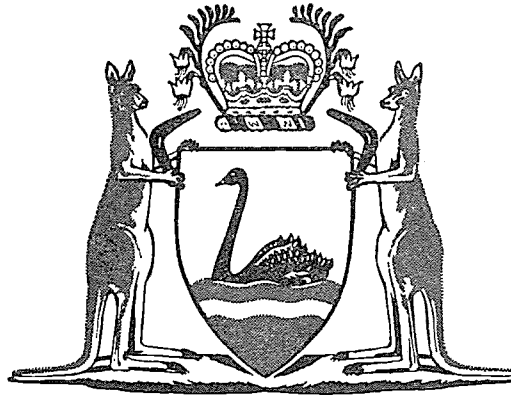


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Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

No. 62]

PERTH: TUESDAY, 28 AUGUST

[1984

ROAD TRAFFIC ACT 1974.

ROAD TRAFFIC (LICENSING) REGULATIONS 1975.

Published in the *Government Gazette* on 29 May 1975. Reprinted in the *Government Gazette* published on 29 December 1978, and now further reprinted, pursuant to the Reprinting of Regulations Act 1954, incorporating the further amendments published on—

30 June 1978;	13 March 1981;	25 February 1983;
29 September 1978;	26 June 1981;	4 March 1983;
3 November 1978;	11 September 1981;	27 May 1983;
11 May 1979;	2 October 1981;	23 September 1983;
15 February 1980;	18 December 1981;	21 October 1983; and
12 December 1980;	2 February 1982;	11 November 1983.
31 December 1980;	20 August 1982;	
6 February 1981;	1 October 1982;	

Reprinted pursuant to the Reprinting
of Regulations Act 1954 by authority of
the Attorney General dated 21 August
1984.

ROAD TRAFFIC ACT 1974.

ROAD TRAFFIC (LICENSING) REGULATIONS 1975.

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Reprinted pursuant to the Reprinting of Regulations Act 1954 by authority of the Attorney General dated 21 August 1984.

ROAD TRAFFIC (LICENSING) REGULATIONS 1975.

PART I.—PRELIMINARY.

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

2. These regulations are divided into Parts as follows:—

Part I.—Preliminary—Regulations 1-3.

Part IA.—Inspection of Vehicles—Regulations 3A-3C.

Part II.—Licences—Regulations 4-15.

Part III.—Licences for Overseas Vehicles—Regulations 16-21.

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Part VI.—Traffic Inspectors—Regulations 35-36.

Part VII.—Wardens—Regulations 37-38.

Part VIII.—Penalties—Regulation 39.

Division into
Parts.
Amended by
G.G. 31/12/80,
p. 4427.

3. (1) In these regulations unless the context otherwise requires—

“Act” means the Road Traffic Act 1974;

“approved” means approved by the Board;

“authorized vehicle examiner” means a person authorized in accordance with regulation 3A to examine and test vehicles;

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

“ordinary plates” means identification tablets or number plates that are not personalised plates or dealers plates referred to in regulation 26;

“personalised plates” means identification tablets or number plates being reflective plates consisting of no more than seven characters, the first being a letter and the last being the letter “P”;

“reflective plates” means identification tablets or number plates that have the identifying characters superimposed on a reflective ground;

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

“regulation” means one of these regulations;

“Schedule” means a schedule to these regulations;

“tare” has the same meaning as is given to that word in the Vehicle Standards Regulations 1977.

Interpretation.
Amended by
G.G. 1/8/75,
p. 2795;
G.G. 5/12/75,
p. 4369;
G.G. 23/7/76,
p. 2534;
G.G. 20/5/77,
pp. 1510-11;
G.G. 10/11/77,
p. 4189;
G.G. 29/9/78,
p. 3578;
G.G. 31/12/80
p. 4427;
G.G. 2/2/82,
p. 401.

(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.

PART IA.—INSPECTION OF VEHICLES.

Heading.
Inserted by
G.G. 31/12/80,
p. 4427.

Persons
may be
authorized
to examine
vehicles.

Inserted by
G.G. 31/12/80,
p. 4427.
Amended by
G.G. 2/2/82,
p. 401.

3A. (1) The Board may authorize persons to examine and test vehicles and may cancel any such authorization.

(2) An authorization under this regulation—

- (a) shall be subject to such conditions as the Board specifies in the authorization;
- (b) shall be in writing and, if cancelled, shall be cancelled in writing; and
- (c) shall be displayed at the premises where the examination and testing of vehicles is carried out.

Fees for
inspection
and
testing.

Inserted by
G.G. 31/12/80,
p. 4427.
Amended by
G.G. 2/2/82,
p. 401;
G.G. 20/8/82,
p. 3270;
G.G. 21/10/83,
p. 4269.

3B. (1) The following fees shall be paid by the owner of a vehicle for examination of the vehicle by the Board for the purposes of the Act or these or any other regulations under the Act—

	\$
Articulated vehicle (wagon and semi-trailer in combination)	22.00
Motor wagon with dual wheels, prime-mover, omnibus	20.00
Caravan and trailer without brakes, motor cycle, motor carrier, engine change	9.00
Any other motor vehicle	11.00

(2) The fees payable under subregulation (1) of this regulation are for an initial examination and, where necessary, one re-examination of the vehicle in respect of the same application or matter.

Certificate of
inspection.

Inserted by
G.G. 31/12/80,
p. 4427.
Amended by
G.G. 2/2/82,
p. 401.

3C. 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.

PART II.—LICENCES.

Inspection
for
licensing
purposes.

Substituted by
G.G. 31/12/80,
p. 4427.
Amended by
G.G. 2/2/82,
p. 401.

4. (1) Where an application for the issue, renewal or transfer of a vehicle licence is received and, under a notice given pursuant to subsection (1) of section 29 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 Board shall either—

- (a) examine the vehicle; or
- (b) require the applicant to produce to the Board a certificate of inspection issued by an authorized vehicle examiner.

(2) Where an application for the issue or renewal of a vehicle licence is received and subregulation (1) of this regulation does not apply, the Board may, if it 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.

Proof of
ownership
before issue
or transfer
of licence.

Amended by
G.G. 2/2/82,
p. 401.

5. The Board 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.

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6. 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 the tare of the vehicle. Weighbridge certificate may be required.
7. 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 Board. Application for licence to be in writing and on form to be provided. Amended by G.G. 2/2/82, p. 401.
8. Any licence issued by the Board shall be in the form from time to time approved by the Minister. Form of licence. Amended by G.G. 2/2/82, p. 401.
- 8A. There shall be payable in respect of the grant or renewal of a vehicle licence a recording fee of \$8.50. Recording fee. Inserted by G.G. 12/12/80, p. 4215. Amended by G.G. 20/8/82, p. 3270; G.G. 21/10/83, p. 4269.
- 8B. There shall be payable in respect of the transfer of a vehicle licence a transfer fee of \$10.00. Transfer fee. Inserted by G.G. 1/10/82, p. 3889. Amended by G.G. 21/10/83, p. 4270.
9. (1) Subject to the succeeding provisions of this regulation, the Board may license a motor vehicle as of any one of three classes, namely Class A, Class B or Class C. Classes of vehicle licences. Amended by G.G. 10/11/77, p. 4190; G.G. 2/2/82, p. 401.
- (2) The Board may license a motor vehicle as of Class A, for unlimited use, if the vehicle conforms, in every respect, to the requirements of the Vehicle Standards Regulations 1977, and not otherwise.
- (3) The Board may license a motor vehicle as of Class B, where—
- (a) the vehicle does not comply, in some respect, with the 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 Vehicle Standards Regulations 1977; and
 - (ii) the use of the vehicle is limited in such manner as the Minister 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 Vehicle Standards Regulations 1977, or the vehicle does not conform to the requirements of Part 14 of the 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 Minister and the use of the vehicle is limited in conformity with any conditions to which that approval is subject.
- (4) The Board 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 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 Minister and the use of the vehicle is limited in conformity with any condition to which that approval is subject.

(5) The Board 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.

Licence to be carried in certain cases.

Amended by G.G. 2/2/82, p. 401.

10. (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) of this regulation does not apply to a vehicle to which subsection (2) of section 100 of the Act applies.

Board may issue permits for unlicensed vehicles.

Substituted by G.G. 24/12/76, pp. 5038-9.

Amended by G.G. 30/12/77, p. 4751; G.G. 26/6/81, p. 2296; G.G. 2/2/82, p. 402; G.G. 4/3/83, p. 771; G.G. 21/10/83, p. 4270.

11. (1) In this regulation "permit" means a permit under subsection (1) of section 26 of the Act.

(2) A person may apply to the Board for a permit—

(a) in respect of a period not exceeding two days; or

(b) in respect of a period of one month or any number of months up to and including twelve 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 Commissioner of Police, Traffic Board at least 14 days prior to the commencement of the period in respect of which the permit is requested.

(4) Subject to subsection (5) of this regulation the Board may issue a permit in the form determined from time to time by the Minister and the Board 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) Act Regulations 1962 as amended from time to time.

(6) Upon making an application under subregulation (2) of this regulation, the applicant shall pay to the Board—

(a) if the permit is requested in respect of a period not exceeding two days—

(i) a fee of \$3.00; and

(ii) where the Board 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 respectively; and

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- (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 assessed by dividing the base fee by twelve and multiplying that sum by the number of months in respect of which the permit is requested; and
- (ii) where the Board 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 respectively; and
- (B) an amount of 25 cents being stamp duty on the policy of insurance.
- (7) "Base fee" as used in subparagraph (i) of paragraph (b) of subregulation (6) of this regulation means—
- (a) in the case of a vehicle referred to in item 1 (1), 2 or 3 of Section A of Part III of the Second Schedule to the Act—the tare weight amount indicated in that sub-item or item in respect of a vehicle of that description and of that tare weight;
- (b) in the case of a vehicle referred to in item 1 (2), 5, 6, 7, 8 or 9 of Section A of Part III of the Second Schedule to the Act—one-half of the licence fee indicated in that sub-item or item in respect of a vehicle of that description and of that tare weight;
- (c) in the case of a motor cycle—one-half of the licence fee indicated in item 4 of the Second Schedule to the Act in respect of a motor cycle of that engine capacity.
- (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 12 repealed by G.G. 10/11/77, p. 4189.]

13. 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.

Signs to be displayed.

14. The Board shall, on payment of a fee of \$4.00, 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.

Fee for duplicate or certified copy of licence.

Amended by
G.G. 30/12/77,
p. 4750;
G.G. 18/12/81,
p. 5194;
G.G. 2/2/82,
p. 402;
G.G. 21/10/83,
p. 4270.

15. (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.

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

(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.

Amended by
G.G. 13/3/81,
p. 939;
G.G. 2/2/82,
p. 401.

(3) The holder of a licence shall, within twenty-one 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 Board.

PART III.—LICENCES FOR OVERSEAS VEHICLES.

Application for vehicle licence and for extension or renewal thereof.

Amended by G.G. 2/2/82, p. 402.

16. (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 Board.

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

Contract of Third Party Insurance required.

17. 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.

Identification tablets or plates on motor vehicles to which Part IV of the Act applies. Amended by G.G. 2/2/82, p. 402.

18. (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 Board 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 Board from the owner of a motor vehicle referred to in subregulation (1) of this regulation, the Board 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.

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(3) Upon the issue of a set of temporary plates for a motor vehicle referred to in subregulation (1) of this regulation, 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 Board, immediately prior to the expiry or exportation.

19. 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 subregulation (6) of regulation 111 of the Vehicles Standards Regulations 1977.

Vehicles with steering on left hand side.
Amended by G.G. 10/11/77, p. 4190.

20. Where it appears to the Board 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 Board 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.

Permits for use of vehicle not conforming with requirements of the Act or regulations.
Amended by G.G. 2/2/82, p. 402.

21. (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.

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

(2) Where a licence is cancelled in accordance with subregulation (1) of this regulation 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 IV.—NUMBER PLATES AND ENGINE IDENTIFICATION MARKS.

22. (1) The Board shall provide and issue identification tablets or number plates in respect of every vehicle that is licensed under Part III of the Act other than a taxi-car licensed under the Taxi-cars (Co-ordination and Control) Act 1963 or the Transport Act 1966 or an omnibus licensed under the Transport Act 1966 (not being an omnibus operated by The Western Australian Government Railways Commission).

Board to provide number plates.

Substituted by G.G. 1/8/75, pp. 2795-6.

Amended by G.G. 5/12/75, p. 4369; G.G. 15/10/76, p. 3676;

(2) The Board shall make the following charges for the issue of identification tablets and number plates, namely—

G.G. 20/5/77, p. 1511; G.G. 10/11/77, p. 4190;

(a) on the issue of plates at the time a vehicle licence is taken out \$8.00

G.G. 30/12/77, p. 4751;

(b) on application for the issue of personalised plates \$60.00

G.G. 10/3/78, p. 688;

(c) on application for the issue of plates to replace plates bearing the same characters \$20.00

G.G. 29/9/78, p. 3579;

G.G. 11/5/79, p. 1223;

G.G. 12/12/80, p. 4215;

G.G. 26/6/81, p. 2296;

G.G. 2/2/82, p. 402;

G.G. 20/8/82, p. 3270;

G.G. 23/9/83, p. 3815;

G.G. 21/10/83, p. 4270;

G.G. 11/11/83, p. 4512.

[Paragraph (d) deleted by G.G. 5/12/75, p. 4369.]

(3) Notwithstanding the charges imposed under subregulation (2) of this regulation, every identification tablet or number plate remains the property of the Board 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 fifteen 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 Vehicle Standards Regulations 1977, the Board 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 Board.

(4) A person who wishes to obtain personalised plates to replace ordinary plates previously issued in respect of a vehicle shall return those ordinary plates to the Board.

(5) Except in a case referred to in subregulation (6) of this regulation a person who wishes to obtain ordinary plates to replace personalised plates previously issued in respect of a vehicle shall return those personalised plates to the Board.

(6) A person to whom a set of personalised plates has been issued may, with the approval of the Board, and on payment of a fee of \$5.00 to the Board, transfer those plates to another vehicle owned by him and shall, where the vehicle from which the personalised plates were removed, is still licensed, obtain a set of ordinary plates from the Board and affix those plates to the vehicle.

[Subregulation (7) repealed by G.G. 10/3/78, p. 688.]

Lost number plates.
Amended by G.G. 2/2/82, p. 402.

23. (1) Where a number plate or number plates issued in respect of a vehicle are lost, the owner of the vehicle shall, forthwith, send to the Board notice in writing of that happening and the Board shall, on proof, by statutory declaration of the loss, and on production of the licence or certificate of registration, issue fresh number plates in respect of the vehicle.

(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 Board, together with the licence of the vehicle, and the Board shall 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.

Nature of number plates.
Substituted by G.G. 1/8/75, p. 2796.
Amended by G.G. 12/8/77, p. 2610;
G.G. 2/2/82, p. 402.

24. (1) Subject to subregulations (2) and (3) of this regulation, identification tablets and number plates shall display the expression "W.A." and such other words, letters and numerals as the Board with the approval of the Minister may determine.

(2) Where a vehicle is owned by the State Government or by a State Board the expression "W.A. GOVT." shall appear above the letters and numerals on the identification tablets or number plates unless the Minister approves the use of identification tablets or number plates in accordance with subregulation (1) of this regulation.

(3) Identification tablets or number plates may be issued by the Board displaying a letter or letters approved by the Board indicating the district in which the owner of the vehicle resides, together with a numeral or numerals and shall in addition have the expression "W.A.", displayed above the letter or letters, numeral or numerals, or contained in any words displayed pursuant to subregulation (1) of this regulation, on the identification tablet or number plate.

(4) Any identification tablet or number plate issued pursuant to subregulation (3) of this regulation 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 thirty-eight millimetres in diameter, between the lettering and the numerals.

(5) Identification tablets and number plates shall bear the prescribed characters enamelled or painted thereon, in the colour and on the ground approved by the Board for the class of tablets or plates concerned.

(6) The Board may, by notice served on a licensee, require the licensee to surrender to it any identification tablets or number plates specified in the notice that are not reflective plates and on receipt of the appropriate charge prescribed in regulation 22 for the issue of plates, issue to the licensee a set of reflective plates by way of replacement.

(7) For the purposes of subregulation (6) of this regulation, 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.

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

25. (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; and
- (b) in the case of a motor vehicle not referred to in paragraph (a) of this subregulation, 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.

Number plate to be fixed on vehicle.
Amended by G.G. 11/9/81, p. 3926, G.G. 2/2/82, p. 402.

(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 Board in accordance with these regulations.

26. (1) A person of one of the classes prescribed in subregulation (2) of this regulation may apply in writing to the Board for number plates, to be known as dealers plates, to be assigned and issued to him pursuant to subsection (2) of section 26 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 a manufacturer or dealer in new motor vehicles; and
- (f) vehicle body builders.

Application for dealers plates.
Substituted by G.G. 15/2/80, p. 464.
Amended by G.G. 26/6/81, p. 2296; G.G. 2/2/82, p. 402; G.G. 21/10/83, p. 4270.

(3) The fee payable for the assigning and issue of dealers plates is \$5.00 for each set of plates, except where the plate is issued in substitution of a plate bearing the same characters, in which case the fee is \$20.00 for each plate.

Annual
fee for
dealers
plates.

Substituted by
G.G. 15/2/80,
pp. 464-5
Amended by
G.G. 12/12/80,
p. 4215;
G.G. 2/2/82,
p. 402;
G.G. 20/8/82,
p. 3270;
G.G. 21/10/83,
p. 4270.

26A. (1) A person to whom dealers plates are issued shall pay, in advance, an annual fee of \$55.00 for the use and possession of each set of plates.

(2) The Board shall—

(a) on payment of an annual fee under subregulation (1) of this regulation; and

(b) where a replacement plate or replacement set of plates is issued pursuant to subregulation (2) of regulation 26B or a substituted plate or new set of plates is issued pursuant to subregulation (3) of regulation 26B, 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

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

Deposits.

Inserted by
G.G. 15/2/80,
p. 465.

Amended by
G.G. 2/2/82,
p. 402.

26B. (1) A person to whom dealers plates are issued shall pay to the Board, 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 Board notice in writing of the loss whereupon the deposit is forfeited to the Board, and the Board 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 Board and the Board 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 it 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) of this regulation where the person to whom a set of dealers plates is issued returns those plates to the Board, the Board shall refund to him the deposit paid in respect of those plates.

(5) Where dealers plates are not returned to the Board 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 Board.

Conditions
of use.

Inserted by
G.G. 15/2/80,
pp. 465-6.

Amended by
G.G. 6/2/81,
p. 538;
G.G. 2/2/82,
p. 402;
G.G. 23/9/83,
p. 3815.

26C. (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 Vehicle Standards Regulations 1977;

[Paragraph (b) deleted by G.G. 23/9/83, p. 3815.]

(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.

(2) Subject to subregulation (1) of this regulation, a vehicle bearing dealers plates may be used for the purposes of—

- (a) trial after completion or repair;
- (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 an Agricultural Show, an Agricultural Field Day or a Motor Show, for the purpose of being, or after being, exhibited there; or
- (h) being driven in such circumstances or for such purposes as the Board may, in any particular case, approve.

(3) The characters on a dealers plate shall comprise a combination of three letters and three numerals, with the expression "W.A.", above, and the word, "Dealer", below that combination and shall be enamelled or painted on the plate in the colour and on the ground approved by the Board.

(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.

26D. For the purposes of regulations 26, 26A, 26B and 26C—

"plate fee", in relation to dealers plates, means the fee payable under subregulation (3) of regulation 26 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.

Interpretation.
Inserted by
G.G. 15/2/80,
p. 466.

27. (1) Subject to subregulation (2) of this regulation, 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 Board.

Prohibition on painting or interfering with number plates.
Amended by
G.G. 2/2/82,
p. 402;
G.G. 25/2/83,
p. 654.

(2) A person may, in accordance with regulation 1026 of the Vehicle Standards Regulations 1977, affix to an identification tablet or number plate that has been issued to him by the Board a label indicating that the vehicle to which the identification tablet or number plate is fixed uses Liquefied Petroleum Gas as fuel.

28. (1) Upon an application to license a motor vehicle under these regulations, the Board 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.

Engine identification marks.
Amended by
G.G. 2/2/82,
pp. 402-3.

(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 seven days after the change or replacement, give to the Board 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;

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- (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 Board 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) of this regulation, the identification mark shall be stamped on the engine of the motor vehicle in such manner and in such position, as the Board may direct; and upon the engine being so stamped, the motor vehicle shall be produced forthwith to the Board 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 Board, 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.

PART V.—REGISTRATION LABELS.

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

Amended by *G.G.* 2/2/82, p. 403.

Form of registration labels.

Amended by *G.G.* 2/4/76, p. 1048; *G.G.* 2/2/82, p. 403.

29. A register of all licences for vehicles shall be kept by the Board 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.

30. (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 be placed and kept in a holder issued by the Board; 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 the manner prescribed by, and in accordance with, these regulations.

(3) Where, under the provisions of subregulation (2) of this regulation, a registration label is required to be kept in a holder, the Board issuing the label shall, at the request of the licensee and on payment of an amount not exceeding two dollars, supply a holder.

(4) A person to whom a registration label has been issued shall not place or keep the label in any holder other than that supplied to him, in accordance with subregulation (3) of this regulation, by the Board.

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31. (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.

Registration labels valid for duration of licence.
Amended by G.G. 2/2/82, p. 403.

(2) The Board shall, on each subsequent renewal of a licence for a vehicle, issue a new registration label, as prescribed by these regulations.

32. (1) A registration label shall be placed and carried on the vehicle for which it is issued, so that—

Position on vehicle where registration label to be carried.
Amended by G.G. 10/11/77, p. 4190; G.G. 2/10/81, p. 4186; G.G. 2/2/82, p. 403; G.G. 27/5/83, p. 1612.

(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 accordance with the Vehicle Standards Regulations 1977; and

(iii) a trailer, or caravan of the trailer type, the label is fitted in a holder on the near side of, and not more than 305 millimetres from the front of, the tray or body, in such a manner that the label faces the same direction as the near side of the tray or body to which it is fitted, and is clearly visible to a person who is standing outside the trailer or caravan and facing the label.

(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 two metres.

[Subregulation (3) repealed by G.G. 27/5/83, p. 1612.]

33. A fee not exceeding 50 cents may be charged for a duplicate of a registration label.

Fee for duplicate registration label.

34. 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.

Licences to be handed over on disposal.

PART VI.—TRAFFIC INSPECTORS.

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

Application of Part.

36. (1) A certificate of the appointment of a traffic inspector shall be in the form of Form 1 in the Schedule.

Certificate of appointment, badge of authority, uniform, etc.
Amended by G.G. 2/2/82, p. 403.

(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 Board.

(3) Every traffic inspector shall, except where the Board otherwise directs, wear the uniform approved by the Board.

PART VII.—WARDENS.

Certificate
of appoint-
ment.

Amended by
G.G. 1/8/75,
p. 2796;
G.G. 10/11/77,
p. 4190;
G.G. 31/12/80,
p. 4427;
G.G. 2/2/82,
p. 403.

37. (1) The certificate of appointment of a person as a warden appointed to perform duties relating to the controlling of vehicles and pedestrians at children's crossings and pedestrian crossings shall be in the form of Form 2 in the Schedule, and any warden so appointed is empowered to stop vehicles from proceeding through a children's crossing or a pedestrian crossing, to require vehicles to remain stationary and to prohibit persons from walking across or onto a children's crossing or a pedestrian crossing, and any warden so appointed may give such signals or directions to drivers of those vehicles and to those other persons as are necessary for that purpose.

(2) The certificate of appointment of a person as a warden appointed to perform duties relating to the parking and standing of vehicles shall be in the form of Form 3 in the Schedule, and any warden so appointed shall have such of the powers of a member of the Police Force as are necessary for him to enforce the provisions of the Act and the Road Traffic Code 1975, relating to the parking and standing of vehicles, including the powers of demanding the name and address of the driver or person in charge of any vehicle and the powers of requiring the owner of a vehicle to disclose the identity of the driver of the vehicle at any relevant time.

(3) Where the Minister has approved of the appointment of a person to be a warden to perform duties relating to the inspection of motor vehicles—

- (a) the certificate of appointment of the person as such a warden shall be in the form of Form 4 in the Schedule; and
- (b) any warden so appointed has power—
 - (i) to examine any vehicle at a place provided for the examination of vehicles and may for that purpose do all such things as are necessary for him to ascertain whether any such vehicle complies with the provisions of the Vehicle Standards Regulations 1977, as in force from time to time under the Act;
 - (ii) to do all such things as a member of the Police Force is authorized to do by regulations 107 and 109 of the Vehicle Standards Regulations 1977, as in force from time to time under the Act; and
 - (iii) to do all such things as a member of the Police Force is authorized to do by subregulation (2) of regulation 25.

Uniform.

38. A warden appointed to perform duties relating to the controlling of vehicles and pedestrians at children's crossings and pedestrian crossings shall, at all times when he is performing those duties wear—

- (a) a peaked cap with white or yellow cover on which there is displayed a badge embossed or stamped with the words "Crossing Attendant"; and
- (b) a white or yellow coat.

PART VIII.—PENALTIES.

Penalty for
breach of a
regulation.

39. (1) A person committing a breach of any of these regulations is liable, for a first offence, to a penalty not exceeding one hundred dollars and, for a subsequent offence, to a penalty not exceeding two hundred dollars.

(2) For the purposes of subregulation (1) of this regulation 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, as amended at any time or against the Traffic (Licensing Authorities) Regulations 1974, as amended at any time.

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SCHEDULE.

Reg. 36 (1).

Road Traffic Act 1974.

Form 1.

Amended by
G.G. 23/7/76,
p. 2534;
G.G. 30/6/78,
p. 2141;
G.G. 2/2/82,
p. 403.

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.

Road Traffic Act 1974.

Form 2.

Reg. 37 (1)

CERTIFICATE OF APPOINTMENT OF WARDEN TO
CONTROL VEHICLES AND PEDESTRIANS AT CROSSINGS.

This is to certify that
is duly appointed under the provisions of section 13 of the Road Traffic Act 1974,
to perform the duties of controlling vehicles and pedestrians at children's crossings,
and pedestrian crossings, in respect of roads in the
and has such powers as are conferred on such wardens by the Act and Part VII
of the Road Traffic (Licensing) Regulations 1975.

Dated this day of 19.....

.....
Traffic Board.

Road Traffic Act 1974.

Form 3.

Reg. 37 (2)

CERTIFICATE OF APPOINTMENT OF WARDEN TO
PERFORM PARKING DUTIES.

This is to certify that
of
is duly appointed under section 13 of the Road Traffic Act 1974 to perform
duties relating to the parking and standing of vehicles and has such powers as
are conferred on such wardens by the Act and Part VII of the Road Traffic
(Licensing) Regulations 1975.

Dated this day of 19.....

.....
Traffic Board.

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Road Traffic Act 1974.

Reg. 37 (3)

Form 12

CERTIFICATE OF APPOINTMENT OF WARDEN
TO INSPECT MOTOR VEHICLES.

This is to certify that
of is duly
appointed under the provisions of section 13 of the Road Traffic Act 1974, to
perform the duties of the inspection of motor vehicles, and has such powers as
are conferred on such wardens by the Act and Part VII of the Road Traffic
(Licensing) Regulations 1975.

Dated this day of 19.....

.....
Traffic Board.
