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ROAD TRAFFIC ACT 1974-1980.

ROAD TRAFFIC (BREATH ANALYSIS) REGULATIONS 1975.

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ROAD TRAFFIC ACT 1974.

ROAD TRAFFIC (BREATH ANALYSIS) REGULATIONS 1975.

Citation.

1. These regulations may be cited as the Road Traffic (Breath Analysis) Regulations 1975.

Definitions. Amended by G.G. 5/5/78, p. 1391.

2. In these regulations, unless the contrary intention appears,—

"equilibrator" means an apparatus consisting of—

(a) a container of liquid bearing one or more labels inscribed "Testing solution for breath analysing equipment. Prepared by Government Chemical Laboratories. ";

(b) a cap fitted with an atomiser bulb, inlet tube, outlet tube; and

(c) a thermometer;

"Schedule" means a Schedule to these regulations;

"the Act" means the Road Traffic Act 1974.

Application.

3. These regulations apply whenever a sample of breath is provided for analysis for the purposes of the Act.

Certificates. Substituted by G.G. 15/2/80, p. 466.

4. (1) A certificate for the purposes of paragraph (a) of subsection (2) of section 70 of the Act shall be in the form of Form 1 in the First Schedule.

(2) A certificate for the purposes of paragraph (ba) of subsection (2) of section 70 of the Act shall be in the form of Form 2 in the First Schedule.

Operation of breath analysing equipment.

5. For the purpose of analysing a sample of a person's breath, breath analysing equipment shall be operated in accordance with the instructions set out in Part 1 of the Second Schedule.

Testing of equipment.

6. (1) The determination of whether breath analysing equipment is in proper working order shall be made by—

(a) operating the equipment in accordance with the instructions set out in Part 2 of the Second Schedule; and

(b) identifying the range, set out in Column 2 of the Third Schedule, that is applicable to the temperature recorded pursuant to item 10 of Part 2 of the Second Schedule.

(2) If the test result recorded pursuant to tem 13 of Part 2 of the Second Schedule falls within the applicable range identified pursuant to paragraph (b) of subregulation (1) of this regulation the breath analysing equipment is in proper working order.

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First Schedule. Amended by G.G. 15/2/80, p. 466.

First Schedule. Reg. 4.

Form 1.

Western Australia.

ROAD TRAFFIC ACT 1974.

I, ...

the Director of the Government Chemical Laboratories, pursuant to the power conferred on me by section 72 of the Road Traffic Act 1974, HEREBY CERTIFY that.....

is competent to operate breath analysing equipment.

Dated at Perth this.....day of..... 19.. ... .

.....

Director
Government Chemical Laboratories.

Form 2.

Western Australia.

ROAD TRAFFIC ACT 1974.
ROAD TRAFFIC (BREATH ANALYSIS) REGULATIONS 1975.

I, ..., an authorized person, within the meaning of section 65 of the Road Traffic Act 1974, HEREBY CERTIFY THAT:

1. ..... provided a sample of
(name)
breath for analysis on the .....
(date)
at .....
(time)

2. The sample of breath so provided was analysed by apparatus operated by me, and that apparatus was breath analysing equipment within the meaning of section 65 of the Road Traffic Act 1974.

3. The breath analysing equipment was operated by me in the prescribed manner and all regulations relating to analysis by breath analysing equipment were complied with.

4. The breath analysing equipment was determined by me in accordance with the abovementioned regulations to be in proper working order on the occasion of its operation, and

5. In accordance with paragraph (b) of subsection (4) of section 68 of the Road Traffic Act 1974 I completed, signed, and handed to the person named in paragraph 1 of this certificate a statement as required by that provision.

The analysis result obtained from the analysis referred to in this certificate was .....

.....
(Authorized Person)

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Second Schedule. Regs. 5 and 6.

PART 1.—ANALYSIS OF BREATH SAMPLE.

Item	Instruction.
1.	Ensure that the equipment is switched on, that the pointer of the null meter is centred, and that the reading on the sample chamber thermometer is within the limits of the calibrations shown on that thermometer.
2.	Wipe an ampoule and place it in the left hand holder.
3.	Break the top from another ampoule, insert a glass bubbler, wipe the ampoule, and place it in the right hand holder.
4.	Connect the glass bubbler to the delivery tube and ensure that the end of the bubbler is not touching the bottom of the ampoule.
5.	Ensure that the control knob is at the position marked "TAKE".
6.	Connect an atomiser bulb to the sample tube, pump the bulb until the green light comes on, and then pump at least six more times.
7.	Remove the atomiser bulb from the sample tube.
8.	Turn the control knob to the position marked "ANALYZE", wait for the red light to come on, and then wait for at least 90 seconds.
9.	Switch on the switch marked "LIGHT", centre the pointer of the null meter by adjusting the wheel marked "BALANCE", and then release the switch marked "LIGHT".
10.	Using the pointer adjustment knob, set the scale pointer on the start line of the blood alcohol scale.
11.	Turn the control knob to the position marked "TAKE".
12.	Connect a mouthpiece to the sample tube and direct the person whose breath is to be analysed to provide a sample of his breath into the equipment.
13.	Record the time at which the breath sample was taken.
14.	Remove the mouthpiece from the sample tube.
15.	Turn the control knob to the position marked "ANALYZE", wait for the red light to come on, and then wait for at least 90 seconds.
16.	Switch on the switch, marked "LIGHT", centre the pointer of the null meter by adjusting the wheel marked "BALANCE", and then release the switch marked "LIGHT".
17.	Record the analysis result as shown by the position of the scale pointer on the blood alcohol scale.

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PART 2.—TESTING OF BREATH ANALYSING EQUIPMENT.

Item	Instruction.
1.	Turn the control knob to the postion marked "TAKE".
2.	Connect an atomiser bulb to the sample tube, pump the bulb until the green light comes on, and then pump at least six more times.
3.	Remove the atomiser bulb from the sample tube.
4.	Turn the control knob to the position marked "ANALYZE", wait for the red light to come on, and then wait for at least 90 seconds.
5.	Switch on the switch marked "LIGHT", centre the pointer of the null meter by adjusting the wheel marked "BALANCE", and then release the switch marked "LIGHT".
6.	Using the pointer adjustment knob, set the scale pointer on the line marked ".00" on the blood alcohol scale.
7.	Turn the control knob to the position marked "TAKE".
8.	Connect the outlet of an equilibrator to the sample tube.
9.	Pump the atomiser bulb on the equilibrator until the green light comes on, and then pump at least six more times.
10.	Record the temperature shown on the thermometer in the equilibrator.
11.	Turn the control knob to the position marked "ANALYZE", wait for the red light to come on, and then wait for at least 90 seconds.
12.	Switch on the switch marked "LIGHT", centre the pointer of the null meter by adjusting the wheel marked "BALANCE", and then release the switch marked "LIGHT".
13.	Record the test result as shown by the position of the scale pointer on the blood alcohol scale.

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Third Schedule. Reg. 6.

Column 1	Column 2
Temperature °C	Applicable Range Minimum % Maximum %
More than 9.5 but not more than 10	Between 0.045 and 0.055, both inclusive.
More than 10 but not more than 10.5	Between 0.047 and 0.057, both inclusive.
More than 10.5 but not more than 11	Between 0.049 and 0.059, both inclusive.
More than 11 but not more than 11.5	Between 0.050 and 0.062, both inclusive.
More than 11.5 but not more than 12	Between 0.052 and 0.064, both inclusive.
More than 12 but not more than 12.5	Between 0.054 and 0.066, both inclusive.
More than 12.5 but not more than 13	Between 0.057 and 0.069, both inclusive.
More than 13 but not more than 13.5	Between 0.059 and 0.073, both inclusive.
More than 13.5 but not more than 14	Between 0.061 and 0.075, both inclusive.
More than 14 but not more than 14.5	Between 0.064 and 0.078, both inclusive.
More than 14.5 but not more than 15	Between 0.067 and 0.081, both inclusive.
More than 15 but not more than 15.5	Between 0.069 and 0.085, both inclusive.
More than 15.5 but not more than 16	Between 0.072 and 0.088, both inclusive.
More than 16 but not more than 16.5	Between 0.075 and 0.091, both inclusive.
More than 16.5 but not more than 17	Between 0.077 and 0.095, both inclusive.
More than 17 but not more than 17.5	Between 0.080 and 0.098, both inclusive.
More than 17.5 but not more than 18	Between 0.084 and 0.102, both inclusive.
More than 18 but not more than 18.5	Between 0.087 and 0.107, both inclusive.
More than 18.5 but not more than 19	Between 0.090 and 0.110, both inclusive.
More than 19 but not more than 19.5	Between 0.094 and 0.114, both inclusive.
More than 19.5 but not more than 20	Between 0.096 and 0.118, both inclusive.
More than 20 but not more than 20.5	Between 0.100 and 0.122, both inclusive.
More than 20.5 but not more than 21	Between 0.104 and 0.126, both inclusive.
More than 21 but not more than 21.5	Between 0.107 and 0.131, both inclusive.
More than 21.5 but not more than 22	Between 0.111 and 0.135, both inclusive.
More than 22 but not more than 22.5	Between 0.114 and 0.140, both inclusive.
More than 22.5 but not more than 23	Between 0.119 and 0.145, both inclusive.
More than 23 but not more than 23.5	Between 0.122 and 0.150, both inclusive.
More than 23.5 but not more than 24	Between 0.127 and 0.155, both inclusive.
More than 24 but not more than 24.5	Between 0.130 and 0.160, both inclusive.
More than 24.5 but not more than 25	Between 0.135 and 0.165, both inclusive.
More than 25 but not more than 25.5	Between 0.140 and 0.170, both inclusive.
More than 25.5 but not more than 26	Between 0.145 and 0.177, both inclusive.
More than 26 but not more than 26.5	Between 0.150 and 0.184, both inclusive.
More than 26.5 but not more than 27	Between 0.156 and 0.190, both inclusive.
More than 27 but not more than 27.5	Between 0.161 and 0.197, both inclusive.
More than 27.5 but not more than 28	Between 0.167 and 0.205, both inclusive.
More than 28 but not more than 28.5	Between 0.174 and 0.213, both inclusive.
More than 28.5 but not more than 29	Between 0.180 and 0.220, both inclusive.
More than 29 but not more than 29.5	Between 0.186 and 0.228, both inclusive.
More than 29.5 but not more than 30	Between 0.193 and 0.235, both inclusive.
More than 30 but not more than 30.5	Between 0.199 and 0.243, both inclusive.
More than 30.5 but not more than 31	Between 0.205 and 0.251, both inclusive.
More than 31 but not more than 31.5	Between 0.212 and 0.258, both inclusive.
More than 31.5 but not more than 32	Between 0.218 and 0.266, both inclusive.
More than 32 but not more than 32.5	Between 0.224 and 0.274, both inclusive.
More than 32.5 but not more than 33	Between 0.231 and 0.283, both inclusive.
More than 33 but not more than 33.5	Between 0.238 and 0.292, both inclusive.
More than 33.5 but not more than 34	Between 0.246 and 0.300, both inclusive.
More than 34 but not more than 34.5	Between 0.253 and 0.309, both inclusive.
More than 34.5 but not more than 35	Between 0.260 and 0.318, both inclusive.
More than 35 but not more than 35.5	Between 0.268 and 0.328, both inclusive.
More than 35.5 but not more than 36	Between 0.276 and 0.338, both inclusive.
More than 36 but not more than 36.5	Between 0.284 and 0.348, both inclusive.
More than 36.5 but not more than 37	Between 0.292 and 0.358, both inclusive.
More than 37 but not more than 37.5	Between 0.301 and 0.368, both inclusive.
More than 37.5 but not more than 38	Between 0.310 and 0.380, both inclusive.
More than 38 but not more than 38.5	Between 0.320 and 0.392, both inclusive.
More than 38.5 but not more than 39	Between 0.330 and 0.404, both inclusive.
More than 39 but not more than 39.5	Between 0.340 and 0.416, both inclusive.
More than 39.5 but not more than 40	Between 0.350 and 0.428, both inclusive.

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