regulations 1977*;
 - [(b) deleted]*
 - (c) the vehicle is driven by or in the presence of, the registered holder of the plates or his servant, only;
 - (d) the vehicle is not, without the special authority of the Minister, used for the purpose of being driven from place to place, for the purpose of seeking a purchaser, or advertising or of general demonstration;
 - (e) the vehicle is not used to carry goods other than —
 - (i) goods essential for the operation of the vehicle;
 - (ii) goods for the comfort of the person or persons travelling in the vehicle;
 - (iii) other vehicles in accordance with subregulation (2)(g).
- (2) Subject to subregulation (1)(a), (c) and (d), a vehicle bearing dealers plates may be used for the purposes of —
 - (a) trial after completion or repair;

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- (b) delivery to or from a manufacturer, dealer or repairer or his agent;
 - (c) being driven from the premises of a dealer to that of an intending purchaser for the purpose of trial by him or his servant;
 - (d) trial by an intending purchaser or his servant, for an unbroken period not exceeding 24 hours;
 - (e) delivery to a purchaser after sale;
 - (f) being driven to a licensing or examination centre for the purpose of being examined or licensed and on the return journey;
 - (g) being driven to or from and, where the vehicles have the same owner, carrying another vehicle or vehicles to or from an Agricultural Show, an Agricultural Field Day or a Motor Show, for the purpose of exhibiting the vehicle or vehicles;
 - (h) being driven in such circumstances or for such purposes as the Director General may, in any particular case, approve.
- (3) The characters on a dealers plate shall comprise a combination of letters and numerals approved by the Director General, with the expression "W.A." or "Western Australia" , above, and the word, "Dealer", below that combination and shall be enamelled or painted on the plate in the colour and on the background approved by the Director General.
- (4) A dealers plate shall be fitted to the motor vehicle, in the position in which a number plate is required by these regulations, to be fitted.
- (5) A member of the Police Force may seize and take possession of dealers plates where he has reasonable grounds to believe that the vehicle bearing those dealers plates has been used —
- (a) contrary to the conditions set out in subregulation (1);

- (b) other than for the purposes set out in subregulation (2);
or
- (c) contrary to regulation 26A(3).

[Regulation 26C inserted in Gazette 15 February 1980 pp.465-6; amended in Gazette 6 February 1981 p.538; 2 February 1982 p.402; 23 September 1983 p.3815; 26 October 1984 p.3457; 4 September 1987 p.3493; 28 September 1990 pp.5072-3; 22 December 1995 p.6196; 31 January 1997 pp.683-4; 1 July 1997 p.3273.]

26D. Interpretation

For the purposes of regulations 26, 26A, 26B and 26C —
“**plate fee**”, in relation to dealers plates, means the fee payable under regulation 26(3) for the assigning and issue of those plates;
“**set**” in relation to dealers plates means one or more dealers plates each of which bears the same characters.

[Regulation 26D inserted in Gazette 15 February 1980 p.466.]

27. Prohibition on painting or interfering with number plates

- (1) Subject to subregulation (2), except for the purpose of reinstating it to its original condition a person shall not paint or otherwise interfere with, or suffer any other person to paint or interfere with, an identification tablet or number plate that has been issued to him by the Director General.
- (2) A person may, in accordance with regulation 1026 of the *Road Traffic (Vehicle Standards) Regulations 1977*, affix to an identification tablet or number plate that has been issued to him by the Director General a label indicating that the vehicle to which the identification tablet or number plate is fixed uses Liquefied Petroleum Gas as fuel.

[Regulation 27 amended in Gazette 2 February 1982 p.402; 25 February 1983 p.654; 28 September 1990 pp.5072-3; 31 January 1997 pp.683-4.]

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r. 27A

27A. Meaning of “imitation plate”

In regulations 27B and 27C **“imitation plate”** means —

- (a) a replica or imitation of an identification tablet or number plate issued under these regulations; or
- (b) an article that is so similar to an identification tablet or number plate issued under these regulations that it is likely to be confused with such an identification tablet or number plate.

[Regulation 27A inserted in Gazette 2 June 1989 p.1611.]

27B. Restriction on manufacture, sale or supply of imitation plates

A person shall not manufacture, sell or supply an imitation plate except under written authorization granted by the Director General.

[Regulation 27B inserted in Gazette 2 June 1989 p.1611; amended in Gazette 31 January 1997 pp.683-4.]

27C. Confiscation and disposal of imitation plates

- (1) A member of the Police Force may seize and take possession of —
 - (a) any imitation plate that the member has reasonable grounds to believe has been manufactured, sold or supplied contrary to regulation 27B; or
 - (b) any imitation plate that is fixed to a vehicle.
- (2) The Director General may, with the approval of a justice, cause an imitation plate seized under this regulation to be destroyed.
- (3) An imitation plate may be destroyed under subregulation (2) whether or not any person has been convicted of or charged with an offence under regulation 27B in connection with the plate.

- (4) When, or as soon as practicable after, an imitation plate is seized under this regulation a member of the Police Force shall serve the person from whom it was seized with a notice that informs the person —
 - (a) that the plate is liable to be destroyed; and
 - (b) that the person may make written representations to the Director General in relation to the plate within 10 days after service of the notice.
- (5) For the purposes of subregulation (4) an imitation plate that was fixed to a vehicle shall be deemed to have been seized from the person who is the owner of the vehicle within the meaning of paragraph (d) of the definition of owner in section 5(2) of the Act.
- (6) At any time after the expiration of 14 days from service of the notice under subregulation (4) the Director General may apply to a justice for approval to destroy the imitation plate.
- (7) The application shall be accompanied by copies of any representations received under subregulation (4)(b) in relation to the plate.
- (8) The justice, after considering the application, the representations (if any), and the need (if any) for the plate to be retained for evidentiary purposes, may —
 - (a) approve of the destruction of the plate;
 - (b) direct that the plate be returned to the person from whom it was seized; or
 - (c) authorize the continued retention of the plate for evidentiary purposes.
- (9) A person is not entitled to any payment by way of compensation or restitution in respect of the seizure, retention or destruction of an imitation plate under this regulation.

*[Regulation 27C inserted in Gazette 2 June 1989 p.1611;
amended in Gazette 31 January 1997 pp.683-4.]*

r. 28

28. Engine identification marks

- (1) Upon an application to license a motor vehicle under these regulations, the Director General shall not grant the licence —
 - (a) unless a clear and legible identification mark consisting of numerals or letters, or a combination of numerals and letters, is stamped on the engine of the vehicle; or
 - (b) if the identification mark on the engine of the vehicle has been, or appears to have been altered, defaced, obliterated or removed.

- (2) The owner or person in charge of a motor vehicle of which the engine or an engine part, bearing the identification mark, is changed or replaced shall, within 7 days after the change or replacement, give to the Director General that licensed the vehicle a notice in writing setting out —
 - (a) the date of the change or replacement of the engine or engine part;
 - (b) the make and the registered number of the motor vehicle;
 - (c) the name and address of the owner of the motor vehicle;
 - (d) the identification mark on the engine or engine part so changed or replaced;
 - (e) the identification mark (if any) on the engine or engine part substituted for that changed or replaced; and
 - (f) the name and address of the person from whom the substituted engine or engine part was obtained.

- (3) The Director General may allot an identification mark, where —
 - (a) there is no identification mark on the engine of a motor vehicle; or
 - (b) the identification mark on the engine has been or appears to have been, altered, defaced, obliterated or removed,if it is satisfied that an identification mark is necessary for identifying the engine of the motor vehicle.

- (4) Where an identification mark is allotted pursuant to the provisions of subregulation (3), the identification mark shall be stamped on the engine of the motor vehicle in such manner and in such position, as the Director General may direct; and upon the engine being so stamped, the motor vehicle shall be produced forthwith to the Director General for inspection of the identification mark.
- (5) Unless he has applied for, and is awaiting the allotment of, an identification mark for the engine of that motor vehicle, a person shall not use, or permit or suffer any other person to use, a motor vehicle of which —
 - (a) the engine is not stamped with a clear and legible identification mark consisting of numerals or letters, or a combination of numerals and letters; or
 - (b) the identification on the engine has been, or appears to have been, altered, defaced, obliterated or removed.
- (6) Except with the approval, in writing, of the Director General, a person shall not —
 - (a) alter, deface, obliterate or remove an identification mark from the engine of a motor vehicle; or
 - (b) stamp on or affix to the engine of a motor vehicle any mark, number or letter purporting or intended to be, or that is a colourable imitation of, an identification mark of that engine.

[Regulation 28 amended in Gazette 2 February 1982 pp.402-3; 31 January 1997 pp.683-4.]

28A. Vehicle identification number

- (1) Upon an application being made under these regulations to license a motor vehicle, trailer or semi-trailer manufactured on or after 1 January 1989, the Director General shall not grant the licence —
 - (a) unless a vehicle identification number is legibly and durably stamped on the vehicle; or

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- (b) if the vehicle identification number on the vehicle has been, or appears to have been, altered, defaced or obliterated.
- (2) The Director General may allot a vehicle identification number to a motor vehicle, trailer or semi-trailer manufactured on or after 1 January 1989, where —
 - (a) there is no vehicle identification number on the vehicle; or
 - (b) the vehicle identification number on the vehicle has been or appears to have been, altered, defaced or obliterated.
- (3) Where a vehicle identification number is allotted pursuant to subregulation (2), the owner or the person in charge of the vehicle shall ensure —
 - (a) that the number is legibly and durably stamped on the vehicle in such manner and in such position, as the Director General directs; and
 - (b) that upon being stamped, the vehicle is produced to the Director General for inspection of the vehicle identification number.
- (4) For the purposes of this regulation —

“vehicle identification number” means a vehicle identification number that is in accordance with the requirements of the standards referred to in regulation 126(a), (b) or (c) of the *Road Traffic (Vehicle Standards) Regulations 1977*.

*[Regulation 28A inserted in Gazette 31 March 1989 p.856;
amended in Gazette 28 September 1990 pp.5072-3;
31 January 1997 pp.683-4.]*

Part V — Registration labels

29. Register of vehicles licences to be kept and registration labels to be issued

A register of all licences for vehicles shall be kept by the Director General which shall, after the appropriate particulars are duly entered in the register and upon payment of the prescribed fee (if any), issue, together with every vehicle licence, a registration label.

[Regulation 29 amended in Gazette 2 February 1982 p.403; 31 January 1997 pp.683-4.]

30. Form of registration labels

- (1) A registration label shall be in accordance with a form to be determined from time to time by the Minister, be printed in colours and indicate thereon the month, year, or portion of the year, in relation to which the licence is issued.
- (2) A registration label shall be fitted to the windscreen of the vehicle in the position prescribed by these regulations or, if the vehicle has no windscreen, shall, subject to regulation 32(1)(c), be placed and kept in a protective holder from which the details on the registration label can be seen; and the holder with the registration label placed in it shall be fitted and kept fitted to the vehicle in respect of which the label is issued in such a manner that the label is clearly visible to a person directly facing the label within a distance of 2 metres.
- (3) Where, under the provisions of subregulation (2), a registration label is required to be kept in a holder, the Director General issuing the label shall, at the request of the licensee and on payment of an amount not exceeding the amount specified in item 20 of Schedule 2, supply a holder.

[Regulation 30 amended in Gazette 2 April 1976 p.1048; 2 February 1982 p.403; 4 March 1988 p.677; 21 September 1990 p.4941; 20 September 1991 p.4947; 17 August 1993 p.4432; 31 January 1997 pp.683-4.]

31. Registration labels valid for duration of licence

- (1) A registration label issued in respect of a vehicle shall have effect only for the duration of the licence in respect of which it is issued.
- (2) The Director General shall, on each subsequent renewal of a licence for a vehicle, issue a new registration label, as prescribed by these regulations.

[Regulation 31 amended in Gazette 2 February 1982 p.403; 31 January 1997 pp.683-4.]

32. Position on vehicle where registration label to be carried

- (1) A registration label shall be placed and carried on the vehicle for which it is issued, so that —
 - (a) where the motor vehicle has a windscreen, the label is in such a position that its centre is approximately 150 millimetres from the bottom, near side corner of the windscreen and the front of the label is facing towards the front of the vehicle, or, where the left front glass ventilation window is of sufficient size to enable the label to be so affixed, is in a horizontal position on that ventilation window with the label facing towards the outside;
 - (b) where the motor vehicle has no windscreen, in the case of —
 - (i) a tractor or other vehicle not specified in this paragraph, the label is fitted in a holder, either on the near side of the vehicle or on the fore part of the driving cabin or compartment, in such a manner that the face of the label is clearly visible to a person who is standing outside the vehicle and facing the label;
 - (ii) a motor cycle, the label is fitted in a holder on the left hand side of the motor cycle; and

- (iii) a trailer, the label is fitted in a holder on the near side of, and not more than 305 millimetres from the front of, the tray, in such a manner that the label faces the same direction as the near side of the tray to which it is fitted, and is clearly visible to a person who is standing outside the trailer and facing the label;
- (c) where the vehicle is a caravan or the trailer type the label is either —
 - (i) fitted to the front window in such a position that its centre is approximately 150 millimetres from the bottom, near side corner of the window and the front of the label is facing towards the front of the vehicle; or
 - (ii) fitted in a holder in the manner set out for a trailer in paragraph (b)(iii),and the choice of label type shall be indicated by the owner, or where no preference is indicated shall be nominated by the Director General, at the time of registration or renewal.
- (2) In all cases the registration label or the holder and registration label shall be carried on the particular vehicle for which it is issued, so as to be clearly visible to a person directly facing the label, within a distance of 2 metres.

[Regulation 32 amended in Gazette 10 November 1977 p.4190; 2 October 1981 p.4186; 2 February 1982 p.403; 27 May 1983 p.1612; 4 March 1988 p.677; 31 January 1997 pp.683-4.]

33. Fee for duplicate registration label

A fee not exceeding the fee specified in item 21 of Schedule 2 may be charged for a duplicate of a registration label.

[Regulation 33 amended in Gazette 17 August 1993 p.4432.]

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34. Licences to be handed over on disposal

Every person on disposing of a used vehicle, whether as principal or agent, shall forthwith hand the licence, or, where the vehicle is unlicensed, the last licence, for the vehicle to the person on whom the ownership of the vehicle is conferred.

Part VI — Traffic inspectors

35. Application of Part

This Part applies to any traffic inspector (which term includes assistant inspector) referred to in section 110(3) of the Act.

36. Certificate of appointment, badge of authority, uniform, etc.

- (1) A certificate of the appointment of a traffic inspector shall be in the form of Form 1 in Schedule 1.
- (2) Every traffic inspector shall, when on duty, wear his badge of authority in a conspicuous place and the badge of authority shall be of a design approved by the Director General.
- (3) Every traffic inspector shall, except where the Director General otherwise directs, wear the uniform approved by the Director General.

[Regulation 36 amended in Gazette 2 February 1982 p.403; 17 August 1993 p.4432; 31 January 1997 pp.683-4.]

[Part VII repealed in Gazette 28 November 1986 p.4382.]

Part VIII — Miscellaneous

[Heading amended in Gazette 24 November 1995 p.5454.]

38A. Exemption or refund of fee in particular case

- (1) The Director General may, in a particular case —
 - (a) refund all or part of a payment that has been made in respect of any fee referred to in these regulations; or
 - (b) in writing, exempt a person from payment of any fee referred to in these regulations or from payment of part of such a fee,

if the Director General is satisfied that exceptional circumstances warrant the refund or exemption being given in that case.

- (2) The Director General may, in writing given to a person exempted under subregulation (1)(b), vary or revoke the exemption.
- (3) An exemption may be given subject to such conditions as the Director General thinks fit and specifies in the exemption.
- (4) A person must not contravene a condition of an exemption.

[Regulation 38A inserted in Gazette 24 November 1995 pp.5454-5; amended in Gazette 31 January 1997 pp.683-4.]

39. Penalty for breach of a regulation

- (1) A person committing a breach of any of these regulations is liable, for a first offence, to a penalty not exceeding four penalty units (4 PU) and, for a subsequent offence, to a penalty not exceeding eight penalty units (8 PU).
- (2) For the purposes of subregulation (1) an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations, against the *Traffic (Licensing*

*Authorities) Regulations 1968*⁶, as amended at any time or against the *Traffic (Licensing Authorities) Regulations 1974*⁷, as amended at any time.

[Regulation 39 amended in Gazette 23 December 1997 p.7444.]

Schedule 1

Schedule 1

[Heading amended in Gazette 17 August 1993 p.4432.]

Road Traffic Act 1974

Form 1

[Reg. 36(1)]

**CERTIFICATE OF APPOINTMENT OF TRAFFIC INSPECTOR
BY LOCAL AUTHORITY**

Office of the Municipality of

THIS IS TO CERTIFY that

of

is a duly appointed Traffic Inspector under the provisions of section 110 of the
Road Traffic Act 1974, for the Municipal District of

Dated this day of 19.....

.....
Mayor/President

.....
Town/Shire Clerk

[Forms 2, 3, 4 repealed in Gazette 28 November 1986 p.4382.]

Form 5

[Reg. 25A(1)]

Road Traffic Act 1974

Road Traffic (Licensing) Regulations 1975

CERTIFICATE OF RIGHT TO DISPLAY AND TRADE

In accordance with the regulations made pursuant to the *Road Traffic Act 1974*

.....

has the right to display and trade the special plate bearing the characters

.....

.....

For and on behalf of the
Director General.

Schedule 1

Form 6

Road Traffic Act 1974

Road Traffic (Licensing) Regulations 1975

TRANSFER OF RIGHT TO DISPLAY SPECIAL PLATES

Description of special
plate

--

Vendor
(Full name and address)

Consideration

--

Purchaser
(Full name and address)

Dated this day of, 19.....

.....
Signed by Vendor

.....
Signed by Purchaser

*[Schedule 1 amended in Gazette 23 July 1976 p.2534; 30 June 1978
p.2141; 2 February 1982 p.403; 24 May 1985 p.1763;
28 November 1986 p.4382; 17 August 1993 p.4432; 31 January 1997
p.683.]*

Schedule 2

Fees and Charges

Item	Regulation No.	Service	Fee \$
1.	3A(1a)	Upon establishment of premises as an authorized inspection station	128.95
		Each year for the renewal of authorization	53.80
2.	3B(1)	Examination of vehicle by the Director General —	
		(a) in the case of a motor wagon, prime mover with a manufacturer's gross vehicle mass exceeding 4.5 tonnes, or any other vehicle exceeding 4.5 tonnes;	65.55
		(b) in the case of a caravan or trailer without brakes, motor cycle, motor carrier, engine change, earthmoving or agricultural implement;	28.00
		(c) in the case of any other vehicle;	43.00
3.	3B(2a)	Examination of vehicle by the Director General in the circumstances referred to in regulation 3B(2a) —	
		(a) in the case of a vehicle which is a motor carrier, a trailer or any other vehicle with a manufacturer's gross vehicle mass not exceeding 4.5 tonnes, a motor cycle, or a moped;	53.80

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Item	Regulation No.	Service	Fee \$
		(b) in the case of any other vehicle;	107.40
4.	5A(2)	For —	
		(a) searching records —	
		(i) manually, per vehicle;	0.50
		(ii) by computer where a list of vehicles to be searched is supplied to the Director General on magnetic tape, per vehicle;	0.20
		(b) production of an extract describing the current status of ownership of a vehicle, according to the Director General's records;	6.40
		(c) detailed searching of current and previous owner's records and production of supporting documentation	10.55
5.	8A	Recording fee for grant or renewal of a vehicle licence	14.70
6.	8B	Fee for transfer of a vehicle licence	12.90
7.	11(6)(a)(i)	Fee for issue of permit for unlicensed vehicle	6.40
8.	11(6)(b)(i)(B)	Minimum permit fee	20
9.	14	Fee for issue of duplicate or certified copy of a vehicle licence	6.40
9A.	21K	Fee for authorization under regulation 21K(4)	10

Item	Regulation No.	Service	Fee \$
10.	22(2)	Charge —	
		(a) for the issue of plates (other than personalized plates, plates bearing the same characters as previous plates, or dealers plates) except where paragraph (b) of this item applies;	15.40
		(b) for the re-issue of plates which have been returned under regulation 22(3), (3a) or (4) (other than personalized plates, plates to replace existing plates bearing the same characters, or dealers plates);	7.50
		(c) upon application for the issue of personalized plates;	80.50
		(d) upon application for the issue of plates to replace ordinary plates bearing the same characters;	27.00
		(e) upon application for the issue of plates to replace personalized plates bearing the same characters without the letter “P” previously required by these regulations;	40.90
11.	22(2aa)	Fee upon application for issue of name plates	614.70
12.	22(2b)	Charge for transfer of right to display special plates —	
		(a) single digit numeral special plates;	6154.70
		(b) 2 digit numeral special plates;	1231.30

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Schedule 2

Item	Regulation No.	Service	Fee \$
		(c) 3 digit numeral special plates;	614.70
		(d) any other number of digit special plates;	122.50
		(e) unique series special plates referred to in regulation 24(4a)(b);	1231.30
		(f) unique series special plates referred to in regulation 24(4a)(c);	53.90
13.	22(2ba)	Charge for transfer of right to display name plates	307.50
14.	22(2c)	Charge for transfer of right to display special plates or name plates —	
		(a) pursuant to an agreement or order under the <i>Family Law Act 1975</i> of the Commonwealth; or	
		(b) to a beneficiary by a trustee or other person in a fiduciary capacity under a trust whether express or implied;	12.90
15.	22(2e)	Charge upon application for the issue of special plates or name plates to replace special plates or name plates bearing the same characters —	
		(a) for premium material plates	139.60
		(b) for standard metal plates	55
16.	22(6)	Fee for transfer of —	
		(a) special plates or name plates by a person to another vehicle owned by that person;	12

Schedule 2

Item	Regulation No.	Service	Fee \$
		(b) personalized plates by a person to another vehicle owned by that person or by a member of his immediate family;	12.90
17.	25B(2)	Fee for storage of special plate by Director General (per year or part thereof)	12.90
18.	26(3)	Fee for assignment and issue of dealers plates —	
		(a) where the plate is issued in substitution for a plate bearing the same characters, per plate;	25.15
		(b) in any other case, per set of plates;	18.10
19.	26A	Annual fee for the use and possession of dealers plates	73.00
20.	30(3)	Fee for supply of registration label holder	6.40
21.	33	Fee for duplicate of registration label	0.50

[Schedule 2 inserted in Gazette 17 August 1993 pp.4432-5; amended in Gazette 22 July 1994 p.3788; 16 September 1994 pp.4790-1; 26 May 1995 p.2072; 27 June 1995 p.2607; 24 November 1995 p.5455; 22 December 1995 p.6196; 24 May 1996 pp.2176-9; 31 January 1997 pp.683 and 684; 26 March 1997 p.1650; 13 May 1997 pp.2341-3; 1 July 1997 p.3273; 12 May 1998 pp.2797-8; 25 May 1999 p.2068.]

Schedule 3

Classes of licences for heavy vehicles

[Regulation 9A]

1. Interpretation

In this Schedule a converter dolly trailer and a semi-trailer when used together shall be regarded as one trailer.

Column 1 Class	Column 2 No. of axles	Column 3 MRC	Column 4 Limitation as to heavy trailers hauled
Motor car and omnibus (not articulated)			
1B2	2	12 000 kg or under	
2B2	2	over 12 000 kg	
2B3	3	any	
Motor car and omnibus (articulated)			
AB3	3	any	
Motor wagon caravan (motor propelled) or tow truck			
1R2	2	12 000 kg or under	nil
2R2	2	over 12 000 kg	nil
1R3	3	16 500 kg or under	nil
2R3	3	over 16 500 kg	nil
1R4	4	20 000 kg or under	nil
2R4	4	over 20 000 kg	nil
1R5	5 or more	20 000 kg or under	nil
2R5	5 or more	over 20 000 kg	nil
SR2	2	any	1
SR3	3	any	1
SR4	4	any	1
SR5	5	any	1
MR2	2	any	1
MR3	3	any	1
MR4	4	any	1
MR5	5 or more	any	1
LR2	2	any	

Column 1 Class	Column 2 No. of axles	Column 3 MRC	Column 4 Limitation as to heavy trailers hauled
LR3	3	any	
LR4	4	any	
LR5	5 or more	any	
Tractor (prime mover type)			
SP2	2	any	1 semi-trailer and nil other trailers
SP3	3	any	1 semi-trailer and nil other trailers
SP4	4	any	1 semi-trailer and nil other trailers
SP5	5 or more	any	1 semi-trailer and nil other trailers
MP2	2	any	2 semi-trailers and nil other trailers
MP3	3	any	2 semi-trailers and nil other trailers
MP4	4	any	2 semi-trailers and nil other trailers
MP5	5 or more	any	2 semi-trailers and nil other trailers
1LP2	2	any	1 semi-trailer and 1 other trailer
1LP3	3	any	1 semi-trailer and 1 other trailer
1LP4	4	any	1 semi-trailer and 1 other trailer
1LP5	5 or more	any	1 semi-trailer and 1 other trailer
2LP2	2	any	1 semi-trailer
2LP3	3	any	1 semi-trailer
2LP4	4	any	1 semi-trailer
2LP5	5 or more	any	1 semi-trailer
Semi-trailer, converter dolly trailer or trailer, other than a plant trailer			
HT	any	any	

Schedule 3

**Caravan (trailer type), plant trailer, tractor (not prime mover type),
tractor plant, forklift truck, tow motor, mobile crane**

[Note: See the Road Traffic (Vehicle Standards) Regulations 1977, reg. 1401 for axle mass loading limits]

Column 1	Column 2	Column 3	Column 4
1SV	does not exceed axle mass load	any	
2SV2	1 or 2 axle vehicles that exceed axle mass loading	any	
2SV3	3 axle vehicles that exceed axle mass loading	any	
2SV4	4 axle vehicles that exceed axle mass loading	any	
2SV5	5 axle vehicles that exceed axle mass loading	any	
2SV6	6 axle vehicles that exceed axle mass loading	any	
2SV7	7 axle vehicles that exceed axle mass loading	any	
2SV8	8 axle vehicles that exceed axle mass loading	any	
2SV9	9 axle vehicles that exceed axle mass loading	any	

[Schedule 3 inserted in Gazette 24 May 1996 pp.2179-81; amended in Gazette 1 July 1997 p.3274; 25 May 1999 p.2069.]



Notes

¹ This reprint is a compilation as at 11 February 2000 of the *Road Traffic (Licensing) Regulations 1975* and includes the amendments included in the reprint as at 5 October 1994 and the amendments effected by the other regulations referred to in the following Table.

Table of Regulations

Citation	Gazettal	Commencement	Miscellaneous
<i>Road Traffic (Licensing) Regulations 1975</i>	29 May 1975 pp.1577-88		
(Regulations effecting amendments included in the previous reprint are not referred to in this Table)			Previous reprint as at 5 October 1994
<i>Road Traffic (Licensing) Amendment Regulations 1995</i>	10 January 1995 pp.64-5	10 January 1995 (see regulation 2 and <i>Gazette</i> 10 January 1995 p.73)	
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1995</i>	26 May 1995 p.2072	1 July 1995	
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1995</i>	27 June 1995 pp.2606-7	1 July 1995 (see regulation 2)	
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 1995</i>	24 November 1995 pp.5448-55	25 November 1995 (see regulation 2 and <i>Gazette</i> 24 November 1995 p.5390)	
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1995</i>	22 December 1995 pp.6194-6	22 December 1995	
<i>Road Traffic (Licensing) Amendment Regulations (No. 6) 1995</i>	28 November 1995 p.5521	28 November 1995	

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Citation	Gazettal	Commencement	Miscellaneous
<i>Road Traffic (Licensing) Amendment Regulations 1996</i>	24 May 1996 pp.2172-81	Regulations 6, 7 and 13 operative 1 July 1996: balance operative 1 June 1996 (see regulation 2)	Regulation 15: transitional ⁸
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1996</i>	17 December 1996 pp.7013-4	17 December 1996	Regulation 6: transitional ⁹
<i>Road Traffic (Licensing) Amendment Regulations 1997</i>	31 January 1997 pp.682-4	1 February 1997 (see regulation 2 and <i>Gazette</i> 31 January 1997 p.613)	
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1997</i>	26 March 1997 p.1650	1 April 1997 (see regulation 2)	Disallowance of regulation 3(a) published in <i>Gazette</i> 2 September 1997 p.5001 has no effect as relevant provision was subsequently amended prior to disallowance taking effect
<i>Road Traffic (Amendments to Fees) Regulations 1997, Division 3</i>	13 May 1997 pp.2341-3	1 July 1997 (see regulation 2)	
<i>Road Traffic (Licensing) Amendment Regulations (No.3) 1997</i>	1 July 1997 pp.3272-4	1 July 1997	
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1997</i>	23 December 1997 pp.7443-4	1 January 1998 (see regulation 2 and <i>Gazette</i> 23 December 1997 p.7400)	
<i>Road Traffic (Licensing) Amendment Regulations 1998</i>	12 May 1998 pp.2798-9	1 July 1998 (see regulation 2)	

Citation	Gazettal	Commencement	Miscellaneous
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1998</i>	12 May 1998 pp.2797-8	1 July 1998 (see regulation 2)	
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1998</i>	4 August 1998 p.3991	4 August 1998	
<i>Road Traffic (Licensing) Amendment Regulations 1999</i>	2 February 1999 pp.352-3	1 July 1999 (see regulation 2)	
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1999</i>	25 May 1999 pp.2067-9	1 July 1999 (see regulation 2)	
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1999</i>	29 October 1999 p.5401	29 October 1999	

² *Road Traffic (Licensing) Amendment Regulations 1988* commenced 10 June 1988 (see *Gazette* 10 June 1988 p.1906).

³ Repealed by the *Motor Vehicle (Third Party Insurance Surcharge) Repeal Act 1988* (No. 8 of 1988).

⁴ Superseded by the Fire and Emergency Services Authority of Western Australia established by the *Fire and Emergency Services Authority of Western Australia Act 1998* (No. 41 of 1998).

⁵ This Division is now described in the *Land Administration Act 1997* (No. 30 of 1997).

⁶ Revoked in *Gazette* 3 October 1974 p.3701.

⁷ Revoked in *Gazette* 29 May 1975 p.1577.

⁸ Regulation 15 of the *Road Traffic (Licensing) Amendment Regulations 1996* reads as follows —

“

15. Transitional

The principal regulations shall continue to apply in relation to —

- (a) the grant of a vehicle licence if that licence is granted before 1 July 1996; and
- (b) the renewal of a vehicle licence if, pursuant to section 18(4) of the Act, that renewal has effect, or is

deemed to have effect, on and from a day that precedes
1 July 1996,
as if regulations 4, 5, 8, 9, 10, 11, 12 and 14 of these regulations
had not been made.

”.

⁹ Regulation 6 of the *Road Traffic (Licensing) Amendment Regulations (No. 3) 1996*
reads as follows —

“

6. Transitional

The principal regulations, as in force immediately before the
commencement of these regulations, continue to apply in relation
to —

- (a) the grant of a vehicle licence if that licence is granted
before 1 January 1997; and
- (b) the renewal of a vehicle licence if, pursuant to
section 18(4) of the Act, that renewal has effect, or is
deemed to have effect, on and from a day that precedes
1 January 1997.

”.

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
approved device	4A(3)
authorized vehicle examiner	3(1)
axle	3(1)
compliance plate	3(1)
farm	21A(1)
farmer	21A(1)
farming business	21A(1)
heavy trailer	3(1)
heavy vehicle	3(1)
imitation plate	27A
industry	10B
licensee.....	3(1)
load capacity	21A(1)
manufacturer's gross vehicle mass'	3(1)
Motor carrier	10A
MRC.....	3(1)
name plates	3(1)
ordinary plates.....	3(1)
permit	11(1)
personalized plates	3(1)
plate fee	26D
reflective plates	3(1)
registration label.....	3(1)
set	26D
special plates	3(1)
stock	21A(1)
tare	3(1)
Tractor (other than prime mover type).....	10B
vehicle identification number.....	28A(4)
vehicle licence fee.....	21A(1)
Vehicle Standards Regulations	4A(3)