
TRANSPORT

TR301*

Road Traffic Act 1974

**Road Traffic (Blood Sampling and Analysis)
Amendment Regulations (No. 2) 2009**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Blood Sampling and Analysis) Amendment Regulations (No. 2) 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Road Traffic (Blood Sampling and Analysis) Regulations 1975*.

4. Regulation 5 replaced

Delete regulation 5 and insert:

5. Sampling equipment

The sampling equipment must comprise either —

- (a) all of the following —
 - (i) a sterile syringe;
 - (ii) 2 sterile containers for storing blood samples, each numbered with the serial number of the package mentioned in regulation 6(b) and containing approximately 25 mg of potassium oxalate and approximately 10 mg of sodium fluoride;
 - (iii) 2 non-alcoholic swabs of cotton wool or 2 hospital approved non-alcoholic medical wipes;

or

- (b) all of the following —
 - (i) 2 screw top plastic storage containers;
 - (ii) 2 evacuated blood collection tubes with approximately 170 mg of sodium fluoride and 42.5 mg of potassium oxalate;
 - (iii) 2 disposal needles and needle holders;
 - (iv) a tamper proof outer plastic bag;
 - (v) latex gloves;
 - (vi) a sterile dry swab;
 - (vii) a sterile, non-alcoholic antiseptic cleansing skin prep wipe;
 - (viii) a sticking plaster.

5. Regulation 7 amended

- (1) Delete regulation 7(1) and insert:
 - (1) For the purposes of section 69(1), a blood sample must be taken by a medical practitioner or registered nurse by venepuncture, with the syringe provided in the sampling equipment and no other.
 - (2A) For the purposes of section 69(1a), 2 blood samples, one immediately after the other, must be taken by a medical practitioner or registered nurse by venepuncture, with the vacutainer kit provided in the sampling equipment and no other.
- (2) In regulation 7(2):
 - (a) delete paragraphs (d) and (e) and insert:
 - (d) take a sample of blood in accordance with subregulation (1) or 2 samples of blood in accordance with subregulation (2A); and
 - (e) if —
 - (i) a sample of blood is taken in accordance with subregulation (1) — discharge approximately one-half of the blood withdrawn into one of the 2 containers supplied in the sampling equipment and the balance of the blood into the second of those containers; or

- (ii) 2 samples of blood are taken in accordance with subregulation (2A) — discharge each sample into a separate container provided in the sampling equipment;

and

- (b) after each of paragraphs (a) to (c) insert:

and

6. Regulation 8 amended

In regulation 8(2):

- (a) delete “(the cover of which comprises that form)”;
- (b) delete “in this regulation mentioned, each signing his name over the sealed portion or flap of the package.” and insert:

mentioned in this regulation.

7. Schedule amended

In the Schedule Form B Part II:

- (a) delete “event” and insert:

driving or incident

- (b) delete “Note: Open by cutting along this edge, leaving signatures intact.”.

By Command of the Lieutenant-Governor and deputy of the Governor,

PETER CONRAN, Clerk of the Executive Council.
