



Western Australia

## **Road Traffic (Infringements) Regulations 1975**

Compare between:

[17 Oct 2009, 06-b0-03] and [14 Nov 2009, 06-c0-04]



Western Australia

Road Traffic Act 1974

## Road Traffic (Infringements) Regulations 1975

### 1. Citation

These regulations may be cited as the *Road Traffic (Infringements) Regulations 1975* <sup>1</sup>.

### 2. Term used: novice driver (type 1A)

In these regulations —

**novice driver (type 1A)** has the meaning given in the *Road Traffic (Authorisation to Drive) Regulations 2008* regulation 4(3).

[Regulation 2 inserted in Gazette 10 Jun 2008 p. 2462.]

### 3. Offences and penalties

- (1) The offences described in Schedule 1 are prescribed for the purposes of section 102 of the Act and the penalty appearing in the final column of that Schedule, directly opposite an offence, is the prescribed penalty in respect of that offence, if dealt with under that section.
- (2) In Schedule 1 column 1 a reference to a provision that creates an offence when read with section 107 of the Act shall be taken to include a reference to the provision read with section 107.
- (3) Every offence not referred to in subregulation (1) that is created by —

[(a)-(c) deleted]

**Road Traffic (Infringements) Regulations 1975**

r. 4

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- (d) the *Road Traffic (Licensing) Regulations 1975*; or
- (e) section 107(1) of the Act as read with any of the regulations referred to in paragraph (d),

is prescribed for the purposes of section 102 of the Act and the prescribed penalty for each such offence, if dealt with under that section, is one penalty unit (1 PU).

- (4) The offences prescribed by this regulation for the purposes of section 102 of the Act are prescribed in addition to the offences prescribed for the purposes of that section by —
  - (a) the *Road Traffic Code 2000*; or
  - (b) the *Road Traffic (Vehicle Standards) Regulations 2002*; or
  - (c) the *Road Traffic (Bicycles) Regulations 2002*; or
  - (d) the *Road Traffic (Animal Drawn Vehicles) Regulations 2002*; or
  - (e) the *Road Traffic (Authorisation to Drive) Regulations 2008*.

*[Regulation 3 amended in Gazette 11 Apr 1986 p. 1383; 23 Dec 1988 p. 4979; 28 Sep 1990 p. 5072; 23 Dec 1997 p. 7444-5; 1 Dec 2000 p. 6759; 1 Nov 2002 p. 5390; 23 Dec 2005 p. 6285; 1 Aug 2006 p. 2835; 10 Jun 2008 p. 2462-3.]*

**4. Prescribed officers**

- (1) For the purposes of section 102(5) of the Act, a person is a prescribed officer in relation to the notice for withdrawing a traffic infringement notice issued for an alleged offence relating to the traffic regulation provisions of the Act if the person is —
  - (a) a commissioned officer of Police;
  - (b) in a district to which section 110 of the Act applies, the traffic inspector, or where there is more than one, the senior traffic inspector for the district.

- (2) For the purposes of section 102(5) of the Act, a person is a prescribed officer, in relation to the notice for withdrawing a traffic infringement notice issued for an alleged offence relating to the licensing provisions of the Act, if the person holds office as —
- (a) the General Manager, Licensing Business Unit, Department of Transport; or
  - (b) the Principal Prosecutions Officer, Prosecutions, Department of Transport; or
  - (c) the Senior Prosecutions Officer, Prosecutions, Department of Transport; or
  - (d) the Prosecutions Officer, Prosecutions, Department of Transport.

*[Regulation 4 amended in Gazette 2 Feb 1982 p. 400; 17 Jan 1997 p. 439-40; 11 Apr 1997 p. 1859; 28 Feb 2003 p. 679-80; 23 Dec 2005 p. 6286; 1 Aug 2006 p. 2835-6; 16 Oct 2009 p. 4069.]*

[5. Deleted in Gazette 21 Dec 1990 p. 6288.]

**6. Offence of altering infringement notice**

A person who, not being a member of the Police Force or a warden appointed under section 7 of the Act, makes any alteration to an infringement notice, other than by printing on the notice any information required by, and where indicated on, the form of notice, commits an offence.

Penalty: Four penalty units (4 PU).

*[Regulation 6 inserted in Gazette 21 Dec 1990 p. 6288; amended in Gazette 17 Jan 1997 p. 440; 31 Jan 1997 p. 681; 23 Dec 1997 p. 7445.]*

**7. Prescribed forms**

- (1) The prescribed form of the traffic infringement notice referred to in section 102(1) of the Act is —

**Road Traffic (Infringements) Regulations 1975**

**r. 7**

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- (a) except in a case to which paragraph (b), (c), (d) or (e) applies, the form set out in Schedule 2 Form 1;
  - (b) in the case of a traffic infringement notice under section 102A of the Act, the form set out in Schedule 2 Form 1, made out to the responsible person;
  - (c) in the case of a traffic infringement notice under section 102B of the Act, the form set out in Schedule 2 Form 2;
  - (d) in the case of a traffic infringement notice issued for an alleged offence under section 24(2d) of the Act, the form set out in Schedule 2 Form 3; and
  - (e) in the case of a notice requesting information under section 102C(1) of the Act that is to be regarded as a traffic infringement notice, the form set out in Schedule 2 Form 4.
- (2) Subject to subregulation (3), the prescribed form of the notice for withdrawing a traffic infringement notice under section 102(5) of the Act is the form set out in Schedule 2 Form 5.
- (3) If the traffic infringement notice to be withdrawn was issued for an alleged offence relating to the licensing provisions of the Act, the prescribed form of the notice for withdrawing the traffic infringement notice is the form referred to in subregulation (2) but amended so that the details on the form that refer to the prescribed officer are appropriate to a prescribed officer mentioned in regulation 4(2).

*[Regulation 7 inserted in Gazette 21 Dec 1990 p. 6288; amended in Gazette 17 Jan 1997 p. 440; 11 Apr 1997 p. 1859; 23 Dec 2005 p. 6286.]*

**[8.** *Omitted under the Reprints Act 1984 s. 7(4)(f) and (g).]*

**Road Traffic (Infringements) Regulations 1975**  
 Prescribed offences and modified penalties      **Schedule 1**

**Schedule 1 — Prescribed offences and modified penalties**

[Reg. 3]

*[Heading inserted in Gazette 23 Dec 2005 p. 6286.]*

Provision Creating Offence	Nature of Offence	PU
<i>Road Traffic Act 1974</i>		
1. Section 24(1)	Failure of licence holder to forthwith notify change of vehicle ownership.....	2
2. Section 24(2d)	Failure to apply for the transfer of a vehicle licence within 28 days after the issue of a notice under section 24(2a)(b) .....	2
3. Section 27(3)	Failure to affix or keep affixed registration label.....	1
<i>[4. deleted]</i>		
5. Section 49(1)	Driving while not authorised, other than if s. 49(3) of the Act or item 5A applies .....	2
5A. Section 49(1)	Driving while not authorised if the driving is by a novice driver (type 1A) and between midnight and the following 5 a.m., other than if s. 49(3) of the Act applies .....	4
6. Section 50A(1)	Failure to carry or produce documents to do with authorisation other than Australian driver licence .....	1
7. Section 53(2)	Failure to produce a driver's licence within a reasonable time after demand, or at all.....	1
8. Section 62	Careless driving.....	2
9. Section 64AA	Driving or attempting to drive a motor vehicle while having a blood alcohol content of or above 0.05 g of alcohol per 100 mL of blood.....	2
9A. Section 64AAA	Driving or attempting to drive a motor vehicle while being a novice driver and having any blood alcohol content .....	1.5
10. Section 86(2)	Unlawfully parking on land not a road.....	1
11. Section 93	Failure to produce driver's licence in court ..	1

*[Headings and items 12-107 deleted]*

**Road Traffic (Infringements) Regulations 1975**  
**Schedule 1** Prescribed offences and modified penalties

<b>Provision Creating Offence</b>	<b>Nature of Offence</b>	<b>PU</b>
<i>Road Traffic (Licensing) Regulations 1975</i>		
108. Regulation 15(2)	Failure to deliver up on demand a suspended or cancelled vehicle licence or licence obtained by misrepresentation or fraud.....	2
109. Regulation 22(3)	Failure to return number plates.....	2
109A. Regulation 22(3a)	Failure to surrender number plates when required by notice issued whilst a compliance notice under Part 7 of the <i>Road Traffic (Vehicle Standards) Regulations 2002</i> is in force .....	2
110. Regulation 24(8)	Failure when required by notice to surrender non-reflective identification tablet or number plate other than special plates.....	2
111. Regulation 27	Painting or interfering with, or suffering another, paint or interfere with, any number plate, except for the purposes of reinstatement .....	2
112. Regulation 28(6)	Altering, defacing, obliterating or removing identification mark from engine, or stamping on or affixing to engine a purported identification mark.....	2
113. Regulation 34	Failure to hand over vehicle licence when disposing of used vehicle.....	2

*[Schedule 1, formerly First Schedule, inserted in Gazette 23 Dec 1997 p. 7445-51; amended in Gazette 23 Jun 1998 p. 3340-2; 20 Jul 1999 p. 3249; 30 Nov 1999 p. 5955; 1 Dec 2000 p. 6759; 1 Nov 2002 p. 5390; 23 Dec 2005 p. 6276 and 6286; 28 Nov 2006 p. 4912; 14 Mar 2008 p. 834; 10 Jun 2008 p. 2463; 27 Jun 2008 p. 3123.]*



**Schedule 2 — Forms**

[Reg. 7]

*[Heading inserted in Gazette 24 Feb 2006 p. 884.]*

**Form 1**

PART C DEFENDANT'S COPY      This space for cash register imprint      P.149  
To be retained  
by Cashier  
OFFICE USE ONLY

Please do not detach from Part B

PART B DEFENDANT'S COPY      This space for cash register imprint      P.149  
GENERAL TRAFFIC  
INFRINGEMENT NOTICE      DATE OF ISSUE  
*Road Traffic Act, Section 102*       /  /       B     

SEX  SURNAME   
GIVEN NAMES   
NUMBER/STREET   
SUBURB/TOWN  POSTCODE   
DRIVER'S LICENCE      EXPIRY DATE      CLASS      STATE      PROB.  
NUMBER       /  /                     
DATE OF BIRTH  /  /       "P" PLATES ATTACHED YES/NO      DRIVER/OTHER  
REG'N No.  C/R  /       VEHICLE MAKE \_\_\_\_\_ BODY \_\_\_\_\_  
It is alleged that at  Hrs. on \_\_\_\_\_ day  /  /  you committed the offence of

CODE <input type="text"/>		PRESCRIBED PENALTY \$ <input type="text"/>
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at ROAD/STREET   
LOCALITY   
STATION \_\_\_\_\_ POLICE OFFICER \_\_\_\_\_ No. \_\_\_\_\_

*Before making payment please print your Motor Driver's Licence No. and Date of Birth in the boxes provided if the officer has not already done this.*

D D M M Y Y      DRIVER'S LICENCE NUMBER  
DATE OF BIRTH  /  /      

**TAKE NOTICE THAT**

If you do not wish to have a complaint of the alleged offence heard and determined by a court, pay to the officer specified on the reverse of this notice, within 28 days, the prescribed penalty.  
If within 28 days from the Date of Issue you do not pay the penalty above, FURTHER ACTION WILL BE TAKEN in respect of the offence, and you will incur further costs.

**Road Traffic (Infringements) Regulations 1975**  
**Schedule 2** Forms

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**COURT:**

If you wish the matter to be dealt with by a court, do not pay the Infringement Notice. You should advise the Traffic Summons Section at \_\_\_\_\_ of your intentions in writing, before the due date otherwise further costs will be incurred.

**CREDIT CARD PAYMENTS: COMPLETE ALL DETAILS**  
**PLEASE DEBIT MY CREDIT CARD ACCOUNT.**

BANKCARD       MASTERCARD       VISA CARD  (TICK BOX)

CARD NUMBER	AMOUNT

CARDHOLDER NAME \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ EXPIRY DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

Reverse of Form

**WHO TO PAY**

(The officer to whom payment may be made is to be specified here.)  
*[Form 1 inserted in Gazette 8 Mar 1991 p. 1065.]*

**Road Traffic (Infringements) Regulations 1975**  
Forms      **Schedule 2**

**Form 2**

**TRAFFIC INFRINGEMENT NOTICE — PHOTOGRAPHIC EVIDENCE**

*Road Traffic Act 1974 section 102B*

<b>To:</b> <b>Address:</b>	<b>Notice No.:</b> <input style="width: 60%;" type="text"/>
	<b>Vehicle No.:</b> <input style="width: 60%;" type="text"/>

**PART A      OFFENCE DETAILS**

It is alleged that the following offence occurred and that you were a responsible person for the vehicle.

**Offence:**

**Location:**

**Offence date:**

**Offence time:**

**Issuing officer:**

**Rank and No.:**

**Demerit points:**

**PART B      IMPORTANT INFORMATION**

1. If you were NOT the driver or person in charge of the vehicle at the time of the offence alleged in Part A, notify the issuing officer.
2. You may elect to have the offence alleged in Part A heard in the Magistrates Court.
3. You may pay the modified penalty specified below on or before the due date specified below.

**MODIFIED PENALTY:**       **DUE DATE:**

**The officer to whom payment may be made is to be specified here**

**[Payment details to be included with this form]**

**Details of options, information that may be required and the consequence of non-payment should be set out as part of the Form.**

*[Form 2 inserted in Gazette 23 Dec 2005 p. 6287.]*

*[Form 2A deleted in Gazette 23 Dec 2005 p. 6287.]*

**Road Traffic (Infringements) Regulations 1975**  
**Schedule 2 Forms**

**Form 3**

**TRAFFIC INFRINGEMENT NOTICE — FAILURE TO APPLY FOR TRANSFER OF VEHICLE LICENCE**

*Road Traffic Act 1974 sections 24(2d) and 102(1)*

To:	Notice No.:
Address:	Vehicle No.:

**PART A OFFENCE DETAILS**

It is alleged that the following offence occurred and that you were a responsible person for the vehicle.

Offence details: It is alleged that you committed the offence of failing to make an application for the transfer of the licence for the vehicle within 28 days (or any longer period allowed by the Director General) after a notice has been issued to you under the *Road Traffic Act 1974* section 24(2a)(b).

Offence date: \_\_\_\_\_ Person issuing notice: \_\_\_\_\_

**PART B IMPORTANT INFORMATION**

1. You may elect to have the offence alleged in Part A heard in the Magistrates Court by filling in Part E on page 2 of this notice.
2. If you have not become the owner of the vehicle, you may choose not to pay the modified penalty specified below and instead complete Part F on page 3 of this notice and return it to the Department for Planning and Infrastructure at PO Box R1290 GPO Perth 6844 as soon as possible. Note however the further information in Part D.
3. You may pay the amount specified below on or before the due date specified below. If you do so you must complete Part G on page 3 of this notice.

Amounts payable:	Stamp duty:	<input type="text"/>	Transfer fee:	<input type="text"/>
	Stamp duty fine:	<input type="text"/>	Modified penalty:	<input type="text"/>
TOTAL AMOUNT DUE:		<input type="text"/>	DUE DATE:	

**PART C PAYMENT DETAILS**

Please note the further information in Part D (overleaf).  
 If paying by post send this slip with your payment to: Department for Planning and Infrastructure Payment Centre GPO Box K777 Perth WA 6842.

If paying in person present this notice intact at any Australia Post Office or agency.

Infringement No.:

Due date:

Amount due:

**Complete this authorisation for credit card payments**

Please debit my  Visa  Mastercard  Bankcard

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Cardholder name \_\_\_\_\_ Card expiry \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Cheques and money orders must be made payable to the "Department for Planning and Infrastructure".

**Road Traffic (Infringements) Regulations 1975**  
Forms      **Schedule 2**

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*Page 2 of Form 3*

**PART D      YOUR OPTIONS — FURTHER DETAILS**

**IMPORTANT INFORMATION:**

If, on or before ....., you have not either paid the modified penalty or elected to have the alleged offence determined in court, then this infringement notice will, unless the notice is withdrawn on the basis of information provided by you in Part E, be registered at the Fines Enforcement Registry. You will incur further costs and a vehicle licence suspension may be imposed. If any information provided by you in Part E does not lead to the withdrawal of this notice, you will be notified by mail.

**PAYMENT** will only be accepted if —

the payment is received on or before ..... (**no extensions will be given**);

the payment is made in full (**part payments will not be accepted**); and

the payment is made to the Department for Planning and Infrastructure, Payment Centre, an Australia Post Office or agency.

**Cheques and money orders must be made payable to the "Infringement Payment Centre".**

**PART E      ELECTING TO GO TO COURT**

I elect to have the offence alleged in Part A heard and determined in court. I understand that I will receive a summons in due course.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If the address for that summons differs from that printed on the front page of this notice enter the new address below.

Address: \_\_\_\_\_ Suburb: \_\_\_\_\_ Postcode: \_\_\_\_\_

**Mail this completed form to the Department for Planning and Infrastructure PO Box R1290 GPO Perth 6844.**

**Road Traffic (Infringements) Regulations 1975**  
**Schedule 2 Forms**

Page 3 of Form 3

PART F INFORMATION REGARDING WHO WAS THE OWNER OF THE VEHICLE	
<b>Statement</b>	
I ..... [name], of ..... [address], being authorised to make statements for ..... [if this notice is not addressed to an individual] declare that I am not the owner of the vehicle stated on the front of this notice and that the vehicle is instead owned by —	
Surname: _____	Given name: _____ Ph.: _____
Address: _____	Suburb: _____ Postcode: _____
Signature of person making statement: _____	Date: _____

PART G APPLICATION FOR TRANSFER	
<b>DEFINITIONS</b>	
1. The "purchase price" of a vehicle includes — (a) any amount allowed by the seller of a vehicle on a trade in or an exchange of any article; and (b) any amount paid to the seller of a vehicle for things included with or incorporated into the vehicle or for the preparation of the vehicle for delivery to the purchaser.	
2. The "market value" of a vehicle means the market value of the vehicle at the time of the application for it to be transferred from the previous owner under Part C.	
3. As a general rule, the market value of a vehicle is the same as its purchase price, including any amount referred to in 1(a) and (b) above, and adding any special discount allowed which is not available to the public generally (such as a sales tax exemption).	
<b>Warning:</b> A transferee who understates the purchase price or market value of a vehicle commits an offence under the <i>Stamp Act 1921</i> and is liable to a penalty of \$10 000. The transferee is also liable for the payment of the stamp duty that was not paid as a result of the understated purchase price, together with a fine of 100% of that duty.	

<b>APPLICATION</b>	
1. I apply for the vehicle, the details of which are shown on the front of this notice, to be transferred from the previous owner.	
Surname: _____	Given name: _____ Ph.: _____
Address: _____	Suburb: _____ Postcode: _____
Driver's Licence: _____	Company (if any): _____ ACN: _____
2. I purchased this vehicle and its purchase price was: _____ Dealer organisation code (if any): _____	
3. The market value of the vehicle at the time of making this declaration is: _____	
Signature of person making application: _____	Date: _____

<b>DEALER'S CERTIFICATE STAMP ACT 1921 SECTION 76C(7)</b> (To be completed by motor vehicle dealers only)	
As the person, or an authorised officer of the company, referred to above, I certify that the motor vehicle described on the front of this notice will be used for the purpose of resale in the ordinary course of business.	
Dealer organisation code: _____	
Signature: _____	Date: _____

Mail this completed form to the Department for Planning and Infrastructure PO Box R1290 GPO Perth 6844.

[Form 3 inserted in Gazette 23 Dec 2005 p. 6287-9.]

**Road Traffic (Infringements) Regulations 1975**  
Forms      **Schedule 2**

**Form 4**

**MOTOR VEHICLE OFFENCE — NOTICE REQUESTING INFORMATION / ~~TRAFFIC INFRINGEMENT NOTICE — PHOTOGRAPHIC EVIDENCE~~**

Road Traffic Act 1974 ~~section s. 102C(4), 102D~~

To: Address: <i>[Name and address of responsible person]</i>	Notice No. <i>[Notice No.]</i>	
Specified Day: <i>[Vehicle No.]</i>	Vehicle No. <i>[Vehicle No.]</i>	
Date of issue <i>[Issue date]</i>		

**PART A — OFFENCE DETAILS**

Offence: \_\_\_\_\_

Location: \_\_\_\_\_

Issuing officer: _____	Rank and No.: _____	Offence Compliance date: _____ Offence time: <i>[Compliance date]</i>
Demerit points: _____		

**PART B — IMPORTANT REQUEST FOR INFORMATION**

1. ~~The primary purpose of this notice is for~~ Under the Road Traffic Act 1974 you ~~to advise~~ are a responsible person for the vehicle referred to above.

It is alleged that the offence described in Part A was committed involving that vehicle. As a responsible person you are required to give to the WA Police ~~who was driving of~~ the name and address of the driver or person in charge of the vehicle at the time of the offence alleged in Part A — offence.

To do this you may complete fill in Part B and return one of the Divisions of Part F of this notice within 14 days of the specified day (specified at the top of this form) to avoid ~~by~~ the modified penalty below ~~compliance date~~.

Failing to provide the information as requested is an offence. There is more information about this overleaf.

Issuing officer: _____	PD No. _____
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**PART A DETAILS OF OFFENCE**

Offence: _____
Location: _____
Date and time: _____ hours

These images identify the vehicle involved in the alleged offence and may assist you to identify the driver.

*[Photographs of vehicle]*

**PART B INFORMATION TO BE PROVIDED**

- Deleted Cells
- Deleted Cells
- Deleted Cells
- Merged Cells
- Inserted Cells
- Inserted Cells
- Deleted Cells
- Deleted Cells
- Inserted Cells
- Deleted Cells

**Road Traffic (Infringements) Regulations 1975**  
**Schedule 2 Forms**

2. If photographic evidence of the offence was enclosed with this notice and you failed to comply with s.102C(3) of the Act within 14 days after the specified day shown above, you commit an offence which may be dealt with in the Magistrates Court or by paying the modified penalty shown in this Part to the officer specified in Part E within 28 days after the specified day shown above.

**Please note that there is further information in Part E (overleaf). If you know who was driving or in charge of the vehicle at the time of the alleged offence, fill in Division 1.**

**If the vehicle had been stolen or unlawfully taken or used, fill in Division 2.**

**If you do not know who was driving at the time, you may make a statutory declaration to that effect as described in Division 3.**

Deleted Cells

<b>MODIFIED PENALTY:</b>		<b>DUE DATE:</b>	
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**PART C PHOTOGRAPHIC EVIDENCE**

<b>Division 1 Driver or person in charge known</b>	The images below are a representation of the original photographic evidence. Due to the limitations of printing photographs in this format they are not intended or expected to duplicate the quality of the original images. <input type="checkbox"/> Driver or <input type="checkbox"/> Person in charge of vehicle
Surname _____	Given names _____
No. and street _____	Suburb _____ Postcode _____
Phone No. _____	Driver's licence No. _____ State _____

Inserted Cells

<b>Division 2 Vehicle stolen or unlawfully taken or used</b>	<input type="checkbox"/> Stolen or unlawfully taken or used
Reported to police <input type="checkbox"/> Yes Report No.	

<b>Division 3 Driver or person in charge not known</b>	
[Photographs of vehicle]	
<p>These images identify the vehicle. There is no legal requirement for them to identify the driver of the vehicle. You, as the "responsible person" for this vehicle, are required to identify the driver at the time. These images may assist you in this identification. <b>Does not apply if photographic evidence not enclosed</b> If you do not know and cannot reasonably ascertain the name and address of the driver or person in charge of the vehicle at the time of the alleged offence you may give a statutory declaration to that effect. The statutory declaration must be returned with this form.</p>	

**PART D PAYMENT DETAILS**

**{Payment details are to be included with this form and the officer to whom payment may be made is to be specified here }**

A statutory declaration must be made in accordance with the Oaths, Affidavits and Statutory Declarations Act 2005. It must be signed before an authorised witness. An example statutory declaration is available at [www. Police website](http://www.Police website) . Making a false statutory declaration is an offence for which you may be imprisoned for 5 years.

**SIGN AND RETURN FORM**

Surname _____	Given names _____
No. and street _____	Suburb _____ Postcode _____



Road Traffic (Infringements) Regulations 1975  
Forms Schedule 2

Phone No.	Position
Signature	Date
Return By post	[Postal address]
Return In person	[Street address]

Reverse of Form 4

PART E - YOUR OPTIONS — FURTHER DETAILS **if you have filled in Part B on the front of the form, DO NOT FILL IN THIS SIDE OF THE FORM**

FAILING TO PROVIDE REQUESTED INFORMATION IS AN OFFENCE	
If you do not complete Part B and return this form by the compliance date set out on the front of this form you commit an offence — called the “failing to comply offence”.	
This notice then has effect as an infringement notice about the failing to comply offence.	
<b>IMPORTANT INFORMATION:</b> If you fail to comply with s.102C(3) of the Act, then — this notice is <u>do not want to be regarded as an infringement notice prosecuted for your failure</u> the failing to comply; — the amount due under Part B is the modified penalty for that failure to comply; and — unless offence, you, by .....; either (1) can pay the modified penalty. To do this you must pay the modified penalty within the time specified or (2) elect to have the matter dealt with in court; you may be liable for extra costs.	Infringement No. [Notice No.]
<b>PAYMENT</b> will only be accepted if — by the payment is received on or before .....; — the payment is made in full; and — the payment is made as specified in this notice date. The options for how to pay are set out in Part D below.	Modified penalty [Modified penalty]
<b>PART F - INFORMATION REGARDING WHO WAS DRIVING OR IN CHARGE OF THE VEHICLE</b>	Payment date [Payment date]

Please complete Division 1 OR 2 or, if photographic evidence was enclosed, Division 3.

**Division 1:** The person who was driving / in charge of (delete whichever is inapplicable) the vehicle was —

Su m am e:	Given name:	P h :
Ad dr es s:	S u b ur b:	Pe ste od e:
Name of person making statement:		Pe siti on :

Merged Cells

Inserted Cells

Inserted Cells

**Road Traffic (Infringements) Regulations 1975**  
**Schedule 2 Forms**

Signature: _____	Date: _____
<p><b>Division 2:</b> At the time of the offence the vehicle was stolen / unlawfully taken or used (delete whichever is inapplicable):</p> <p>Date, time and circumstances in which you discovered vehicle had been stolen / taken / unlawfully used:</p> <p>_____</p> <p>_____</p>	
Name of person making statement: _____	Position: _____
Signature: _____	Date: _____
<p><b>Division 3: Statutory Declaration</b></p> <p>I, _____ [name], of _____ [address], being authorised to make statements for _____ do solemnly and sincerely declare that I do not know and cannot reasonably ascertain the name and address of the driver or person in charge of the vehicle at the time of the offence alleged in Part A. If you do not do pay the modified penalty you may be prosecuted for committing the failing to comply offence.</p> <p>The maximum fine for the failing to comply offence is double the maximum fine that could be imposed by a court for the vehicle offence described in Part A. You may also be ordered to pay costs, and I make this solemn declaration by virtue of section 106 of the Evidence Act 1906. If you want the offence dealt with by a court, fill in Part C and return this form by the payment date.</p> <p>Declared at: _____ Before: _____</p>	
<b>PART C FAILING TO COMPLY OFFENCE – ELECTION TO GO TO COURT</b>	
<input type="checkbox"/> I elect to have the failing to comply offence described above dealt with by a court.	
Surname _____	Given names _____
No. and street _____	Suburb _____ Post code _____
Phone No. _____	Position _____
Signature: _____	Date: _____ Signature: _____
Return form _____	By post [Postal address] _____ JP, CD, Police Officer etc.
_____	in person [Street address] _____
<b>PART D FAILING TO COMPLY OFFENCE – PAYMENT OPTIONS</b>	
<p><b>Mail or personally deliver this completed form to the officer in charge, Infringement Management and Operations GPO Box S1400 Perth WA 6845, or personally deliver it to the officer in charge of any police station. [Details of how to pay:</b></p> <p><i>in person</i></p> <p><i>by post</i></p> <p><i>by any available electronic or other methods.]</i></p>	

- Deleted Cells
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**Road Traffic (Infringements) Regulations 1975**  
Forms **Schedule 2**

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[Form 4 inserted in Gazette ~~23 Dec 2005~~ [13 Nov 2009](#)  
p. ~~6289-90~~ [4539-40](#).]

**Form 5**

**WITHDRAWAL OF TRAFFIC INFRINGEMENT NOTICE**

*Road Traffic Act 1974 section 102(5) or 102C(5)*

To: Address:	Notice No.:
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**PART A      INFRINGEMENT NOTICE WITHDRAWN**

AN INFRINGEMENT NOTICE SERVED ON YOU HAS BEEN WITHDRAWN. ANY PAYMENT THAT HAS BEEN MADE WILL BE REFUNDED AND —

NO FURTHER ACTION WILL BE TAKEN\*

A SUMMONS WILL BE ISSUED\*

[\* delete whichever is not applicable]

**PART B      DETAILS OF WITHDRAWN NOTICE**

Notice No.:		Date notice withdrawn:	
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**PART C      PRESCRIBED OFFICER WHO ISSUED THIS NOTICE**

Name:		Signature:	
		Date:	

*[Form 5 inserted in Gazette 23 Dec 2005 p. 6290.]*

## Road Traffic (Infringements) Regulations 1975

### Notes

- <sup>1</sup> This is a compilation of the *Road Traffic (Infringements) Regulations 1975* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Road Traffic (Infringements) Regulations 1975</i>	29 May 1975 p. 1521-31	1 Jun 1975
Untitled regulations	3 Oct 1975 p. 3774	3 Oct 1975
Untitled regulations	7 Nov 1975 p. 4130	7 Nov 1975
Untitled regulations	14 Nov 1975 p. 4185	14 Nov 1975
Untitled regulations	28 May 1976 p. 1580	28 May 1976
Untitled regulations	4 Jun 1976 p. 1684	4 Jun 1976
Untitled regulations	2 Jul 1976 p. 2294	2 Jul 1976
Untitled regulations	8 Oct 1976 p. 3636	8 Oct 1976
Untitled regulations	26 Nov 1976 p. 4773	26 Nov 1976
Untitled regulations	22 Jul 1977 p. 2357	22 Jul 1977
Untitled regulations	10 Nov 1977 p. 4191	14 Nov 1977
Untitled regulations	18 Nov 1977 p. 4308	18 Nov 1977
Untitled regulations	2 Feb 1979 p. 307	2 Feb 1979
Untitled regulations	12 Apr 1979 p. 986	12 Apr 1979
Untitled regulations	27 Apr 1979 p. 1085	27 Apr 1979

## Road Traffic (Infringements) Regulations 1975

Citation	Gazettal	Commencement
Untitled regulations <sup>2</sup>	1 Jun 1979 p. 1438-9	1 Jun 1979
Untitled regulations	29 Jun 1979 p. 1777-8	29 Jun 1979
Untitled regulations	17 Aug 1979 p. 2487	17 Aug 1979
<b>Reprint of the Road Traffic (Infringements) Regulations 1975 authorised 28 Jan 1981</b> (published in <i>Gazette</i> 11 Feb 1981 p. 589-604) (includes amendments listed above)		
<i>Road Traffic (Infringements) Amendment Regulations 1981</i>	10 Apr 1981 p. 1181-2	10 Apr 1981
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1981</i>	29 May 1981 p. 1610	29 May 1981
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 1981</i>	2 Nov 1981 p. 4507-19	2 Nov 1981
<i>Road Traffic (Infringements) Amendment Regulations 1982</i>	2 Feb 1982 p. 400-1	2 Feb 1982 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1982</i>	14 Jan 1983 p. 215	1 Feb 1983 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations 1985</i>	1 Mar 1985 p. 792	1 Mar 1985
<i>Road Traffic (Infringements) Amendment Regulations 1986</i>	11 Apr 1986 p. 1383-8	1 Jun 1986 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1986</i>	19 Dec 1986 p. 4877	19 Dec 1986
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 1987</i>	27 Nov 1987 p. 4261	27 Nov 1987
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1987</i>	18 Dec 1987 p. 4461	15 Jan 1988 (see r. 2 and <i>Gazette</i> 18 Dec 1987 p. 4459)
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1988</i>	17 Jun 1988 p. 1950-1	1 Jul 1988 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations 1988</i>	28 Oct 1988 p. 4284-5	28 Oct 1988 (see r. 2 and <i>Gazette</i> 28 Oct 1988 p. 4286)
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 1988</i>	23 Dec 1988 p. 4979-83	23 Dec 1988
<i>Road Traffic (Infringements) Amendment Regulations (No. 4) 1988</i>	13 Jan 1989 p. 73-4	6 Feb 1989 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations 1989</i>	21 Jul 1989 p. 2221	21 Jul 1989 (see r. 2 and <i>Gazette</i> 21 Jul 1989 p. 2212)

**Road Traffic (Infringements) Regulations 1975**

Citation	Gazettal	Commencement
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1989</i>	28 Jul 1989 p. 2322	28 Jul 1989
<b>Reprint of the Road Traffic (Infringements) Regulations 1975 as at 14 Mar 1990</b> (published in <i>Gazette</i> 3 Apr 1990 p. 1681-92) (includes amendments listed above)		
<i>Road Traffic (Infringements) Amendment Regulations 1990</i>	30 Mar 1990 p. 1662-3 (erratum 6 Apr 1990 p. 1767)	1 Apr 1990 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1990</i>	4 May 1990 p. 2225	4 May 1990
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 1990</i>	8 Jun 1990 p. 2683	30 Jun 1990 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations (No. 4) 1990</i>	3 Aug 1990 p. 3789-90	31 Aug 1990 (see r. 2)
<i>Regulations Amendment (Towed Agricultural Implements) Regulations 1990 Pt. 4</i>	28 Sep 1990 p. 5071-3	1 Nov 1990 (see r. 2 and <i>Gazette</i> 28 Sep 1990 p. 5073)
<i>Road Traffic (Infringements) Amendment Regulations (No. 5) 1990</i>	9 Nov 1990 p. 5585	9 Nov 1990
<i>Road Traffic (Infringements) Amendment Regulations (No. 6) 1990</i>	21 Dec 1990 p. 6288-91	21 Dec 1990
<i>Road Traffic (Infringements) Amendment Regulations 1991</i>	8 Mar 1991 p. 1064-5	8 Mar 1991
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1991</i>	20 Dec 1991 p. 6371	20 Dec 1991
<i>Road Traffic (Infringements) Amendment Regulations 1992</i>	31 Dec 1992 p. 6390-2	31 Dec 1992
<i>Road Traffic (Infringements) Amendment Regulations 1993</i>	1 Jun 1993 p. 2729	16 Jun 1993 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations 1994</i>	13 Dec 1994 p. 6755-6	1 Jan 1995 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations 1995</i>	19 Jan 1996 p. 250-1	1 Feb 1996 (see r. 2)
<b>Reprint of the Road Traffic (Infringements) Regulations 1975 as at 4 Jun 1996</b> (includes amendments listed above)		
<i>Road Traffic Regulations Amendment (Greenmount Hill Speed Restriction) Regulations 1996 r. 4</i>	1 Nov 1996 p. 5795-7	1 Nov 1996

**Road Traffic (Infringements) Regulations 1975**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Road Traffic (Infringements) Amendment Regulations 1996</i>	17 Jan 1997 p. 439-44	17 Jan 1997
<i>Road Traffic (Infringements) Amendment Regulations 1997</i>	31 Jan 1997 p. 681	1 Feb 1997 (see r. 2 and <i>Gazette</i> 31 Jan 1997 p. 613)
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1997</i>	11 Apr 1997 p. 1859	11 Apr 1997
<i>Road Traffic Regulations Amendment (Pilots of Over-dimensional Vehicles) Regulations 1997 r. 7</i>	30 May 1997 p. 2499-501	1 Jul 1997 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 1997</i>	23 Dec 1997 p. 7444-51	1 Jan 1998 (see r. 2 and <i>Gazette</i> 23 Dec 1997 p. 7400)
<i>Road Traffic (Infringements) Amendment Regulations 1998</i>	23 Jun 1998 p. 3340-2	1 Jul 1998 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 1998</i>	8 Dec 1998 p. 6588-9	8 Dec 1998 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 1999</i>	20 Jul 1999 p. 3248-9	20 Jul 1999
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 1999<sup>3</sup></i>	28 Sep 1999 p. 4705-6	1 Jan 2001 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations 1999</i>	30 Nov 1999 p. 5954-5	30 Nov 1999
<b>Reprint of the Road Traffic (Infringements) Regulations 1975 as at 18 Feb 2000</b> (includes amendments listed above except those in <i>Gazette</i> 28 Sep 1999)		
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 2000</i>	1 Dec 2000 p. 6759	1 Dec 2000 (see r. 2)
<i>Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002 Pt. 3</i>	1 Nov 2002 p. 5388-400	1 Nov 2002 (see r. 2)
<i>Road Traffic (Infringements) Amendment Regulations 2003</i>	28 Feb 2003 p. 679-80	28 Feb 2003
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 2005</i>	23 Dec 2005 p. 6276	23 Dec 2005
<i>Road Traffic (Infringements) Amendment Regulations 2005</i>	23 Dec 2005 p. 6285-90	1 Jan 2006 (see r. 2 and <i>Gazette</i> 23 Dec 2005 p. 6244-5)
<i>Road Traffic (Infringements) Amendment Regulations 2006</i>	24 Feb 2006 p. 883-4	24 Feb 2006



**Road Traffic (Infringements) Regulations 1975**

Citation	Gazettal	Commencement
<i>Road Traffic (Infringements) Amendment Regulations (No. 3) 2006</i>	1 Aug 2006 p. 2835-6	1 Aug 2006
<b>Reprint 5: The Road Traffic (Infringements) Regulations 1975 as at 18 Aug 2006</b> (includes amendments listed above)		
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 2006</i>	28 Nov 2006 p. 4911-12	4 Dec 2006 (see r. 2 and <i>Gazette</i> 28 Nov 2006 p. 4889)
<i>Road Traffic Legislation Amendment Regulations 2008 Pt. 5</i>	14 Mar 2008 p. 832-4	15 Mar 2008 (see r. 2(b) and <i>Gazette</i> 14 Mar 2008 p. 829)
<i>Road Traffic Consequential Amendment Regulations 2008 Pt. 4</i>	10 Jun 2008 p. 2449-67	30 Jun 2008 (see r. 2(b) and <i>Gazette</i> 10 Jun 2008 p. 2471)
<i>Road Traffic Amendment (Novice Driver Penalties) Regulations 2008 Pt. 3</i>	27 Jun 2008 p. 3119-24	1 Jul 2008 (see r. 2(b) and <i>Gazette</i> 27 Jun 2008 p. 3117)
<b>Reprint 6: The Road Traffic (Infringements) Regulations 1975 as at 3 Apr 2009</b> (includes amendments listed above)		
<i>Road Traffic (Infringements) Amendment Regulations (No. 2) 2009</i>	16 Oct 2009 p. 4069	r. 1 and 2: 16 Oct 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Oct 2009 (see r. 2(b))
<a href="#"><i>Road Traffic (Infringements) Amendment Regulations 2009</i></a>	<a href="#">13 Nov 2009 p. 4539-40</a>	<a href="#">r. 1 and 2: 13 Nov 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Nov 2009 (see r. 2(b))</a>

<sup>2</sup> This amendment was superseded in *Gazette* 29 Jun 1979 p. 1777-8.

<sup>3</sup> The amendments to the First Schedule do not have effect because the items they would have amended were deleted in *Gazette* 1 Dec 2000 p. 6759.