

TR301*

Road Traffic Act 1974

Road Traffic Legislation Amendment Regulations 2008

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Road Traffic Legislation Amendment Regulations 2008*.

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 on which the *Road Traffic Amendment Act (No. 2) 2007* section 9 comes into operation.

Part 2 — *Road Traffic (Blood Sampling and Analysis) Regulations 1975*

3. The regulations amended

The amendments in this Part are to the *Road Traffic (Blood Sampling and Analysis) Regulations 1975*.

4. Schedule amended

The Schedule is amended, in Form C, in paragraph 3, by deleting “per centum of alcohol.” and inserting instead —

“ grams of alcohol per 100 mL of blood. ”.

5. Schedule amended

The Schedule is amended by deleting “Director” in both places where it occurs in each of Form E and Form F and inserting instead —

“ chief executive officer ”.

Part 3 — *Road Traffic (Breath Analysis) Regulations 1975*

6. The regulations amended

The amendments in this Part are to the *Road Traffic (Breath Analysis) Regulations 1975*.

7. First Schedule amended

The First Schedule is amended by deleting “Director” in both places where it occurs in Form 1 and inserting instead —

“ chief executive officer ”.

8. Third Schedule amended

The Third Schedule is amended in column 2 by deleting “%” in both places where it occurs.

Part 4 — *Road Traffic (Drivers’ Licences) Regulations 1975*

9. The regulations amended

The amendments in this Part are to the *Road Traffic (Drivers’ Licences) Regulations 1975*.

10. Schedule 6 amended

Schedule 6 is amended in the item for Class Z, in column 2, by deleting “has a blood alcohol concentration less than 0.02%.” and inserting instead —

“

does not have a blood alcohol content of or above
0.02 g of alcohol per 100 mL of blood.

”.

11. Schedule 9 amended

Schedule 9 is amended in item 3, in the third column, as follows:

- (a) by deleting “the percentage of alcohol in the driver’s blood —” and inserting instead —

“ having a blood alcohol content — ”;

- (b) in paragraph (a), by deleting “is equal to or exceeds 0.05% but is less than 0.06% —” and inserting instead —

“

of or above 0.05 g of alcohol per 100 mL of blood
but less than 0.06 g of alcohol per 100 mL of
blood —

”.

- (c) in paragraph (b), by deleting “is equal to or exceeds 0.06% but is less than 0.07% —” and inserting instead —

“

of or above 0.06 g of alcohol per 100 mL of blood but less than 0.07 g of alcohol per 100 mL of blood —

”;

- (d) in paragraph (c), by deleting “is equal to or exceeds 0.07% but is less than 0.08% —” and inserting instead —

“

of or above 0.07 g of alcohol per 100 mL of blood —

”.

Part 5 — *Road Traffic (Infringements) Regulations 1975*

12. The regulations amended

The amendments in this Part are to the *Road Traffic (Infringements) Regulations 1975*.

13. Schedule 1 amended

Schedule 1 is amended in item 9, in the third column, by deleting “the percentage of alcohol in the driver’s blood equals or exceeds 0.05%” and inserting instead —

“

having a blood alcohol content of or above 0.05 g of alcohol per 100 mL of blood

”.

Part 6 — *Road Traffic (Urine Sampling and Analysis) Regulations 1983*

14. The regulations amended

The amendments in this Part are to the *Road Traffic (Urine Sampling and Analysis) Regulations 1983*.

15. Schedule amended where it refers to Director of Chemistry Centre (WA)

The Schedule is amended by deleting “Director” in both places where it occurs in Form 3 and inserting instead —

“ chief executive officer ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.