Western Australia

Control of Vehicles (Off road Areas) Act 1978

Control of Vehicles (Off-road Areas) Amendment Regulations 2026

SL 2026/100 Official Version
Published 10 Jun 2026 on www.legislation.wa.gov.au

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Control of Vehicles (Off-road Areas) Amendment Regulations 2026

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Published 10 Jun 2026 on www.legislation.wa.gov.au

Control of Vehicles (Off-road Areas) Amendment Regulations 2026

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Control of Vehicles (Off-road Areas) Amendment Regulations 2026*.

2. Commencement

These regulations come into operation on 28 June 2026.

3. Regulations amended

These regulations amend the *Control of Vehicles (Off-road Areas) Regulations 1979*.

4. Regulation 2 amended

In regulation 2 insert in alphabetical order:

label means label issued under section 28A(2)(b);

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

Terms used

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5. Regulation 6 replaced

Delete regulation 6 and insert:

6. Fee for number plate or label

For the purposes of section 28A(2)(b), the prescribed fee is —

(a) for a number plate — $15; and

(b) for a label — $15.

6. Regulation 10 amended

In regulation 10 delete "$1." and insert:

$3.

7. Regulation 12 amended

In regulation 12(a)(i) delete "verified by statutory declaration".

8. Regulation 12A inserted

After regulation 12 insert:

12A. Replacement of lost, damaged or dilapidated labels

(1) If a label is lost, or damaged or dilapidated to such an extent as to render it illegible, the owner of the registered vehicle concerned or, in the event of their death or legal disability, the executor or administrator

of the estate or their legal representative, as the case may be, must —

(a) inform the Director General in writing of the loss, damage or dilapidation, as the case may be; and

(b) return the registration certificate issued in respect of the vehicle to the Director General.

(2) If the Director General is satisfied that the label is lost, or damaged or dilapidated to such an extent as to render it illegible, the Director General must issue a new label in respect of that vehicle and return the registration certificate to the owner.

9. Regulation 13 amended

In regulation 13:

(a) delete "shall rigidly fix and keep so fixed on the registered vehicle the number plate issued in respect thereof " and insert:

must fix to the vehicle, and keep fixed, the number plate or label issued in respect of the vehicle

(b) in paragraph (a) after "plate" insert:

or label

(c) delete paragraph (b) and insert:

(b) in the case of a vehicle that is not a motor cycle — the number plate or label is in an upright position in a conspicuous place on the back of the vehicle; and

(c) in the case of a motor cycle —

(i) for a number plate — the number plate is in a conspicuous place on the back of the motor cycle and, if possible, in an upright position; or

(ii) for a label — the label is in a conspicuous place at the rear (back or side) of the motor cycle and, if possible, in an upright position.

Note: The heading to amended regulation 13 is to read:

Position and legibility of number plates and labels

10. Regulation 14 amended

(1) In regulation 14 delete "plate" and insert:

plate, or remove a label,

(2) In regulation 14(a) delete "of that seizure and taking possession;" and insert:

of

(i) in the case of a number plate — the seizure and taking of possession of the number plate; or

(ii) in the case of a label — the removal of the label;

or

Note: The heading to amended regulation 14 is to read:

Authorised person may seize and take possession of number plates and remove labels

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11. Regulation 22B replaced

Delete regulation 22B and insert:

22B. Protective helmets

For the purposes of section 9C, a protective helmet that is, or is of a standard or type that is, approved by notice in the *Gazette* for the purposes of the *Road Traffic Code 2000* regulation 244 is prescribed.

12. Regulation 38 amended

In regulation 38(2) delete "$100." and insert:

$500.

13. First Schedule amended

(1) In the First Schedule Form 2 delete "19" and insert:

20

(2) In the First Schedule Form 3 delete "19" and insert:

20

(3) In the First Schedule Form 7:

(a) delete "19" and insert:

20

(b) delete "$200." and insert:

a fine of $5 000.

14. Fifth Schedule replaced

Delete the Fifth Schedule and insert:

Fifth Schedule

[r. 35]

Modified penalties

Item	Provision	Nature of offence	Modified penalty $
1.	s. 6(1)	Driving or use of off-road vehicle in area other than private land by consent or permitted area	200
2.	s. 6(2)	Driving or use of vehicle in prohibited area	500
3.	s. 6(4)(a)	Using or driving an off-road vehicle in a manner which creates or causes undue or excessive noise	200
4.	s. 6(4)(b)	Using or driving off-road vehicle not fitted with an efficient silencing device	200
5.	s. 7(2)	Failure to register vehicle or driving or use of unregistered vehicle	300
6.	s. 9	Driving or using vehicle which is in dangerous condition	500
7.	s. 9A	Driving or using vehicle contravening prescribed safety requirement	500

Item	Provision	Nature of offence	Modified penalty $
8.	s. 9B(1)	Failure to wear seat belt as required in this section	500
9.	s. 9B(2)	Failure to travel as a passenger in a seat for which a seat belt has been fitted	500
10.	s. 9C	Failure to wear protective helmet	500
11.	s. 10	Knowingly permitting under-age person to be in charge of vehicle	500
12.	s. 19(3)	Destroying notice or mark identifying permitted or prohibited area	300
13.	s. 34	Failure to affix number plate or label	300
14.	s. 34	Failure to affix number plate or label in proper manner	300
15.	s. 35(a)	Altering or defacing number plate or label	300
16.	s. 35(b)	Affixing number plate or label to wrong vehicle	300
17.	s. 35(c)	Failure to deliver up number plate of vehicle within 15 days of expiry of registration of vehicle	200
18.	s. 35(d)	Using wrong or counterfeit number plate or label	300
19.	s. 37(8)	Illegal removal of infringement notice from vehicle	300

Item	Provision	Nature of offence	Modified penalty $
20.	s. 38(10)	Use of vehicle contrary to prohibition of use notice	300
21.	s. 38(10)	Removal, damage or obliteration of or to prohibition of use notice attached to vehicle	300
22.	r. 7	Failure to carry registration certificate on vehicle	50
23.	r. 11	Failure of holder of registration certificate to notify change of address	50
24.	r. 12	Failure to inform Director General of lost number plate and to return registration certificate or to return damaged or dilapidated number plate and registration certificate to Director General	50
25.	r. 12A	Failure to inform Director General of lost, damaged or dilapidated label and to return registration certificate	50
26.	r. 13(a)	Number plate or label not clearly visible and legible	50
27.	r. 16	Failure to inform Director General of change in engine identification mark	50
28.	r. 17(1)	Using registered vehicle not having legible engine identification mark	50

Item	Provision	Nature of offence	Modified penalty $
29.	r. 17(2)	Altering or putting on engine identification mark without approval of Director General	50

A. O'SULLIVAN, Clerk of the Executive Council

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