

Western Australia

Road Traffic Legislation Amendment Act 2012

As at 21 May 2012

No. 8 of 2012

Extract from www.slp.wa.gov.au, see that website for further information

Road Traffic Legislation Amendment Act 2012

CONTENTS

Part 1 — Preliminary		
1.	Short title	2
2.	Commencement	2
Part 2 — Repeal		
3.	Act repealed	4
Part 3 — Consequential amendments to the <i>Road Traffic Act 1974</i>		
4.	Act amended	5
5.	Long title amended	5
6.	Section 5 replaced	5
5.	Terms used	5
7.	Section 5A deleted	5
8.	Parts II to IVA deleted	5
9.	Section 49AA amended	5
10.	Section 49 amended	6
11.	Sections 51 and 53 deleted	6
12.	Sections 58 and 58A deleted	6
13.	Section 64A amended	6
14.	Section 64AAA amended	7
15.	Section 71C amended	8
16.	Section 71E amended	9
17.	Section 71F amended	9
18.	Section 71G amended	10
19.	Section 74 amended	10
20.	Sections 75 to 78 deleted	10

Contents

21.	Section 78A amended	10
22.	Section 78C amended	10
23.	Section 78D amended	10
24.	Section 79BA amended	11
25.	Section 80L amended	11
26.	Sections 82 to 87 deleted	11
27.	Sections 92 to 103 deleted	11
28.	Part VIA deleted	11
29.	Section 105 deleted	11
30.	Section 106 amended	11
31.	Sections 107, 109 and 110 deleted	11
32.	Section 111 amended	12
33.	Section 111AA deleted	12
34.	Section 111AB amended	12
35.	Sections 111A to 113 deleted	13
36.	Various references to “Director General” amended	13
37.	Various references to “member of the Police Force” amended	13
38.	Various references to “the member” amended	15

Part 4 — Consequential amendments to other Acts

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

39.	Act amended	16
40.	Section 7 amended	16

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

41.	Act amended	16
42.	Section 6 amended	16

Division 3 — *Botanic Gardens and Parks Authority Act 1998* amended

43.	Act amended	17
44.	Section 3 amended	17
45.	Section 50 amended	18

Division 4 — *Bush Fires Act 1954* amended

46.	Act amended	18
47.	Section 14B amended	18

Division 5 — <i>Chattel Securities Act 1987</i>		
amended		
48.	Act amended	18
49.	Section 3 amended	18
50.	Section 7 amended	19
51.	Section 13 amended	20
52.	Section 30 amended	20
Division 6 — <i>Children and Community Services Act 2004</i>		
amended		
53.	Act amended	20
54.	Section 102 amended	21
Division 7 — <i>Children's Court of Western Australia Act 1988</i>		
amended		
55.	Act amended	21
56.	Section 51A amended	21
Division 8 — <i>Civil Judgments Enforcement Act 2004</i>		
amended		
57.	Act amended	21
58.	Section 113 amended	21
59.	Section 114 amended	22
Division 9 — <i>Consumer Affairs Act 1971</i>		
amended		
60.	Act amended	22
61.	Schedule amended	22
Division 10 — <i>Control of Vehicles (Off-road Areas) Act 1978</i>		
amended		
62.	Act amended	22
63.	Section 3 amended	23
64.	Section 7 amended	23
65.	Section 11 amended	23
66.	Section 34 amended	24
67.	Section 36 amended	24
68.	Section 38 amended	25
69.	Section 39 amended	25
Division 11 — <i>Court Security and Custodial Services Act 1999</i>		
amended		
70.	Act amended	26
71.	Section 47 amended	26

	Division 12 — <i>Credit Act 1984</i> amended	
72.	Act amended	26
73.	Section 5 amended	26
	Division 13 — <i>Criminal Appeals Act 2004</i> amended	
74.	Act amended	27
75.	Section 11 amended	27
	Division 14 — <i>Criminal Investigation Act 2006</i> amended	
76.	Act amended	27
77.	Section 18 amended	27
78.	Section 28 amended	27
79.	Section 135 amended	28
	Division 15 — <i>Criminal Procedure Act 2004</i> amended	
80.	Act amended	28
81.	Section 3 amended	28
82.	Section 11 amended	28
	Division 16 — <i>Cross-border Justice Act 2008</i> amended	
83.	Act amended	29
84.	Section 68 amended	29
85.	Section 138 amended	29
	Division 17 — <i>Dangerous Goods Safety Act 2004</i> amended	
86.	Act amended	29
87.	Section 14 amended	30
88.	Section 15 amended	30
	Division 18 — <i>Duties Act 2008</i> amended	
89.	Act amended	30
90.	Section 228 amended	30
91.	Section 230 amended	31
92.	Section 240 amended	32
93.	Section 243 amended	32
94.	Section 244A amended	32
95.	Various references to “Road Traffic Act” amended	33
96.	Various references to “Director General” amended	33

	Division 19 — <i>Emergency Management Act 2005</i> amended	
97.	Act amended	34
98.	Section 68 amended	34
	Division 20 — <i>Environmental Protection Act 1986</i> amended	
99.	Act amended	34
100.	Section 3 amended	34
	Division 21 — <i>Fair Trading Act 2010</i> amended	
101.	Act amended	35
102.	Section 63 amended	35
103.	Schedule 1 amended	35
	Division 22 — <i>Finance Brokers Control Act 1975</i> amended	
104.	Act amended	36
105.	Section 4 amended	36
	Division 23 — <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> amended	
106.	Act amended	36
107.	Section 3 amended	36
108.	Section 26 amended	37
109.	Various references to “the <i>Road Traffic Act 1974</i> ” amended	38
	Division 24 — <i>Fish Resources Management Act 1994</i> amended	
110.	Act amended	39
111.	Section 4 amended	39
	Division 25 — <i>Government Railways Act 1904</i> amended	
112.	Act amended	39
113.	Section 73 amended	39
	Division 26 — <i>Juries Act 1957</i> amended	
114.	Act amended	39
115.	Section 5 amended	40
	Division 27 — <i>Land Administration Act 1997</i> amended	
116.	Act amended	40
117.	Section 61 amended	40

	Division 28 — <i>Liquor Control Act 1988</i> amended	
118.	Act amended	40
119.	Section 119 amended	41
	Division 29 — <i>Local Government Act 1995</i> amended	
120.	Act amended	41
121.	Section 3.38 amended	41
122.	Section 3.40 amended	41
123.	Section 9.13 amended	41
124.	Section 9.15 amended	42
	Division 30 — <i>Magistrates Court Act 2004</i> amended	
125.	Act amended	42
126.	Section 33 amended	42
	Division 31 — <i>Main Roads Act 1930</i> amended	
127.	Act amended	42
128.	Section 13 amended	42
129.	Section 16 amended	43
130.	Section 31 amended	43
	Division 32 — <i>Marine and Harbours Act 1981</i> amended	
131.	Act amended	43
132.	Section 18B amended	43
	Division 33 — <i>Mines Safety and Inspection Act 1994</i> amended	
133.	Act amended	43
134.	Section 4 amended	44
	Division 34 — <i>Motor Vehicle (Third Party Insurance) Act 1943</i> amended	
135.	Act amended	44
136.	Section 2 amended	44
137.	Section 3 amended	44
138.	Section 4 amended	45
139.	Section 18 amended	46
140.	Section 21 amended	46
141.	Various references to “Traffic” amended	46

	Division 35 — <i>Motor Vehicle Dealers Act 1973</i> amended	
142.	Act amended	46
143.	Section 5 amended	47
144.	Section 28A amended	47
145.	Section 33 amended	47
	Division 36 — <i>Motor Vehicle Drivers Instructors Act 1963</i> amended	
146.	Act amended	48
147.	Section 3 amended	48
148.	Section 5 amended	48
149.	Section 7 amended	48
	Division 37 — <i>Owner-Drivers (Contracts and Disputes) Act 2007</i> amended	
150.	Act amended	49
151.	Section 3 amended	49
	Division 38 — <i>Parks and Reserves Act 1895</i> amended	
152.	Act amended	49
153.	Section 2 amended	49
154.	Section 7A amended	50
155.	Section 7C amended	50
	Division 39 — <i>Perth Market Act 1926</i> amended	
156.	Act amended	50
157.	Section 1A amended	51
	Division 40 — <i>Petroleum Products Pricing Act 1983</i> amended	
158.	Act amended	51
159.	Section 3 amended	51
	Division 41 — <i>Planning and Development Act 2005</i> amended	
160.	Act amended	51
161.	Section 4 amended	51
	Division 42 — <i>Prisons Act 1981</i> amended	
162.	Act amended	52
163.	Section 15L amended	52

	Division 43 — <i>Prohibited Behaviour Orders Act 2010</i> amended	
164.	Act amended	52
165.	Section 10 amended	52
	Division 44 — <i>Rail Safety Act 2010</i> amended	
166.	Act amended	53
167.	Section 3 amended	53
	Division 45 — <i>Retail Trading Hours Act 1987</i> amended	
168.	Act amended	53
169.	Section 3 amended	53
	Division 46 — <i>Road Safety Council Act 2002</i> amended	
170.	Act amended	53
171.	Section 3 amended	53
172.	Section 6 amended	54
173.	Section 12 amended	55
	Division 47 — <i>Sentencing Act 1995</i> amended	
174.	Act amended	56
175.	Section 45 amended	56
176.	Section 105 amended	57
	Division 48 — <i>Taxation Administration Act 2003</i> amended	
177.	Act amended	58
178.	Section 34 amended	58
	Division 49 — <i>Taxi Act 1994</i> amended	
179.	Act amended	58
180.	Section 16 amended	58
181.	Section 32 amended	59
	Division 50 — <i>The Criminal Code</i> amended	
182.	Act amended	59
183.	Section 1 amended	59
184.	Section 297 amended	59
185.	Section 318 amended	60
	Division 51 — <i>Transport Co-ordination Act 1966</i> amended	
186.	Act amended	60
187.	Section 27 amended	60

188.	Section 32 amended	60
189.	Section 42 amended	61
190.	Section 47ZD amended	61
191.	Section 47ZE amended	61
192.	Section 47ZG amended	62
193.	Section 58B amended	62
194.	Section 59 amended	62
195.	First Schedule amended	62
	Division 52 — <i>University of Western Australia Act 1911</i> amended	
196.	Act amended	63
197.	Section 16A amended	63
	Division 53 — <i>Western Australian Sports Centre Trust Act 1986</i> amended	
198.	Act amended	63
199.	Section 18D amended	63
	Division 54 — <i>Young Offenders Act 1994</i> amended	
200.	Act amended	64
201.	Section 46 amended	64
202.	Section 55 amended	64
203.	Section 189 amended	65
	Division 55 — <i>Zoological Parks Authority Act 2001</i> amended	
204.	Act amended	65
205.	Section 3 amended	65
	Part 5 — <i>Road Traffic (Administration) Act 2008</i> amended	
206.	Act amended	66
207.	Long title amended	66
208.	Section 4 amended	66
209.	Section 8 amended	67
210.	Section 11 amended	67
211.	Section 12 amended	68
212.	Section 13A amended	68
213.	Section 16A inserted	68

16A.	Disclosure of information for the purposes of the <i>Personal Property Securities Act 2009</i> (Commonwealth)	68	
214.	Section 18 amended		69
215.	Section 20 amended		69
216.	Section 36 amended		69
217.	Section 52 amended		70
218.	Section 70 replaced		70
	70. Seized material: receipts, copies, access to originals	70	
219.	Section 105 amended		71
220.	Section 109 amended		71
221.	Section 111 amended		72
222.	Section 116 amended		73
223.	Section 133 amended		73
224.	Section 143A amended		74
225.	Part 9 Division 1 heading amended		74
226.	Part 9 Division 1 Subdivision 1 heading amended		74
227.	Section 147 amended		74
228.	Part 9 Division 1 Subdivision 2 heading amended		75
229.	Section 165 amended		75
230.	Part 9 Division 2 heading amended		75
231.	Section 166 amended		76
232.	Various references to “2008” amended		76
	Part 6 — Road Traffic (Authorisation to Drive) Act 2008 amended		
233.	Act amended		78
234.	Part 6 Division 1 heading amended		78
235.	Section 64 amended		78
	Part 7 — Road Traffic (Vehicles) (Taxing) Act 2008 amended		
236.	Act amended		79
237.	Long title amended		79
238.	Section 3 amended		79

Western Australia

Road Traffic Legislation Amendment Act 2012

No. 8 of 2012

An Act —

- to repeal the *Road Traffic (Vehicle Licensing) (Taxing) Act 2001*; and
 - to amend the *Road Traffic Act 1974* and various other Acts as a consequence of the enactment of the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Authorisation to Drive) Act 2008*, the *Road Traffic (Vehicles) Act 2012* and the *Road Traffic (Vehicles) (Taxing) Act 2008*; and
 - to amend the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Authorisation to Drive) Act 2008* and the *Road Traffic (Vehicles) (Taxing) Act 2008*,
- and for related purposes.

[Assented to 21 May 2012]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Road Traffic Legislation Amendment Act 2012*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent (*assent day*);
- (b) section 13(3) and (4) —
 - (i) if the *Road Traffic Amendment (Alcohol and Drug Related Offences) Act 2011* section 8 (*section 8*) comes into operation on or before assent day — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b); or
 - (ii) otherwise — immediately after section 8 comes into operation;
- (c) sections 15, 16, 17 and 18 —
 - (i) if the *Road Traffic Legislation Amendment (Disqualification by Notice) Act 2010* section 11 (*section 11*) comes into operation on or before assent day — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b); or
 - (ii) otherwise — immediately after section 11 comes into operation;
- (d) Part 2, the rest of Part 3, and Part 4 — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b);
- (e) sections 208(1), 210, 211, 212 and 224 — immediately after the *Road Traffic Legislation Amendment (Information) Act 2011* Part 3 comes into operation;

- (f) the rest of Part 5 and Parts 6 and 7 — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b) immediately after the provisions mentioned in that section 2(b), the *Road Traffic (Authorisation to Drive) Act 2008* section 2(b), and the *Road Traffic (Vehicles) (Taxing) Act 2008* section 3, have come into operation.

Part 2 — Repeal

3. Act repealed

The *Road Traffic (Vehicle Licensing) (Taxing) Act 2001* is repealed.

Part 3 — Consequential amendments to the *Road Traffic Act 1974*

4. Act amended

This Part amends the *Road Traffic Act 1974*.

5. Long title amended

In the long title delete “**consolidate and amend the law relating to road traffic; to repeal the *Traffic Act 1919***” and insert:

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

6. Section 5 replaced

Delete section 5 and insert:

5. Terms used

The *Road Traffic (Administration) Act 2008* Part 1 Division 2 provides for the meanings of some terms and abbreviations in this Act.

7. Section 5A deleted

Delete section 5A.

8. Parts II to IVA deleted

Delete Parts II to IVA.

9. Section 49AA amended

In section 49AA delete the definition of *bodily harm*.

10. Section 49 amended

- (1) In section 49(1)(a) delete “Part IVA” and insert:

*the Road Traffic (Authorisation to Drive)
Act 2008 Part 2*

- (2) In section 49(2)(a) delete “section 44(1); or” and insert:

*the Road Traffic (Authorisation to Drive)
Act 2008 section 11(1); or*

- (3) In section 49(4) delete “to the State Administrative Tribunal”.

- (4) In section 49(5) delete “Director General has been ordered under section 76(3)” and insert:

*CEO has been ordered under the Road Traffic
(Authorisation to Drive) Act 2008 section 30(1)*

11. Sections 51 and 53 deleted

Delete sections 51 and 53.

12. Sections 58 and 58A deleted

Delete sections 58 and 58A.

13. Section 64A amended

- (1) In section 64A(2):

- (a) in paragraph (a) delete “licence;” and insert:

*licence as defined in the Road Traffic
(Authorisation to Drive) Act 2008 section 3(1);
or*

- (b) in paragraph (d) delete “section 75(2a) or (2b)” and insert:

the *Road Traffic (Authorisation to Drive) Act 2008* section 22(1) or (2)

- (c) in paragraph (e) delete “licence; or” and insert:

licence as defined in the *Road Traffic (Authorisation to Drive) Act 2008* section 3(1);
or

- (2) In section 64A(3)(b) delete “section 75(2a) or (2b)” and insert:

the *Road Traffic (Authorisation to Drive) Act 2008* section 22(1) or (2)

- (3) In section 64A(5)(d) delete “gross combination mass” and insert:

GCM

- (4) Delete section 64A(6).

14. Section 64AAA amended

In section 64AAA(2) in the definition of *novice driver* delete “section 104(2).” and insert:

the *Road Traffic (Authorisation to Drive) Act 2008* section 40(2).

s. 15

15. Section 71C amended

- (1) In section 71C(1):
 - (a) in paragraph (a) delete “a member of the Police Force (the *member*),” and insert:

a police officer (the *police officer*),
 - (b) in paragraph (b) delete “a member of the Police Force (the *member*)” and insert:

a police officer (the *police officer*)
- (2) In section 71C(2) delete “member” and insert:

police officer
- (3) In section 71C(6)(a)(ii) delete “member of the Police Force” and insert:

police officer
- (4) In section 71C(7), (8) and (9) delete “member” (each occurrence) and insert:

police officer
- (5) In section 71C(9) delete “Director General.” and insert:

CEO.

Note: The heading to amended section 71C is to read:

Disqualification by police officer

16. Section 71E amended

- (1) In section 71E(1):
 - (a) delete “member of the Police Force” and insert:

police officer
 - (b) in paragraph (a) delete “member” and insert:

police officer

- (2) In section 71E(2):
 - (a) delete “member of the Police Force” and insert:

police officer
 - (b) delete “the member” and insert:

the police officer
 - (c) in paragraph (b) delete “Director General.” and insert:

CEO.

Note: The heading to amended section 71E is to read:

Revocation of disqualification notice by police officer

17. Section 71F amended

In section 71F(6) delete “Director General.” and insert:

CEO.

s. 18

18. Section 71G amended

In section 71G(2) delete “Director General.” and insert:

CEO.

19. Section 74 amended

Delete section 74(1) and (2).

20. Sections 75 to 78 deleted

Delete sections 75 to 78.

21. Section 78A amended

In section 78A in the definition of *senior police officer* delete “person appointed under the *Police Act 1892* Part I to be a member of the Police Force of Western Australia” and insert:

police officer

22. Section 78C amended

In section 78C(6)(b) delete “section 86A.” and insert:

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

23. Section 78D amended

In section 78D(c) delete “members of the Police Force” and insert:

police officers

24. Section 79BA amended

In section 79BA(1)(a) delete “member of the Police Force (the *member*)” and insert:

police officer (the *police officer*)

25. Section 80L amended

Delete section 80L(2) and insert:

(2) The *Road Traffic (Vehicles) Act 2012* section 10(1)(a), (2), (3), (4) and (5) do not apply if the CEO is given notice under subsection (1)(a).

26. Sections 82 to 87 deleted

Delete sections 82 to 87.

27. Sections 92 to 103 deleted

Delete sections 92 to 103.

28. Part VIA deleted

Delete Part VIA.

29. Section 105 deleted

Delete section 105.

30. Section 106 amended

Delete section 106(1) and (2).

31. Sections 107, 109 and 110 deleted

Delete sections 107, 109 and 110.

s. 32

32. Section 111 amended

- (1) In section 111(1) delete “licensing.”
- (2) In section 111(2):
 - (a) in paragraph (a)(iii) and (iiia) delete “erect traffic signs and” and insert:

erect, establish or display traffic or road signs, road markings,
 - (b) delete paragraph (a)(iv);
 - (c) in paragraph (b) delete “owners, responsible persons,”;
 - (d) delete paragraphs (d), (da), (e), (g) and (i);
 - (e) in paragraph (k) delete “section, not being an offence referred to in paragraph (l) or (m);” and insert:

section;
 - (f) delete paragraph (l) and (m);
 - (g) after each of paragraph (a)(i), (ii) and (iii) insert:

or
- (3) Delete section 111(2a) and (2b).

33. Section 111AA deleted

Delete section 111AA.

34. Section 111AB amended

- (1) In section 111AB(2) delete “section 111(2)(d).” and insert:

section 111(2)(aa) or (c).

(2) Delete section 111AB(3) and (4).

35. Sections 111A to 113 deleted

Delete sections 111A to 113.

36. Various references to “Director General” amended

In the provisions listed in the Table delete “Director General” (each occurrence) and insert:

CEO

Table

s. 50A(1)(a)(ii)	s. 79BC(4)
s. 79BD(1), (2)	s. 79B(1)(c), (3A)(b), (3C)(b)
s. 80G(7)	s. 80L(1)(a) and (b)
s. 111(4)(b) and (d)(ii)	s. 111AB(2)

37. Various references to “member of the Police Force” amended

In the provisions listed in the Table delete “member of the Police Force” (each occurrence) and insert:

police officer

s. 37

Table

s. 49(3)	s. 50A(1)(b)
s. 54(6)	s. 55(4)
s. 56(5)(b)	s. 57(1), (2)
s. 59B(3)(c)	s. 60(1c)(a)(i), (1D)
s. 65 def. of <i>driver assessment</i>	s. 66(1), (1aa), (1a), (1b), (2), (3), (4), (5), (6), (6a), (10), (11), (12)
s. 66A(1), (2), (3), (4), (5), (6), (7)	s. 66B(1), (2), (3), (4)
s. 66C(1), (2), (3), (4), (5), (6), (7)	s. 66D(1), (3)
s. 66E(1), (2), (3), (4)	s. 66F(1)
s. 67(1), (3a)	s. 67AA(1) def. of <i>requirement</i>
s. 67AB(1) def. of <i>requirement</i>	s. 67A(1)
s. 68(3), (7)	s. 69(1)
s. 69A	s. 69B
s. 70(3b)	s. 71A(1) def. of <i>sample</i>
s. 71B(1), (2), (3), (5), (6), (8)	s. 78C(1), (2A), (2), (3), (4)
s. 79(1), (2), (3A), (3)	s. 79A(1)
s. 79BB(2)	s. 79BCA(2), (7)
s. 79BCB(2)	s. 79BCD(2), (7)

s. 79BCE(2)	s. 79C(1), (2), (3)
s. 79D(2)(a), (7)	

Note: The heading to amended section 67A is to read:

Failure to comply with other requirements of police officer

38. Various references to “the member” amended

In the provisions listed in the Table delete “the member” (each occurrence) and insert:

the police officer

Table

s. 70(3b)(j)(i)	s. 78C(4)
s. 79(1), (3A)	s. 79A(1)
s. 79BA(1)(b), (b)(ii) and (2)	s. 79C(1)(a) and (b), (2)(a) and (b)

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 1 Agriculture and Related Resources Protection Act 1976
amended

s. 39

Part 4 — Consequential amendments to other Acts

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

39. Act amended

This Division amends the *Agriculture and Related Resources Protection Act 1976*.

40. Section 7 amended

In section 7(1) in the definition of *vehicle* delete “ascribed to that term in and for the purposes of the *Road Traffic Act 1974*;” and insert:

given in the *Road Traffic (Administration) Act 2008*
section 4;

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

41. Act amended

This Division amends the *Biosecurity and Agriculture Management Act 2007*.

42. Section 6 amended

(1) In section 6 in the definition of *owner* paragraph (b) delete “*Road Traffic Act 1974*; and” and insert:

Road Traffic (Administration) Act 2008 section 5; and

- (2) In section 6 in the definition of **vehicle** delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

**Division 3 — Botanic Gardens and Parks Authority
Act 1998 amended**

43. Act amended

This Division amends the *Botanic Gardens and Parks Authority Act 1998*.

44. Section 3 amended

- (1) In section 3 in the definition of **owner**:

- (a) in paragraph (a) delete “who holds the licence for the vehicle that is required under the *Road Traffic Act 1974*; or” and insert:

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*; or

- (b) in paragraph (b) delete “the vehicle is not licensed under the *Road Traffic Act 1974*,” and insert:

there is not such a person,

- (2) In section 3 in the definition of **vehicle** delete “same meaning as in the *Road Traffic Act 1974*.” and insert:

meaning given in the *Road Traffic (Administration) Act 2008* section 4.

45. Section 50 amended

In section 50(1) in the definition of *speed measuring equipment* delete “section 98A(2) of the *Road Traffic Act 1974*.” and insert:

the *Road Traffic (Administration) Act 2008*
section 117(2).

Division 4 — *Bush Fires Act 1954* amended

46. Act amended

This Division amends the *Bush Fires Act 1954*.

47. Section 14B amended

In section 14B(3) delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

Division 5 — *Chattel Securities Act 1987* amended

48. Act amended

This Division amends the *Chattel Securities Act 1987*.

49. Section 3 amended

In section 3(1) in the definition of *lease*:

- (a) in paragraph (b) delete “within the meaning of the *Road Traffic Act 1974* of which the lessor is registered or an applicant for registration as the owner under the *Road Traffic Act 1974* or a corresponding Act of the

Commonwealth or another state or territory of the Commonwealth; or” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4 of which the lessor is, or is applying to be, a licence holder as defined in section 6(1) of that Act; or

- (b) in paragraph (c) delete “within the meaning of the *Road Traffic Act 1974*,” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4,

50. Section 7 amended

- (1) In section 7(5)(b):

- (a) delete “within the meaning of the *Road Traffic Act 1974*” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4

- (b) delete “*Road Traffic Act 1974* but” and insert:

Road Traffic (Vehicles) Act 2012 but

- (2) In section 7(6)(d):

- (a) delete “within the meaning of the *Road Traffic Act 1974*” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 6 Children and Community Services Act 2004 amended

s. 51

(b) delete “*Road Traffic Act 1974* but” and insert:

Road Traffic (Vehicles) Act 2012 but

51. Section 13 amended

In section 13:

(a) in paragraph (a) delete “within the meaning of the *Road Traffic Act 1974*,” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4,

(b) in paragraph (a) delete “that Act;” and insert:

the *Road Traffic (Vehicles) Act 2012*;

(c) in paragraph (b) delete “that Act;” and insert:

the *Road Traffic (Vehicles) Act 2012*;

52. Section 30 amended

In section 30(3)(c) delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

Division 6 — *Children and Community Services Act 2004* amended

53. Act amended

This Division amends the *Children and Community Services Act 2004*.

54. Section 102 amended

In section 102 delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Administration) Act 2008 section 4)

Division 7 — *Children’s Court of Western Australia Act 1988* amended

55. Act amended

This Division amends the *Children’s Court of Western Australia Act 1988*.

56. Section 51A amended

Delete section 51A(3)(h) and insert:

- (h) the CEO as defined in the *Road Traffic (Administration) Act 2008* section 4;

Division 8 — *Civil Judgments Enforcement Act 2004* amended

57. Act amended

This Division amends the *Civil Judgments Enforcement Act 2004*.

58. Section 113 amended

In section 113 in the Table insert in alphabetical order:

Road Traffic (Administration) Act 2008

Road Traffic (Authorisation to Drive) Act 2008

Road Traffic (Vehicles) Act 2012

59. Section 114 amended

In section 114(a):

- (a) delete “the *Road Traffic Act 1974*” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4

- (b) delete “that Act; or” and insert:

a road law; or

Division 9 — *Consumer Affairs Act 1971* amended

60. Act amended

This Division amends the *Consumer Affairs Act 1971*.

61. Schedule amended

In the Schedule insert in alphabetical order:

Road Traffic (Administration) Act 2008.

Road Traffic (Authorisation to Drive) Act 2008.

Road Traffic (Vehicles) Act 2012.

Division 10 — *Control of Vehicles (Off-road Areas) Act 1978* amended

62. Act amended

This Division amends the *Control of Vehicles (Off-road Areas) Act 1978*.

63. Section 3 amended

- (1) In section 3(1) in the definition of *off-road vehicle* delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Vehicles) Act 2012;

- (2) In section 3(1) in the definition of *responsible person* delete “section 5A of the *Road Traffic Act 1974*,” and insert:

the *Road Traffic (Administration) Act 2008* section 6;

64. Section 7 amended

In section 7(1)(a) delete “*Road Traffic Act 1974*; or” and insert:

Road Traffic (Vehicles) Act 2012; or

65. Section 11 amended

- (1) In section 11(1)(b) delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Vehicles) Act 2012,

- (2) Delete section 11(3)(a) and insert:

- (a) the *Road Traffic (Administration) Act 2008*
section 5(2); or

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 10 Control of Vehicles (Off-road Areas) Act 1978 amended

s. 66

66. Section 34 amended

In section 34(2) delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Vehicles) Act 2012,

67. Section 36 amended

(1) In section 36 delete “the *Road Traffic Act 1974*,” and insert:

a road law as defined in the *Road Traffic
(Administration) Act 2008* section 4

(2) In section 36(a) delete “that Act” and insert:

the *Road Traffic Act 1974*

(3) In section 36(b) delete “in section 53, section 54, section 57, section 58, section 86A or section 89 of that Act to a member of the Police Force” and insert:

to a police officer in the *Road Traffic
(Administration) Act 2008* section 32, 33, 34 or
48 or the *Road Traffic Act 1974* section 54, 55
or 57

Note: The heading to amended section 36 is to read:

Road law provisions

68. Section 38 amended

(1) In section 38(2):

(a) delete paragraph (ga) and insert:

(ga) a person who is authorised by the CEO under the *Road Traffic (Administration) Act 2008* section 22 to perform a function that can be performed by a warden; or

(b) after each of paragraphs (a), (b), (e) and (f) insert:

or

(2) In section 38(11)(a) delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Vehicles) Act 2012,

(3) In section 38(12)(b) delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Vehicles) Act 2012,

(4) In section 38(15)(a) delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

69. Section 39 amended

In section 39(1)(a)(ii) delete “*Road Traffic Act 1974*; or” and insert:

Road Traffic (Vehicles) Act 2012; or

Division 11 — *Court Security and Custodial Services Act 1999* amended

70. Act amended

This Division amends the *Court Security and Custodial Services Act 1999*.

71. Section 47 amended

Delete section 47(b) and insert:

- (b) the payment of the whole or a part of a penalty under an infringement notice as defined in the *Road Traffic (Administration) Act 2008* section 4 in respect of an alleged offence by the contract worker; and
- (c) the payment of the whole or a part of a penalty under an infringement notice under a law, in any other part of the world, corresponding to a road law as defined in the *Road Traffic (Administration) Act 2008* section 4, in respect of an alleged offence by the contract worker.

Division 12 — *Credit Act 1984* amended

72. Act amended

This Division amends the *Credit Act 1984*.

73. Section 5 amended

In section 5(1) in the definition of *commercial vehicle* paragraph (a) delete “within the meaning of the *Road Traffic Act 1974*,” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4,

Division 13 — *Criminal Appeals Act 2004* amended

74. Act amended

This Division amends the *Criminal Appeals Act 2004*.

75. Section 11 amended

In section 11(3) delete “the *Road Traffic Act 1974*,” and insert:

a road law as defined in the *Road Traffic
(Administration) Act 2008* section 4,

Division 14 — *Criminal Investigation Act 2006* amended

76. Act amended

This Division amends the *Criminal Investigation Act 2006*.

77. Section 18 amended

- (1) In section 18(1) in the definition of **road** delete “*Road Traffic Act 1974* section 5(1);” and insert:

Road Traffic (Administration) Act 2008 section 4;

- (2) In section 18(1) in the definition of **vehicle** delete “*Road Traffic Act 1974* section 5(1).” and insert:

Road Traffic (Administration) Act 2008 section 4.

78. Section 28 amended

In section 28(2) delete “member of the Police Force” and insert:

police officer

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 15 Criminal Procedure Act 2004 amended

s. 79

79. Section 135 amended

In section 135(2)(b) delete “member of the Police Force acting under the *Road Traffic Act 1974* section 66, is accompanying such a member” and insert:

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

Division 15 — *Criminal Procedure Act 2004* amended

80. Act amended

This Division amends the *Criminal Procedure Act 2004*.

81. Section 3 amended

In section 3(1) in the definition of **vehicle** delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

82. Section 11 amended

- (1) In section 11(1) in the definition of **corresponding law** delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

- (2) In section 11(1) in the definition of **vehicle licensing law** delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

Division 16 — *Cross-border Justice Act 2008* amended

83. Act amended

This Division amends the *Cross-border Justice Act 2008*.

84. Section 68 amended

In section 68(2)(h) delete “the *Road Traffic Act 1974*” and insert:

any enactment referred to in paragraph (a) of the definition of *road traffic laws* in section 138(1)

85. Section 138 amended

In section 138(1) in the definition of *road traffic laws* paragraph (a) delete “State — the *Road Traffic Act 1974*; or” and insert:

State, any of the following enactments —

- (i) the *Road Traffic Act 1974*;
- (ii) the *Road Traffic (Administration) Act 2008*;
- (iii) the *Road Traffic (Authorisation to Drive) Act 2008*;
- (iv) the *Road Traffic (Vehicles) Act 2012*;

or

Division 17 — *Dangerous Goods Safety Act 2004* amended

86. Act amended

This Division amends the *Dangerous Goods Safety Act 2004*.

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 18 Duties Act 2008 amended

s. 87

87. Section 14 amended

- (1) In section 14(1) delete “within the meaning of the *Road Traffic Act 1974*” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 5

- (2) In section 14(2) delete “within the meaning of the *Road Traffic Act 1974*” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 5

88. Section 15 amended

In section 15(2) delete “the owner within the meaning of the *Road Traffic Act 1974* of” and insert:

a responsible person, as defined in the *Road Traffic (Administration) Act 2008* section 4, for

Division 18 — Duties Act 2008 amended

89. Act amended

This Division amends the *Duties Act 2008*.

90. Section 228 amended

- (1) In section 228 delete the definitions of:

Director General

Road Traffic Act

- (2) In section 228 insert in alphabetical order:

CEO has the meaning given in the *Road Traffic (Administration) Act 2008* section 4;

Vehicles Act means the *Road Traffic (Vehicles) Act 2012*.

- (3) In section 228 in the definition of *heavy vehicle* delete “means a vehicle with a gross vehicle mass of more than 4.5 tonnes;” and insert:

has the meaning given in the *Vehicles Act*;

- (4) In section 228 in the definition of *motor vehicle* delete “in the *Road Traffic Act* section 5,” and insert:

in the *Road Traffic (Administration) Act 2008* section 4,

- (5) In section 228 in the definition of *vehicle* delete “section 230(1).” and insert:

section 230(1);

91. Section 230 amended

In section 230(2) delete “*Road Traffic Act Part III.*” and insert:

the *Vehicles Act*.

92. Section 240 amended

- (1) In section 240(1) delete “Road Traffic Act section 19(3).” and insert:

Vehicles Act section 7(3).

Note: The heading to amended section 240 is to read:

If no vehicle licence fee payable under Vehicles Act

- (2) In section 240(2) delete “Road Traffic Act section 19(3)” and insert:

Vehicles Act section 7(3)

93. Section 243 amended

In section 243(b) delete “Road Traffic Act” and insert:

Road Traffic Act 1974 or the Vehicles Act

94. Section 244A amended

In section 244A(5):

- (a) delete “Road Traffic” and insert:

Vehicles

- (b) delete “section 19(3)” and insert:

regulations made under section 7(3)

95. Various references to “Road Traffic Act” amended

In the provisions listed in the Table delete “Road Traffic Act” (each occurrence) and insert:

Vehicles Act

Table

s. 228 def. of <i>corresponding State law</i>	s. 230(1), (3)
s. 235(a)	s. 242(1)(a) and (c)
s. 251(1), (2)	s. 252(1)

96. Various references to “Director General” amended

In the provisions listed in the Table delete “Director General” (each occurrence) and insert:

CEO

Table

s. 233(1)	s. 234(2)
s. 235(a)	s. 241
s. 252(1), (3)	s. 253(1), (2), (3)
s. 255	

Note: The heading to amended section 253 is to read:

Functions of CEO and Commissioner

Note: The heading to amended section 255 is to read:

CEO’s duties

Division 19 — *Emergency Management Act 2005* amended

97. Act amended

This Division amends the *Emergency Management Act 2005*.

98. Section 68 amended

In section 68 delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

Division 20 — *Environmental Protection Act 1986* amended

99. Act amended

This Division amends the *Environmental Protection Act 1986*.

100. Section 3 amended

- (1) In section 3(1) in the definition of ***driver*** paragraph (a) delete “within the meaning of the *Road Traffic Act 1974*, has the meaning given by that Act; or” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4, has the meaning given by that section; or

- (2) In section 3(1) in the definition of ***motor vehicle*** delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

- (3) In section 3(1) in the definition of *owner* paragraph (a) delete “within the meaning of the *Road Traffic Act 1974*, has the meaning given by that Act; or” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4, has the meaning given by section 5 of that Act; or

- (4) In section 3(1) in the definition of *road* delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

Division 21 — Fair Trading Act 2010 amended

101. Act amended

This Division amends the *Fair Trading Act 2010*.

102. Section 63 amended

In section 63 in the definition of *motor vehicle* delete “*Road Traffic Act 1974* section 5(1).” and insert:

Road Traffic (Administration) Act 2008 section 4.

103. Schedule 1 amended

In Schedule 1 insert in alphabetical order:

Road Traffic (Administration) Act 2008.

Road Traffic (Authorisation to Drive) Act 2008.

Road Traffic (Vehicles) Act 2012.

Division 22 — Finance Brokers Control Act 1975 amended

104. Act amended

This Division amends the *Finance Brokers Control Act 1975*.

105. Section 4 amended

In section 4 in the definition of *motor vehicle* delete “section 5(1) of the *Road Traffic Act 1974*,” and insert:

the *Road Traffic (Administration) Act 2008* section 4;

Division 23 — Fines, Penalties and Infringement Notices Enforcement Act 1994 amended

106. Act amended

This Division amends the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

107. Section 3 amended

- (1) In section 3(1) delete the definition of *Director General*.
- (2) In section 3(1) insert in alphabetical order:

Director General means the CEO as defined in the *Road Traffic (Administration) Act 2008* section 4;

road law has the meaning given in the *Road Traffic (Administration) Act 2008* section 4;

- (3) In section 3(1) in the definition of *driver's licence* delete “granted under the *Road Traffic Act 1974* and includes an extraordinary licence granted under that Act;” and insert:

as defined in the *Road Traffic (Authorisation to Drive) Act 2008* section 3(1) and includes an extraordinary licence as defined in that section;

- (4) In section 3(1) in the definition of *vehicle licence* delete “for a vehicle issued under Part III of the *Road Traffic Act 1974*.” and insert:

granted in respect of a vehicle under the *Road Traffic (Vehicles) Act 2012*.

108. Section 26 amended

- (1) In section 26(1) delete “section 102 of the *Road Traffic Act 1974*” and insert:

the *Road Traffic (Administration) Act 2008* section 79

- (2) In section 26(2):

- (a) delete “the *Road Traffic Act 1974* —” and insert:

a road law —

- (b) delete “a traffic” (each occurrence) and insert:

an

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 23 Fines, Penalties and Infringement Notices Enforcement Act 1994 amended

s. 109

- (c) delete “section 51(1)(a) of that Act and, for the purposes of Part VIA of that Act,” and insert:

the *Road Traffic (Authorisation to Drive) Act 2008* section 16(1)(a), and for the purposes of Part 4 of that Act,

- (3) Delete section 26(4) and insert:

- (4) In subsection (2)(a) and (b) —
infringement notice has the meaning given in the *Road Traffic (Administration) Act 2008* section 4.

Note: The heading to amended section 26 is to read:

Road laws: effect of proceedings under this Part

109. Various references to “the *Road Traffic Act 1974*” amended

In the provisions listed in the Table delete “the *Road Traffic Act 1974*” and insert:

a road law

Table

s. 9	s. 10
s. 19(9)	s. 20(6)
s. 27A(9)	s. 43(9)
s. 44(6)	s. 47A(5)
s. 55A(9)	

Division 24 — *Fish Resources Management Act 1994* amended

110. Act amended

This Division amends the *Fish Resources Management Act 1994*.

111. Section 4 amended

In section 4(1) in the definition of *vehicle* delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

Division 25 — *Government Railways Act 1904* amended

112. Act amended

This Division amends the *Government Railways Act 1904*.

113. Section 73 amended

In section 73(2A) delete “the *Road Traffic Act 1974*,” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4,

Division 26 — *Juries Act 1957* amended

114. Act amended

This Division amends the *Juries Act 1957*.

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 27 Land Administration Act 1997 amended

s. 115

115. Section 5 amended

In section 5(3)(b)(iv) delete “the *Road Traffic Act 1974*,” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4;

Division 27 — *Land Administration Act 1997* amended

116. Act amended

This Division amends the *Land Administration Act 1997*.

117. Section 61 amended

In section 61(2)(a):

(a) delete “the *Road Traffic Act 1974*” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4

(b) delete “within the meaning of that Act; and” and insert:

as defined in that section; and

Division 28 — *Liquor Control Act 1988* amended

118. Act amended

This Division amends the *Liquor Control Act 1988*.

119. Section 119 amended

Delete section 119(4)(a) and insert:

- (a) on a road as defined in the *Road Traffic (Administration) Act 2008* section 4; or

Division 29 — Local Government Act 1995 amended

120. Act amended

This Division amends the *Local Government Act 1995*.

121. Section 3.38 amended

In section 3.38 in the definition of **vehicle** delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

122. Section 3.40 amended

In section 3.40(3) delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

123. Section 9.13 amended

In section 9.13(1) in the definition of **owner** delete “who holds the licence for the vehicle that is required under the *Road Traffic Act 1974* or, if the vehicle is not licensed under that Act,” and insert:

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*, or, if there is not such a person,

124. Section 9.15 amended

In section 9.15 in the definition of *owner* delete “who holds the licence for the vehicle that is required under the *Road Traffic Act 1974* or, if the vehicle is not licensed under that Act,” and insert:

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*, or, if there is not such a person,

Division 30 — *Magistrates Court Act 2004* amended

125. Act amended

This Division amends the *Magistrates Court Act 2004*.

126. Section 33 amended

Delete section 33(7)(g) and insert:

(g) the CEO as defined in the *Road Traffic (Administration) Act 2008* section 4;

Division 31 — *Main Roads Act 1930* amended

127. Act amended

This Division amends the *Main Roads Act 1930*.

128. Section 13 amended

Delete section 13(4).

129. Section 16 amended

In section 16(1b) delete “by regulations made under the *Road Traffic Act 1974*.” and insert:

under a road law as defined in the *Road Traffic (Administration) Act 2008* section 4.

130. Section 31 amended

In section 31(1)(d) delete “pursuant to the *Road Traffic Act 1974*,” and insert:

under the *Road Traffic (Administration) Act 2008*

Division 32 — *Marine and Harbours Act 1981* amended

131. Act amended

This Division amends the *Marine and Harbours Act 1981*.

132. Section 18B amended

In section 18B(3) in the definition of *motor vehicle* delete “*Road Traffic Act 1974*.” and insert:

Road Traffic (Administration) Act 2008 section 4.

Division 33 — *Mines Safety and Inspection Act 1994* amended

133. Act amended

This Division amends the *Mines Safety and Inspection Act 1994*.

134. Section 4 amended

In section 4(1) in the definition of *mining operations* paragraph (ea) delete “*Road Traffic Act 1974*; and” and insert:

Road Traffic (Administration) Act 2008 section 4; and

**Division 34 — Motor Vehicle (Third Party Insurance)
Act 1943 amended**

135. Act amended

This Division amends the *Motor Vehicle (Third Party Insurance) Act 1943*.

136. Section 2 amended

In section 2(2) delete “defined in the Traffic Act” and insert:

defined in, or for the purposes of, the Vehicles Act

Note: The heading to amended section 2 is to read:

This Act to be read with the Road Traffic (Vehicles) Act

137. Section 3 amended

- (1) In section 3(1) delete the definitions of:

Director General

Traffic Act

- (2) In section 3(1) insert in alphabetical order:

Director General means the CEO as defined in the
Road Traffic (Administration) Act 2008 section 4;

Vehicles Act means the *Road Traffic (Vehicles)
Act 2012*.

- (3) In section 3(1) in the definition of *uninsured motor vehicle* delete “instrumentality.” and insert:

instrumentality;

138. Section 4 amended

- (1) In section 4(3B) delete “of an offence under section 15 of the Traffic Act” and insert:

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

- (2) In section 4(4) delete “Traffic Act a driver’s licence or” and insert:

Road Traffic (Authorisation to Drive) Act 2008 a driver’s licence or under the Vehicles Act

- (3) In section 4(7A) delete “an inspector appointed under the Traffic Act or by any member of the Police Force,” and insert:

a police officer,

- (4) In section 4(7B) delete “inspector or the member of the Police Force” and insert:

police officer

139. Section 18 amended

In section 18(1) delete “Traffic Act.” and insert:

Road Traffic (Authorisation to Drive) Act 2008.

140. Section 21 amended

In section 21(1C)(a) delete “provision of section 18 of the Traffic Act,” and insert:

regulation made under the Vehicles Act
section 6,

141. Various references to “Traffic” amended

In the provisions listed in the Table delete “Traffic” and insert:

Vehicles

Table

s. 2(1)	s. 3(1) def. of <i>motor vehicle</i>
s. 3(5)	s. 4(3C)
s. 4(8)	s. 4(9)
s. 21(1A)	s. 21(1C)(b)

Division 35 — Motor Vehicle Dealers Act 1973 amended

142. Act amended

This Division amends the *Motor Vehicle Dealers Act 1973*.

143. Section 5 amended

- (1) In section 5(1) in the definition of *demonstration vehicle* paragraph (a) delete “that is licensed under the provisions of the *Road Traffic Act 1974* in the name of” and insert:

in respect of which a licence has been granted
under the *Road Traffic (Vehicles) Act 2012* to

- (2) In section 5(2)(a) delete “within the meaning given thereto by the *Road Traffic Act 1974*; and” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4; and

144. Section 28A amended

In section 28A(2) delete “for the vehicle issued under the *Road Traffic Act 1974*.” and insert:

granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2012*.

145. Section 33 amended

In section 33(3)(e) delete “where the vehicle is not then licensed under the *Road Traffic Act 1974*,” and insert:

if a licence has not been granted in respect of
the vehicle under the *Road Traffic (Vehicles) Act 2012*,

Division 36 — *Motor Vehicle Drivers Instructors Act 1963* amended

146. Act amended

This Division amends the *Motor Vehicle Drivers Instructors Act 1963*.

147. Section 3 amended

- (1) In section 3 in the definition of *motor vehicle* delete “Part IVA of the *Road Traffic Act 1974*,” and insert:

the *Road Traffic (Administration) Act 2008* section 4;

- (2) In section 3 in the definition of *road* delete “Part IVA of the *Road Traffic Act 1974*,” and insert:

the *Road Traffic (Administration) Act 2008* section 4;

148. Section 5 amended

In section 5(1)(d) delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Vehicles) Act 2012,

149. Section 7 amended

- (1) In section 7(3)(b) delete “such of the provisions of the *Road Traffic Act 1974* and of the regulations made under that Act as relate” and insert:

any road law, as defined in the *Road Traffic (Administration) Act 2008* section 4 relating

- (2) In section 7(5)(e) delete “licence under the *Road Traffic Act 1974*,” and insert:

driver’s licence under the *Road Traffic
(Authorisation to Drive) Act 2008*,

**Division 37 — *Owner-Drivers (Contracts and Disputes)
Act 2007 amended***

150. Act amended

This Division amends the *Owner-Drivers (Contracts and Disputes) Act 2007*.

151. Section 3 amended

- (1) In section 3 delete the definition of **gross vehicle mass**.
- (2) In section 3 in the definition of **heavy vehicle** delete “means a vehicle, as defined in the *Road Traffic Act 1974*, with a gross vehicle mass of more than 4.5 tonnes;” and insert:

has the meaning given in the *Road Traffic (Vehicles)
Act 2012* section 3(1);

Division 38 — *Parks and Reserves Act 1895 amended*

152. Act amended

This Division amends the *Parks and Reserves Act 1895*.

153. Section 2 amended

- (1) In section 2 in the definition of **owner** delete “who is the holder of the requisite vehicle licence or permit under the *Road Traffic*

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 39 Perth Market Act 1926 amended

s. 154

Act 1974 in respect of that vehicle, or, if the vehicle is not the subject of a licence or permit under that Act,” and insert:

to whom a licence or permit in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*, or if there is not such a person,

- (2) In section 2 in the definition of *vehicle* delete “that comes within the interpretation of that term in the *Road Traffic Act 1974*.” and insert:

as defined in the *Road Traffic (Administration) Act 2008* section 4.

154. Section 7A amended

In section 7A(2) delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Vehicles) Act 2012

155. Section 7C amended

In section 7C(1) delete “section 98A(2) of the *Road Traffic Act 1974*.” and insert:

the *Road Traffic (Administration) Act 2008* section 117(2).

Division 39 — Perth Market Act 1926 amended

156. Act amended

This Division amends the *Perth Market Act 1926*.

157. Section 1A amended

In section 1A in the definition of *owner* delete “who is the holder of the requisite vehicle licence under the *Road Traffic Act 1974* in respect of the vehicle, or, if the vehicle is not licensed under that Act,” and insert:

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*, or if there is not such a person,

Division 40 — *Petroleum Products Pricing Act 1983* amended

158. Act amended

This Division amends the *Petroleum Products Pricing Act 1983*.

159. Section 3 amended

In section 3(1) in the definition of *motor vehicle* delete “section 5 of the *Road Traffic Act 1974*,” and insert:

the *Road Traffic (Administration) Act 2008* section 4;

Division 41 — *Planning and Development Act 2005* amended

160. Act amended

This Division amends the *Planning and Development Act 2005*.

161. Section 4 amended

In section 4(1) in the definition of *road* delete “*Road Traffic Act 1974*” and insert:

Road Traffic (Administration) Act 2008 section 4)

Division 42 — *Prisons Act 1981* amended

162. Act amended

This Division amends the *Prisons Act 1981*.

163. Section 15L amended

Delete section 15L(b) and insert:

- (b) the payment of the whole or a part of a penalty under an infringement notice as defined in the *Road Traffic (Administration) Act 2008* section 4 in respect of an alleged offence by the contract worker; and
- (c) the payment of the whole or a part of a penalty under an infringement notice under a law, in any other part of the world, corresponding to a road law as defined in the *Road Traffic (Administration) Act 2008* section 4, in respect of an alleged offence by the contract worker.

Division 43 — *Prohibited Behaviour Orders Act 2010* amended

164. Act amended

This Division amends the *Prohibited Behaviour Orders Act 2010*.

165. Section 10 amended

Delete section 10(7)(b) and insert:

- (b) a condition which a court imposed when directing an extraordinary licence, as defined in the *Road Traffic (Authorisation to Drive) Act 2008* section 3(1), to be granted; or

Division 44 — Rail Safety Act 2010 amended

166. Act amended

This Division amends the *Rail Safety Act 2010*.

167. Section 3 amended

In section 3 in the definition of **public road** delete “*Road Traffic Act 1974* section 5(1);” and insert:

Road Traffic (Administration) Act 2008 section 4;

Division 45 — Retail Trading Hours Act 1987 amended

168. Act amended

This Division amends the *Retail Trading Hours Act 1987*.

169. Section 3 amended

In section 3(1) in the definition of **motor vehicle** delete “*Road Traffic Act 1974* section 5(1);” and insert:

Road Traffic (Administration) Act 2008 section 4;

Division 46 — Road Safety Council Act 2002 amended

170. Act amended

This Division amends the *Road Safety Council Act 2002*.

171. Section 3 amended

In section 3 in the definition of **road** delete “*Road Traffic Act 1974*;” and insert:

Road Traffic (Administration) Act 2008 section 4;

172. Section 6 amended

- (1) In section 6(1)(e) delete “provisions of the *Road Traffic Act 1974* that section 5 of that Act defines as the ***licensing provisions of this Act***,” and insert:

Road Traffic (Administration) Act 2008;

- (2) In section 6(2) delete “must be either the chief executive officer of the department of the Public Service principally assisting in the administration of the provisions of the *Road Traffic Act 1974* that section 5 of that Act defines as the ***licensing provisions of this Act*** or an officer in that department whose duties relate to driver or vehicle licensing.” and insert:

must be either —

- (a) the CEO as defined in the *Road Traffic (Administration) Act 2008* section 4; or
- (b) an officer in the department of the Public Service principally assisting in the administration of the *Road Traffic (Authorisation to Drive) Act 2008* whose functions relate to the licensing of drivers; or
- (c) an officer in the department of the Public Service principally assisting in the administration of the *Road Traffic (Vehicles) Act 2012* whose functions relate to the granting of licences in respect of vehicles.

173. Section 12 amended

- (1) In section 12(3) in the definition of *photograph-based vehicle infringement notice*:
- (a) delete “a traffic infringement notice under the *Road Traffic Act 1974*” and insert:

an infringement notice as defined in the *Road Traffic (Administration) Act 2008* section 4

 - (b) in paragraph (a) delete “against the *Road Traffic Act 1974*” and insert:

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

 - (c) in paragraph (b) delete “the provisions of the *Road Traffic Act 1974* about traffic infringement notices,” and insert:

section 90 of that Act,
- (2) In section 12(3) in the definition of *prescribed penalty* delete “the *Road Traffic Act 1974* for an offence if dealt with under section 102;” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4 for an offence if dealt with under section 79 of that Act;

- (3) In section 12(4) delete the definition of *traffic infringement notice* and insert:

infringement notice includes a notice that, because of the *Road Traffic (Administration) Act 2008* section 104(2), is to be regarded as being an infringement notice.

Division 47 — Sentencing Act 1995 amended

174. Act amended

This Division amends the *Sentencing Act 1995*.

175. Section 45 amended

In section 45(5):

- (a) in paragraph (a)(i) delete “disqualify” and insert:

disqualify, under a road law as defined in the *Road Traffic (Administration) Act 2008* section 4,

- (b) in paragraph (a)(i) delete “under the *Road Traffic Act 1974*,” and insert:

as defined in that section;

- (c) in paragraph (b) delete “the *Road Traffic Act 1974*,” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4,

- (d) in paragraph (b) delete “under that Act;” and insert:
- as defined in that section;

176. Section 105 amended

- (1) In section 105(3) delete “chief executive officer of the department of the Public Service principally assisting in the administration of the provisions of the *Road Traffic Act 1974* that section 5 of that Act defines as the “licensing provisions of this Act” for the purposes of administering those provisions.” and insert:

CEO as defined in the *Road Traffic (Administration) Act 2008* section 4.

- (2) In section 105(4)(a):
- (a) delete “disqualify” and insert:

disqualify, under a road law as defined in the *Road Traffic (Administration) Act 2008* section 4,

- (b) delete “under the *Road Traffic Act 1974*;” and insert:
- as defined in that section;

- (3) In section 105(5) in the definition of *driver’s licence* delete “*Road Traffic Act 1974*;” and insert:

Road Traffic (Administration) Act 2008 section 4;

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 48 Taxation Administration Act 2003 amended

s. 177

- (4) In section 105(5) in the definition of *motor vehicle* delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

Division 48 — Taxation Administration Act 2003 amended

177. Act amended

This Division amends the *Taxation Administration Act 2003*.

178. Section 34 amended

In section 34(2)(b) delete “a traffic infringement notice issued under the *Road Traffic Act 1974* section 102,” and insert:

an infringement notice as defined in the *Road Traffic (Administration) Act 2008* section 4,

Division 49 — Taxi Act 1994 amended

179. Act amended

This Division amends the *Taxi Act 1994*.

180. Section 16 amended

- (1) In section 16(8)(b) delete “the *Road Traffic Act 1974* or an Act of another State or a Territory corresponding to either of those Acts; and” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4 or an Act of another State or a Territory corresponding to any of those written laws; and

- (2) In section 16(10) in the definition of *owner* delete “section 5(1) of the *Road Traffic Act 1974*,” and insert:

the *Road Traffic (Administration) Act 2008* section 5;

181. Section 32 amended

In section 32(2)(b) delete “issued under the *Road Traffic Act 1974*; and” and insert:

granted under the *Road Traffic (Authorisation to Drive) Act 2008*; and

Division 50 — *The Criminal Code* amended

182. Act amended

This Division amends *The Criminal Code*.

183. Section 1 amended

In section 1(1) in the definition of *motor vehicle* delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

184. Section 297 amended

Delete section 297(4)(c)(iii) and insert:

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

185. Section 318 amended

Delete section 318(1)(g)(iii) and insert:

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

Division 51 — Transport Co-ordination Act 1966 amended

186. Act amended

This Division amends the *Transport Co-ordination Act 1966*.

187. Section 27 amended

In section 27(5) delete “part of the Metropolitan Traffic Area, within the meaning of the *Road Traffic Act 1974*.” and insert:

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

188. Section 32 amended

In section 32 delete “the vehicle is licensed in accordance with the *Road Traffic Act 1974*.” and insert:

a licence has been granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2012*.

Note: The heading to amended section 32 is to read:

Omnibuses to be licensed under *Road Traffic (Vehicles) Act 2012*

189. Section 42 amended

In section 42 delete “the vehicle is licensed for its class, under the *Road Traffic Act 1974*.” and insert:

a licence has been granted in respect of the vehicle under the *Road Traffic (Vehicles) Act 2012* for that class of vehicle.

Note: The heading to amended section 42 is to read:

Commercial goods vehicles to be licensed under *Road Traffic (Vehicles) Act 2012*

190. Section 47ZD amended

In section 47ZD(4) delete “the person who is deemed to be the owner pursuant to a notice given to the Director General for the purposes of the *Road Traffic Act 1974*,” and insert:

the person who, under the *Road Traffic (Administration) Act 2008* section 5(2), is taken to be the owner of the vehicle

191. Section 47ZE amended

In section 47ZE delete “is licensed to drive a taxi-car under the *Road Traffic Act 1974*.” and insert:

holds a driver’s licence under the *Road Traffic (Authorisation to Drive) Act 2008* that authorises the person to drive a taxi-car.

Note: The heading to amended section 47ZE is to read:

Taxi drivers to be licensed under *Road Traffic (Authorisation to Drive) Act 2008*

192. Section 47ZG amended

Delete section 47ZG(5).

193. Section 58B amended

- (1) In section 58B(3) in the definition of *motor vehicle* delete “*Road Traffic Act 1974*;” and insert:

Road Traffic (Administration) Act 2008 section 4;

- (2) In section 58B(3) in the definition of *owner* delete “who is the holder of the requisite vehicle licence under the *Road Traffic Act 1974* in respect of that vehicle,” and insert:

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*,

194. Section 59 amended

In section 59 delete “the *Road Traffic Act 1974*, but that Act” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4 but a road law

Note: The heading to amended section 59 is to read:

Effect of other road laws

195. First Schedule amended

In the First Schedule delete “in whose name the vehicle is licensed under the *Road Traffic Act 1974*.” and insert:

to whom a licence in respect of the vehicle is granted under the *Road Traffic (Vehicles) Act 2012*.

Division 52 — *University of Western Australia Act 1911* amended

196. Act amended

This Division amends the *University of Western Australia Act 1911*.

197. Section 16A amended

In section 16A(1) in the definition of *owner* delete “*Road Traffic Act 1974*.” and insert:

Road Traffic (Administration) Act 2008.

Division 53 — *Western Australian Sports Centre Trust Act 1986* amended

198. Act amended

This Division amends the *Western Australian Sports Centre Trust Act 1986*.

199. Section 18D amended

- (1) In section 18D(3) in the definition of *motor vehicle* delete “*Road Traffic Act 1974*;” and insert:

Road Traffic (Administration) Act 2008 section 4;

Road Traffic Legislation Amendment Act 2012

Part 4 Consequential amendments to other Acts

Division 54 Young Offenders Act 1994 amended

s. 200

- (2) In section 18D(3) in the definition of *owner* delete “who is the holder of the requisite vehicle licence under the *Road Traffic Act 1974* in respect of that vehicle, or, if the vehicle is not licensed under that Act,” and insert:

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*, or, if there is not such a person,

Division 54 — Young Offenders Act 1994 amended

200. Act amended

This Division amends the *Young Offenders Act 1994*.

201. Section 46 amended

In section 46(5a) delete “section 106 of the *Road Traffic Act 1974*” and insert:

the *Road Traffic (Administration) Act 2008* section 121

202. Section 55 amended

In section 55(4):

- (a) delete “the *Road Traffic Act 1974*” and insert:

a road law as defined in the *Road Traffic (Administration) Act 2008* section 4

- (b) delete “under that Act” and insert:

as defined in that section

203. Section 189 amended

In section 189(8)(c) delete “issued under the *Road Traffic Act 1974*; or” and insert:

as that term is defined in the *Road Traffic (Administration) Act 2008* section 4; or

Division 55 — Zoological Parks Authority Act 2001 amended

204. Act amended

This Division amends the *Zoological Parks Authority Act 2001*.

205. Section 3 amended

(1) In section 3 in the definition of *owner*:

- (a) in paragraph (a) delete “who holds the licence for the vehicle that is required under the *Road Traffic Act 1974*; or” and insert:

to whom a licence in respect of the vehicle has been granted under the *Road Traffic (Vehicles) Act 2012*; or

- (b) in paragraph (b) delete “the vehicle is not licensed under the *Road Traffic Act 1974*,” and insert:

there is not such a person,

(2) In section 3 in the definition of *vehicle* delete “*Road Traffic Act 1974*,” and insert:

Road Traffic (Administration) Act 2008 section 4;

**Part 5 — Road Traffic (Administration)
Act 2008 amended**

206. Act amended

This Part amends the *Road Traffic (Administration) Act 2008*.

207. Long title amended

In the long title delete “*(Vehicles) Act 2008*” and insert:

(Vehicles) Act 2012

208. Section 4 amended

- (1) In section 4 insert in alphabetical order:

optional plates information means information about optional number plates to which regulations mentioned in the *Road Traffic (Vehicles) Act 2012* section 136 apply including —

- (a) details of the person who have the right to use those number plates; and
- (b) details of the persons to whom those number plates have been supplied;

- (2) In section 4 in the definition of *inspection station* delete “2008 section 71;” and insert:

2012 section 70;

- (3) In section 4 in the definition of *permit information* after “learner’s permits” insert:

or permits under the *Road Traffic (Vehicles) Act 2012* section 13

- (4) In section 4 in the definition of *vehicle licence information*:

- (a) in paragraph (b) delete “licences;” and insert:

licences; and

- (b) after paragraph (b) insert:

- (c) information contained in the register of vehicle licences mentioned in the *Road Traffic (Vehicles) Act 2012* section 14;

209. Section 8 amended

In section 8(5) delete “2008 section 65(1)(b) or 66(1)(b).” and insert:

2012 section 64(1)(b) or 65(1)(b).

210. Section 11 amended

After section 11(5A)(c) insert:

- (da) optional plates information;

s. 211

211. Section 12 amended

(1) In section 12(1) in the definition of *relevant authorisation* after paragraph (c) insert:

(da) a permit under the *Road Traffic (Vehicles) Act 2012* section 13; or

(2) After section 12(2)(c) insert:

(da) optional plates information;

212. Section 13A amended

After section 13A(2)(c) insert:

(da) optional plates information;

213. Section 16A inserted

After section 15 insert:

**16A. Disclosure of information for the purposes of the
Personal Property Securities Act 2009
(Commonwealth)**

The CEO may disclose the following information to the Registrar as defined in the *Personal Property Securities Act 2009* (Commonwealth) section 10 —

- (a) information relating to vehicles that have been stolen or written off;
- (b) vehicle licence information that the CEO considers to be relevant to the operation of the register as defined in that Act.

214. Section 18 amended

In section 18(2):

- (a) in paragraph (c) delete “2008 section 64(2) or (3), 65(2) or (5) or 66(3) or (5); or” and insert:

2012 section 63(2) or (3), 64(2) or (5) or 65(3) or (5); or

- (b) in paragraph (d) delete “2008 section 68(2); or” and insert:

2012 section 67(2); or

- (c) in paragraph (e) delete “2008 section 72(1); or” and insert:

2012 section 71(1); or

215. Section 20 amended

In section 20(3) delete “2008 section 38(g), 44(g) or 46(j)” and insert:

2012 section 37(h), 43(g) or 45(j)

216. Section 36 amended

In section 36(3) in the definition of *label* delete “2009 section 15 or 26;” and insert:

2012 section 15 or 27;

s. 217

217. Section 52 amended

In section 52(2)(b) delete “2008 section 71.” and insert:

2012 section 70.

218. Section 70 replaced

Delete section 70 and insert:

70. Seized material: receipts, copies, access to originals

(1) In this section —

entitled person, in relation to a seized record, means a person who —

- (a) appears entitled to possession of the record; and
 - (b) does not already have a copy of the record.
- (2) A police officer who seizes and removes a record, device or other thing under Division 5 must give a receipt for it to the person from whom it is seized and removed.
- (3) A police officer must give a copy of a seized record to an entitled person, on the request of the entitled person to do so, as soon as possible after the request is received but in any event not later than the period ending 6 months after the day on which the request is received.
- (4) A police officer must return a seized record to an entitled person, on the request of the entitled person to do so, unless the officer reasonably suspects that doing so will jeopardise the evidentiary value of the record.
- (5) A police officer must allow an entitled person to inspect a seized record and make and keep a copy of it,

on the request of the entitled person to do so, unless the officer reasonably suspects that doing so will jeopardise the evidentiary value of the record.

- (6) Unless a police officer reasonably suspects that complying with a request mentioned in subsection (4) or (5) will jeopardise the evidentiary value of a seized record, the officer must comply with the request as soon as possible after the request is received but in any event not later than the period ending 6 months after the day on which the request is received.

219. Section 105 amended

After section 105(3) insert:

- (3A) A prosecution for an offence under the *Road Traffic (Vehicles) Act 2012* section 29(1) requires the approval of a prescribed person or a person of a prescribed class of persons.
- (3B) Failure to comply with subsection (3A) does not affect the validity of the prosecution notice.

220. Section 109 amended

- (1) In section 109(1)(m) delete “2008 section 41” and insert:

2012 section 40

s. 221

- (2) After section 109(2) insert:

- (3) In the absence of evidence to the contrary, proof is not required in any proceedings for an offence under a road law —
 - (a) that the prosecutor is authorised to commence the prosecution; or
 - (b) that the prosecutor has any approval that is required under section 105(3A); or
 - (c) that a signature on the prosecution notice alleging the offence is the signature of a person authorised to commence the prosecution.

221. Section 111 amended

- (1) In section 111(1):
 - (a) in paragraph (c)(i) delete “2008 section 67; or” and insert:

2012 section 70; or
 - (b) in paragraph (c)(ii) delete “2008 section 67,” and insert:

2012 section 70,

- (2) In section 111(3)(d) delete “2008 section 71,” and insert:

2012 section 70,

222. Section 116 amended

In section 116(1) in the definition of *office holder* delete paragraph (d) and insert:

- (d) a person authorised by the CEO for the purposes of section 105(2)(c); or
- (e) a person who may give an approval for the purposes of section 105(3A); or
- (f) an approved officer, as that term is defined in the *Road Traffic (Vehicles) Act 2012* section 77.

223. Section 133 amended

In section 133:

- (a) delete “The regulations” and insert:
 - (1) The regulations
 - (b) in paragraph (f) delete “2008 section 78,” and insert:

2012 section 77,
 - (c) at the end of section 133 insert:
 - (2) The regulations may provide for the review of a decision by a court, the State Administrative Tribunal or other tribunal, or any other body or person.

224. Section 143A amended

After section 143A(2) insert:

- (3) Subsection (2) does not apply to information relating to particular commercial operations, even if its disclosure could not reasonably be expected to lead to the identification of the commercial operation to which it relates.

225. Part 9 Division 1 heading amended

In the heading to Part 9 Division 1 delete “(*Consequential Provisions*) Act 2008” and insert:

Legislation Amendment Act 2012

226. Part 9 Division 1 Subdivision 1 heading amended

In the heading to Part 9 Division 1 Subdivision 1 delete “(*Consequential Provisions*) Act 2008” and insert:

Legislation Amendment Act 2012

227. Section 147 amended

- (1) In section 147 in the definition of *amending Act* delete “(*Consequential Provisions*) Act 2008;” and insert:

Legislation Amendment Act 2012;

- (2) In section 147 in the definition of *commencement day* delete “(Consequential Provisions) Act 2008 Part 2” and insert:

Legislation Amendment Act 2012 Part 3

228. Part 9 Division 1 Subdivision 2 heading amended

In the heading to Part 9 Division 1 Subdivision 2 delete “(Consequential Provisions) Act 2008” and insert:

Legislation Amendment Act 2012

229. Section 165 amended

In section 165:

- (a) delete “(Consequential Provisions) Act 2008 Part 3,” and insert:

Legislation Amendment Act 2012 Part 4,

- (b) delete “(Consequential Provisions) Act 2008 Part 3.” and insert:

Legislation Amendment Act 2012 Part 4.

230. Part 9 Division 2 heading amended

In the heading to Part 9 Division 2 delete “**2008**”.

s. 231

231. Section 166 amended

In section 166(2) delete “(Vehicles) Act 2008 or the Road Traffic (Consequential Provisions) Act 2008.” and insert:

(Vehicles) Act 2012 or the Road Traffic Legislation Amendment Act 2012.

232. Various references to “2008” amended

In the provisions listed in the Table delete “2008” (each occurrence) and insert:

2012

Table

s. 4 def. of <i>equipment, GCM, GVM, heavy vehicle, involved person, journey documentation, light vehicle, load, passenger, road law</i> par. (d), <i>road transport, transport documentation</i> and <i>vehicle licence</i>	s. 6(1) def. of <i>licensed</i> and (2)(b)
s. 10(1)	s. 12(1) def. of <i>permit</i>
s. 18(2)(f)	s. 20(1) and (2)
s. 28 def. of <i>MDLR compliance purposes</i> par. (a)(i) and <i>MDLR offence</i> par. (a)	s. 36(3) def. of <i>number plate</i>
s. 52(5)(c) and (d)	s. 54(1) def. of <i>premises</i> par. (d) and (e) and (8)(a) and (b)

s. 56(1)(a)	s. 58(2)(a)(i) and (ii)
s. 81(1) def. of <i>offence</i> and (3)	s. 84(2)
s. 85(a)(iii)	s. 91(a)
s. 106(1)(c)	s. 109(1)(l)
s. 111(3)(c)	s. 120
s. 133(b), (c), (d), (e) and (g)	

**Part 6 — Road Traffic (Authorisation to Drive)
Act 2008 amended**

233. Act amended

This Part amends the *Road Traffic (Authorisation to Drive) Act 2008*.

234. Part 6 Division 1 heading amended

In the heading to Part 6 Division 1 delete “*(Consequential Provisions) Act 2008*” and insert:

Legislation Amendment Act 2012

235. Section 64 amended

- (1) In section 64 in the definition of *amending Act* delete “*(Consequential Provisions) Act 2008*,” and insert:

Legislation Amendment Act 2012;

- (2) In section 64 in the definition of *commencement day* delete “*(Consequential Provisions) Act 2008 Part 2*” and insert:

Legislation Amendment Act 2012 Part 3

**Part 7 — Road Traffic (Vehicles) (Taxing)
Act 2008 amended**

236. Act amended

This Part amends the *Road Traffic (Vehicles) (Taxing) Act 2008*.

237. Long title amended

In the long title delete “2008” and insert:

2012

238. Section 3 amended

In section 3 delete “2008” and insert:

2012

=====