



Western Australia

Road Traffic Act 1974

Road Traffic (Licensing) Regulations 1975

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Road Traffic (Licensing) Regulations 1975

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Defined Terms

Western Australia

Road Traffic Act 1974

Road Traffic (Licensing) Regulations 1975

Part I — Preliminary

1. Citation

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

[*Regulation 1 amended in Gazette 28 Nov 2006 p. 4910; 22 Jun 2007 p. 2874.*]

[2. *Deleted in Gazette 31 Mar 1989 p. 856.*]

3. Terms used

- (1) In these regulations unless the context otherwise requires —
- agricultural implement** has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;
 - agricultural machine** has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;
 - agricultural vehicle** has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;
 - authorised vehicle examiner** means a person authorised in accordance with regulation 3A to examine and test vehicles;
 - axle** means the axis of rotation of a row of tyres;
 - car or bus** means a motor vehicle, other than a motor cycle, or a motorised wheelchair, built mainly to carry people and includes the type of vehicle known as a utility;

compliance plate in relation to a vehicle means a plate that —

- (a) is approved by the Australian Motor Vehicle Certification Board;
- (b) relates to the vehicle; and
- (c) indicates that the vehicle complies with all Australian Design Rules applicable to vehicles of that make, model and year of manufacture;

converter dolly has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;

electric personal transporter has the meaning given in the *Road Traffic Code 2000* regulation 3(1);

electric personal transporter use area has the meaning given in the *Road Traffic Code 2000* regulation 3(1);

goods vehicle means a motor vehicle built or modified to be used primarily to carry goods or materials used in any trade, business or industry;

heavy trailer means a trailer, other than a towed special purpose vehicle, with an MRC exceeding 4 500 kilograms;

heavy vehicle means —

- (a) a vehicle with an MRC exceeding 4 500 kilograms that is an agricultural vehicle, a car or bus, a goods vehicle, a motor home, a prime mover or a special purpose vehicle; or
- (b) a heavy trailer;

identifier, in relation to a vehicle, has the same meaning as in regulation 2 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*;

licence holder, in relation to a vehicle, means a person in whose name the vehicle is licensed;

manufacturer's gross vehicle mass means the value recorded by the Director General as the maximum laden mass recommended by the manufacturer, by specification or otherwise, at which that vehicle, or a vehicle of the same make

and class or series, or a similar class or series, should be operated;

motor cycle means a motor vehicle, other than a motorised wheelchair or a goods vehicle, that is not equipped with a permanent cab and cab roof and that —

- (a) is designed to travel on 2 wheels, or, with a sidecar attached, 3 wheels; or
- (b) has 3 wheels arranged so that the axis of rotation of 2 wheels lies on the same straight line and each of those 2 wheels is equidistant from the third;

motor home means a motor vehicle built for human habitation;

motor vehicle has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;

motorised wheelchair means a chair-type vehicle that —

- (a) is fitted with 3 or more wheels; and
- (b) is fitted and designed only for the use of persons with a physical disability;

MRC (which stands for “mass rating for charging”) means —

- (a) the mass recorded on the compliance plate as —
 - (i) the aggregate trailer mass;
 - (ii) the gross trailer mass rating; or
 - (iii) the gross vehicle mass;or
- (b) in relation to a vehicle where there is no compliance plate, the maximum permissible loaded mass of the vehicle as determined by the Director General;

name plates means identification tablets or number plates referred to in regulation 24(4b);

ordinary plates means identification tablets or number plates that are not personalised plates, trade plates referred to in regulation 26, special plates or name plates;

personalised plates means —

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- (a) in relation to personalised plates issued before the coming into operation of the *Road Traffic (Licensing) Amendment Regulations 1988*¹, identification tablets or number plates being reflective plates consisting of no more than 7 characters, the first being a letter and the last being the letter “P”;
- (b) in relation to personalised plates issued after the coming into operation of the *Road Traffic (Licensing) Amendment Regulations 1988*¹, identification tablets or number plates being reflective plates consisting of no more than 6 characters, the first being a letter;

prime mover has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;

reflective plates means identification tablets or number plates that have —

- (a) non-reflective identifying characters superimposed on a reflective background; or
- (b) reflective identifying characters superimposed on a non-reflective background;

renewal period, in relation to a vehicle licence, means the period —

- (a) beginning 3 months before the day on which the licence is to expire; and
- (b) in the case of a licence except a seasonal heavy vehicle licence, ending 3 months after the day on which the licence expired; and
- (c) in the case of a seasonal heavy vehicle licence, ending —
 - (i) 2 months after the day on which the licence expired; or
 - (ii) 11 months after the day on which the licence was granted,whichever comes first;

repairable write-off has the same meaning as in regulation 2 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*;

restricted access vehicle has the same meaning as it has in the Vehicle Standards;

seasonal heavy vehicle licence means a heavy vehicle licence that is endorsed “seasonal” under regulation 9A(7);

semi-trailer has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;

special plates means identification tablets or number plates referred to in regulation 24(4a);

special purpose vehicle means a vehicle, other than a tow truck or an agricultural vehicle, built for a purpose other than carrying passengers or a load;

statutory write-off has the same meaning as in regulation 7 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*;

tow truck has the meaning given to that term in the *Road Traffic (Tow Truck) Regulations 1975* regulation 2;

trailer has the meaning given to that term in the *Road Traffic (Vehicle Standards) Regulations 2002*;

unloaded mass has the same meaning as it has in the Vehicle Standards;

vehicle identification number means a vehicle identification number that is required under the Vehicle Standards to be affixed to a vehicle;

Vehicle Standards means the *Road Traffic (Vehicle Standards) Regulations 2002* and the *Road Traffic (Vehicle Standards) Rules 2002*;

Written-Off Vehicle Register means the register maintained under regulation 13 of the *Road Traffic (Written-Off Vehicle Register) Regulations 2003*.

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- (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.
- (3) On a vehicle's compliance plate —
 - “ATM” refers to “aggregate trailer mass”;
 - “GTMR” refers to “gross trailer mass rating”;
 - “GVM” refers to “gross vehicle mass”.
- (4) For the purposes of these regulations —
 - (a) 2 axles not more than one metre apart shall be regarded as one axle;
 - (b) 3 axles, where the outside axles are not more than 2 metres apart, shall be regarded as 2 axles; and
 - (c) 4 axles, where the outside axles are not more than 3.2 metres apart, shall be regarded as 3 axles.

[Regulation 3 amended in Gazette 1 Aug 1975 p. 2795; 5 Dec 1975 p. 4369; 23 Jul 1976 p. 2534; 20 May 1977 p. 1510-11; 10 Nov 1977 p. 4189; 29 Sep 1978 p. 3578; 31 Dec 1980 p. 4427; 2 Feb 1982 p. 401; 24 May 1985 p. 1761; 29 Nov 1985 p. 4452; 10 Jun 1988 p. 1906; 30 Jun 1989 p. 1906; 21 Sep 1990 p. 4940; 28 Sep 1990 p. 5072-3; 24 Nov 1995 p. 5449; 22 Dec 1995 p. 6194-5; 24 May 1996 p. 2173-4; 31 Jan 1997 p. 682; 1 Jul 1997 p. 3273; 25 May 1999 p. 2068; 1 Nov 2002 p. 5391; 3 Jan 2003 p. 11; 31 Oct 2003 p. 4566-7; 16 Sep 2005 p. 4326; 28 Nov 2006 p. 4899-900; 31 Dec 2009 p. 5405-6; 24 Sep 2010 p. 5018; 12 Apr 2013 p. 1540.]

3AA. Vehicles required to be licensed

- (1) A vehicle for which a licence is required by section 15(1) of the Act is any motor vehicle or trailer except as described in subregulation (2).

- (2) The exception in subregulation (1) applies to —
- (a) an agricultural implement being towed on a road by another vehicle if the towing vehicle is the subject of a vehicle licence or permit; or
 - (b) an unlicensed vehicle of any type being towed on a road by a tow truck that is the subject of a vehicle licence or permit; or
 - (c) a motor vehicle that is designed so as not to be capable of a speed exceeding 10 km/h; or
 - (d) a power assisted pedal cycle; or
 - (e) an electric personal transporter that cannot travel at a speed exceeding 10 km/h being used in an electric personal transporter use area.

*[Regulation 3AA inserted in Gazette 28 Nov 2006 p. 4901;
amended in Gazette 12 Apr 2013 p. 1540.]*

Part IA — Inspection of vehicles

[Heading inserted in Gazette 31 Dec 1980 p. 4427.]

3A. Persons may be authorised to examine vehicles

- (1) The Director General may authorise —
 - (a) persons to examine and test vehicles;
 - (b) persons to establish premises as inspection stations for the purpose of examining and testing vehicles,and may cancel any such authorisation.
- (2) An authorisation under this regulation —
 - (a) shall be subject to such conditions as the Director General specifies in the authorisation;
 - (b) shall be in writing and, if cancelled, shall be cancelled in writing; and
 - (c) shall be displayed at the authorised inspection station where the examination and testing of vehicles is carried out.

[Regulation 3A inserted in Gazette 31 Dec 1980 p. 4427; amended in Gazette 2 Feb 1982 p. 401; 20 Sep 1991 p. 4945; 17 Aug 1993 p. 4429; 31 Jan 1997 p. 683; 28 Nov 2006 p. 4900.]

[3B. Deleted in Gazette 28 Nov 2006 p. 4901.]

3C. Certificate of inspection

- (1A) In this regulation —

approved place means a place that is an authorised inspection station or is otherwise approved of by the Director General.
- (1) 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) authorised vehicle examiners.
- (2) An authorisation of a person under regulation 3A(1)(a) (as an authorised vehicle examiner) may specify a class of vehicle the examination and testing of which may be undertaken at a place that is not an approved place.
- (3) An authorised vehicle examiner cannot issue a valid certificate of inspection in relation to a vehicle based on the examiner's examination and testing of the vehicle unless —
- (a) the testing and examination is undertaken at a place that is an approved place; or
 - (b) the vehicle is of a class specified under subregulation (2) in the authorisation of the examiner.

*[Regulation 3C inserted in Gazette 31 Dec 1980 p. 4427;
amended in Gazette 2 Feb 1982 p. 401; 20 Sep 1991 p. 4946;
31 Jan 1997 p. 683; 14 Dec 2012 p. 6208.]*

Part II — Licences

3D. Minimum age of applicant for grant of licence

- (1) Except as provided in subregulation (2), the minimum age at which an individual may apply for the grant of a vehicle licence is 16 years.
- (2) The minimum age at which an individual may apply for the grant of a heavy vehicle licence is 18 years.

[Regulation 3D inserted in Gazette 30 Jan 2001 p. 628; amended in Gazette 28 Nov 2006 p. 4901 and 4910-11.]

3E. Proof of age and identity of applicant for grant of licence

An application for the grant of a vehicle licence is to be accompanied by such proof of the applicant's age and identity as the Director General may require.

[Regulation 3E inserted in Gazette 30 Jan 2001 p. 628; amended in Gazette 28 Nov 2006 p. 4910-11.]

3F. Registered write-offs

For the purposes of these regulations and the Act sections 17(2) and 23A, a vehicle is taken not to comply with the Vehicle Standards if —

- (a) the vehicle is registered as a statutory write-off or a repairable write-off in the Written-Off Vehicle Register, and the registration has not been cancelled; or
- (b) the vehicle carries as an identifier a number that is registered in the Written-Off Vehicle Register as the identifier of a vehicle that is a statutory write-off or a repairable write-off, and the registration has not been cancelled.

[Regulation 3F inserted in Gazette 31 Oct 2003 p. 4567; amended in Gazette 23 Dec 2005 p. 6283.]

4. Inspection for licensing purposes

- (1) Where an application for the grant, renewal or transfer of a vehicle licence is received and, under a notice given pursuant to section 29(1) of the Act, the grant, 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 Director General shall either —
- (a) examine the vehicle; or
 - (b) require the applicant to produce to the Director General a certificate of inspection issued by an authorised vehicle examiner not more than 3 months before the date of the application.
- (2) Where an application for the grant or renewal of a vehicle licence is received and subregulation (1) does not apply, the Director General may, if the Director General thinks necessary —
- (a) examine the vehicle; or
 - (b) require the applicant to cause the vehicle to be examined by an authorised vehicle examiner,

and shall not grant or renew the licence if the vehicle is not found to be such as may be licensed under regulation 9.

[Regulation 4 inserted in Gazette 31 Dec 1980 p. 4427; amended in Gazette 2 Feb 1982 p. 401; 29 Jul 1994 p. 3859; 31 Jan 1997 p. 682 and 683; 28 Nov 2006 p. 4910-11.]

4A. Declaration as to immobiliser

A person applying for the grant or transfer of a licence for a motor vehicle to which rule 176 of the *Road Traffic (Vehicle Standards) Rules 2002* applies, must declare in writing, at the time of making the application, whether the vehicle complies with that rule.

[Regulation 4A inserted in Gazette 1 Nov 2002 p. 5391.]

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4B. Grant of vehicle licence

- (1) Except as provided in section 17 of the Act and subregulation (2), where an application is made for the grant of a licence for —
- (a) a vehicle not previously licensed under the Act; or
 - (b) a vehicle for which the licence last granted or renewed under the Act expired a period of more than 15 days before the application was made,

the Director General is to grant a licence for the vehicle to the applicant for a period referred to in regulation 4D.

- (2) Where —
- (a) an application is made for the grant of a vehicle licence referred to in subregulation (1)(b); and
 - (b) the application is made within the renewal period relating to a licence for the vehicle; and
 - (c) the number plate or number plates issued for the vehicle have not been returned to the Director General,

the Director General may refuse to grant the licence, in which case the application is to be regarded as an application for a renewal of the licence last granted or renewed for that vehicle.

[Regulation 4B inserted in Gazette 28 Nov 2006 p. 4901-2.]

4C. Renewal of vehicle licence

- (1) Except as provided in section 17 of the Act, where an application for the renewal of a vehicle licence is made within the renewal period, the Director General is to renew the licence for a period referred to in regulation 4D.
- (2) Where an application for the renewal of a vehicle licence is made before the renewal period, the Director General is to refuse to renew the licence.

- (3) Where an application for the renewal of a vehicle licence is made after the renewal period, the Director General is to refuse to renew the licence and the application is to be regarded as an application for the grant of a licence for the vehicle.
- (4) A renewal of a vehicle licence under this regulation is to be taken to continue the licence.
- (5) For the purposes of section 15(3)(a) of the Act, when a vehicle licence is renewed within the period of 15 days after the day on which the licence expired, the renewal is to be regarded as having taken effect immediately after the licence expired.
- (6) For the purposes of section 18(2)(c) of the Act, when a vehicle licence is renewed more than 15 days after the day on which the licence expired, the licence is to be regarded as having been suspended on and from the day of its expiry to the day before the renewal.

[Regulation 4C inserted in Gazette 28 Nov 2006 p. 4902.]

4D. Period of vehicle licence

- (1) The period for which a vehicle licence, except a heavy vehicle licence, is to be granted or renewed is a period elected by the applicant for the grant or renewal, being —
 - (a) a period of one year, 6 months or 3 months; or
 - (b) if the Director General so approves in a particular case — any period up to one year.
- (2) The period for which a heavy vehicle licence, except a seasonal heavy vehicle licence, is to be granted or renewed is a period elected by the applicant for the grant or renewal, being —
 - (a) a period of one year, 6 months or 3 months; or
 - (b) if the Director General so approves in a particular case — any period up to one year.

r. 4E

- (3) The period for which a seasonal heavy vehicle licence is to be granted is a period elected by the applicant for the grant, being —
 - (a) a period of 6 months, 5 months, 4 months or 3 months; or
 - (b) if the Director General so approves in a particular case — any period up to one year.
- (4) The period for which a seasonal heavy vehicle licence is to be renewed is a period elected by the applicant for the renewal, being —
 - (a) a period of one month; or
 - (b) if the Director General so approves in a particular case — any period up to one year.
- (5) The period for which a licence is granted begins on the day on which the licence is granted.
- (6) The period for which a licence is renewed begins on and from the day next succeeding the day on which the licence expires.

[Regulation 4D inserted in Gazette 28 Nov 2006 p. 4902-3.]

4E. Director General may vary, grant or renew licences so that they expire on the same day

Despite regulations 4B to 4D, the Director General may, on an application by a person who is the owner of 3 or more vehicles licensed under the Act —

- (a) vary the licences so that they all expire on the same day, being a day selected by the Director General; and
- (b) if licences have been varied under paragraph (a), grant or renew a licence for any other vehicle owned by the person so that the licence expires on the day referred to in that paragraph.

[Regulation 4E inserted in Gazette 28 Nov 2006 p. 4903.]

5. Proof of ownership before grant or transfer of licence

The Director General may, before the grant or transfer of a licence, require the applicant to furnish proof of his ownership of the vehicle, whether by statutory declaration or otherwise.

[Regulation 5 amended in Gazette 2 Feb 1982 p. 401; 31 Jan 1997 p. 683; 28 Nov 2006 p. 4910-11.]

[5A. Deleted in Gazette 2 Dec 2011 p. 5075.]

6. Weighbridge certificate may be required

- (1) 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 prescribed weighbridge showing —
 - (a) the unladen mass supported on the front axle; and
 - (b) the unladen mass supported on the rear axle or axle group,and in each case including the mass of the axle or any axle group.
- (2) For the purposes of subregulation (1), a prescribed weighbridge is —
 - (a) a public weighbridge, as defined in the *National Measurement Act 1960* (Commonwealth) section 3(1), that is mentioned in a public weighbridge licence in force under Part XI of that Act; or
 - (b) a weighbridge as defined in section 3(1) of that Act, other than a public weighbridge, that is verified under that Act.

[Regulation 6 amended in Gazette 11 Apr 1986 p. 1382; 25 Feb 2011 p. 658.]

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7. Application for licence to be in writing and on form to be provided

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 Director General.

[Regulation 7 amended in Gazette 2 Feb 1982 p. 401; 31 Jan 1997 p. 683.]

8. Form of licence

Any licence document issued by the Director General shall be in the form from time to time approved by the Minister.

[Regulation 8 amended in Gazette 2 Feb 1982 p. 401; 31 Jan 1997 p. 683; 28 Nov 2006 p. 4904.]

[8A, 8B. Deleted in Gazette 28 Nov 2006 p. 4904.]

9. Classes of vehicle licences

- (1) Subject to the succeeding provisions of this regulation, the Director General may license a motor vehicle as of any one of 3 classes, namely Class A, Class B or Class C.
- (2) The Director General may license a motor vehicle, other than a restricted access vehicle, as of Class A, for unlimited use, if the vehicle conforms, in every respect, to the requirements of the Vehicle Standards, and not otherwise.
- (3) The Director General may license a motor vehicle as of Class B, where —
 - (a) the vehicle does not comply, in some respect, with the Vehicle Standards, if —
 - (i) the vehicle complies with the mass and dimension limits in the Vehicle Standards; and
 - (ia) the vehicle is not a restricted access vehicle; and
 - (ii) the use of the vehicle is limited in such manner as the Director General may direct and, in any

event, is so limited that it will not constitute a hazard to other road users;

or

- (b) the vehicle is an agricultural machine; or
- (c) the vehicle is a restricted access vehicle and the licensing of the vehicle is specially approved, or the licensing of vehicles of its class is generally approved, by the Director General and the use of the vehicle is limited in conformity with any conditions to which that approval is subject.

- (4) The Director General may license, as of Class C, a restricted access 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 Schedule 1 to the *Road Traffic (Vehicle Standards) Regulations 2002*; 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 Director General and the use of the vehicle is limited in conformity with any condition to which that approval is subject.

- (5) The Director General shall endorse every licence of Class B or Class C with the limitations to which its grant 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.

[Regulation 9 amended in Gazette 10 Nov 1977 p. 4190; 2 Feb 1982 p. 401; 28 Sep 1990 p. 5072-3; 31 Jan 1997 p. 683; 4 Aug 1998 p. 3991; 1 Nov 2002 p. 5391-2; 28 Nov 2006 p. 4904 and 4910-11.]

r. 9A

9A. Classes of licences for heavy vehicles

- (1) Without limiting regulation 9, the Director General shall grant or renew a heavy vehicle licence as of one of the classes listed in Schedule 3.
- (2) The Director General shall license a heavy vehicle as of a particular class according to —
 - (a) the description of the vehicle;
 - (b) the number of axles that the vehicle has; and
 - (c) the MRC of the vehicle,as indicated in Schedule 3.
- (3) If more than one class is appropriate for a vehicle —
 - (a) of that description;
 - (b) with that number of axles; and
 - (c) with that MRC,the licence shall be of whichever of those classes the owner of the vehicle nominates before the licence is granted or renewed.
- (4) If in column 4 of Schedule 3 —
 - (a) “nil” is indicated, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul a heavy trailer;
 - (b) a number is indicated, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul more than that number of heavy trailers;
 - (c) a number is indicated followed by a trailer description, a licence of the class described in column 1 includes a limitation that the vehicle shall not be used to haul more than that number of heavy trailers of that description but unless otherwise specified the hauling of trailers not of that description is not limited; or

- (d) “nil” is indicated followed by a trailer description, a licence of that class includes a limitation that the vehicle shall not be used to haul a heavy trailer of that description.
- (5) A vehicle licence of class SR2, SR3, SR4 or SR5 in Schedule 3 includes a limitation that the vehicle shall not be used to haul a heavy trailer if the vehicle and trailer together have more than 6 axles or a mass greater than 42.5 tonnes.
- (6) A person who uses, or permits a person to use, a heavy vehicle the subject of a licence that includes a limitation otherwise than in conformity with that limitation commits an offence.
- (7) The Director General is to grant or renew a heavy vehicle licence with the endorsement “seasonal” if the person making the application for the grant or renewal specifies that the vehicle is to be used —
 - (a) on a road; or
 - (b) for seasonal work during the year beginning on the day the licence is granted,

and not otherwise.

[Regulation 9A inserted in Gazette 24 May 1996 p. 2174-5; amended in Gazette 31 Jan 1997 p. 683; 17 May 2000 p. 2426; 28 Nov 2006 p. 4904.]

9B. Transitional provision for heavy vehicle licences

On the day on which the *Road Traffic (Licensing) Amendment Regulations (No. 3) 2008* regulation 5 comes into operation¹ a vehicle licence that was, immediately before that day, of a class indicated in column 1 of the Table to this regulation and continues after that day becomes of the class indicated in column 2.

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Table

column 1	column 2
old class	new class
MP2, 1LP2, 2LP2	MC2
MP3, 1LP3, 2LP3	MC3
MP4, 1LP4, 2LP4	MC4
MP5, 1LP5, 2LP5	MC5

[Regulation 9B inserted in Gazette 30 May 2008 p. 2084.]

10. Licence to be carried in certain cases

- (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) does not apply to a vehicle to which section 100(2) of the Act applies.

[Regulation 10 amended in Gazette 2 Feb 1982 p. 401.]

[10A, 10B. Deleted in Gazette 28 Nov 2006 p. 4904.]

11. Director General may issue permits for unlicensed vehicles

- (1) In this regulation *permit* means a permit under section 26(1) of the Act.
- (2) A person may apply to the Director General for a permit —
 - (a) in respect of a period not exceeding 2 days; or
 - (b) in respect of a period of one month or any number of months up to and including 12 months,and shall specify in the application the period in respect of which the permit is requested.

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- (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 Director General at least 14 days prior to the commencement of the period in respect of which the permit is requested.

- (4) Subject to subregulation (5) the Director General may issue a permit document in the form determined from time to time by the Minister and the Director General shall indorse the permit document 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 document incorporating 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) Regulations 1962*³ as amended from time to time.
- (6) An application under subregulation (2), must be accompanied by any relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006*.
- (7) Where the Director General is also required or requested to issue a policy of insurance under the *Motor Vehicle (Third Party Insurance) Act 1943*, an application under subregulation (2) must be accompanied by —
- (a) if the permit is requested in respect of a period not exceeding 2 days —
 - (i) the appropriate premium for the policy of insurance as prescribed pursuant to that Act; and

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- (ii) the stamp duty payable on the policy of insurance under the *Stamp Act 1921* section 96(2);
 - or
 - (b) if the permit is requested in respect of a period of one or more months —
 - (i) the appropriate premium for the policy of insurance as prescribed pursuant to that Act; and
 - (ii) the stamp duty payable on the policy of insurance under the *Stamp Act 1921* section 96(2).
- (8) A person shall not drive, or cause or permit the driving of, a vehicle in respect of which a permit has been granted, except in accordance with the terms and conditions of the permit.

[Regulation 11 inserted in Gazette 24 Dec 1976 p. 5038-9; amended in Gazette 30 Dec 1977 p. 4751; 26 Jun 1981 p. 2296; 2 Feb 1982 p. 402; 4 Mar 1983 p. 771; 21 Oct 1983 p. 4270; 26 Sep 1986 p. 3691; 8 Sep 1989 p. 3171-2; 21 Sep 1990 p. 4940; 20 Sep 1991 p. 4947; 26 Jun 1992 p. 2795; 17 Aug 1993 p. 4430; 22 Dec 1995 p. 6195; 24 May 1996 p. 2175; 31 Jan 1997 p. 682 and 683; 8 Sep 2000 p. 5192; 27 Jul 2004 p. 3082; 28 Nov 2006 p. 4904-5 and 4911.]

[12. Deleted in Gazette 10 Nov 1977 p. 4189.]

13. Signs to be displayed

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 granted under this regulation.

[Regulation 13 amended in Gazette 28 Nov 2006 p. 4911.]

14. Fee for duplicate or certified copy of licence

The Director General shall, on payment of the relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006*, 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.

[Regulation 14 amended in Gazette 30 Dec 1977 p. 4750; 18 Dec 1981 p. 5194; 2 Feb 1982 p. 402; 21 Oct 1983 p. 4270; 21 Sep 1990 p. 4940; 26 Jun 1992 p. 2795; 17 Aug 1993 p. 4430; 31 Jan 1997 p. 683; 28 Nov 2006 p. 4905.]

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

- (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.
- (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.
- (3) The holder of a licence shall, within 21 days after every change of his address or place of business as stated in the licence, give notice in writing or in any other manner approved in writing by the Director General of the change to the Director General.

[Regulation 15 amended in Gazette 13 Mar 1981 p. 939; 2 Feb 1982 p. 401; 31 Jan 1997 p. 683; 2 Dec 2011 p. 5073.]

16A. Licence documents to be handed over on disposal

- (1) In this regulation —
new owner has the meaning given in section 24(2b) of the Act.
- (2) A person who, as principal or agent, disposes of a used licensed vehicle, must ensure that at the time of the disposal the new

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owner of the vehicle is given the current licence document for the vehicle.

- (3) A person who, as principal or agent, disposes of a used vehicle the licence for which has expired in the 3 month period before the time of the disposal, must ensure that at the time of the disposal the new owner of the vehicle is given the most recent licence document for the vehicle.

[Regulation 16A inserted in Gazette 31 Dec 2009 p. 5406.]

Part III — Licences for overseas vehicles

16. Application for vehicle licence and for extension or renewal

- (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 Director General.
- (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 Director General, 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 granted 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 Director General, 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 Director General, furnish to the Director General with his

application, such additional information as the Director General considers necessary and relevant for the granting, or the extension or renewal, of the licence.

[Regulation 16 amended in Gazette 2 Feb 1982 p. 402; 31 Jan 1997 p. 683; 28 Nov 2006 p. 4905 and 4911.]

17. Contract of Third Party Insurance required

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.

18. Identification tablets or plates on motor vehicles to which Part IV of Act applies

- (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 Director General 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 Director General from the owner of a motor

vehicle referred to in subregulation (1), the Director General shall issue to the applicant a set of number plates or identification tablets on payment of the charge prescribed or authorised by the *Road Traffic (Charges and Fees) Regulations 2006* for a similar set when issued to a permanent resident of the State.

- (3) Upon the issue of a set of temporary plates for a motor vehicle referred to in subregulation (1), 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 granted 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 granted, 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 granted, the owner or person in charge of the vehicle shall leave any temporary plates issued in respect of that vehicle with the Director General, immediately prior to the expiry or exportation.

[Regulation 18 amended in Gazette 2 Feb 1982 p. 402; 31 Jan 1997 p. 683; 28 Nov 2006 p. 4906 and 4911.]

[19. Deleted in Gazette 27 Jul 2004 p. 3082.]

20. Permits for use of vehicle not conforming with requirements of Act or regulations

Where it appears to the Director General 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, appliances, lamps and other equipment, the Director General may with the approval of the Minister, indorse on the licence issued, renewed or extended under that Part, a permit authorising the use of that vehicle on roads, generally, or on any specified road or roads subject to such conditions as the Minister may authorise to be

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imposed and the vehicle shall then be used in accordance with the terms of that permit, only.

[Regulation 20 amended in Gazette 2 Feb 1982 p. 402; 31 Jan 1997 p. 683; 27 Jul 2004 p. 3082.]

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

- (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.
- (2) Where a licence is cancelled in accordance with subregulation (1) 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 IIIA: s. 21FA deleted in Gazette 25 May 1999 p. 2068; s. 21N deleted in Gazette 12 May 1998 p. 2798; balance deleted in Gazette 28 Nov 2006 p. 4906.]

**Part IV — Number plates, engine identification marks
and vehicle identification numbers**

[Heading inserted in Gazette 31 Mar 1989 p. 856.]

22. Director General to provide number plates

- (1) The Director General shall provide and issue identification plates or number plates in respect of every vehicle that is licensed under Part III of the Act other than —
 - (a) a vehicle which is being, or is to be, operated as a taxi using taxi plates issued under the *Taxi Act 1994*;
 - (b) a taxi-car licensed under the *Transport Co-ordination Act 1966*; and
 - (c) an omnibus licensed under the *Transport Co-ordination Act 1966* (not being an omnibus operated by the Western Australian Government Railways Commission).
- [(2) deleted]*
- (2a) The Director General may on behalf of the Crown in right of the State dispose of the right to display special plates by public auction or public tender or private treaty.
- (3) Despite any charges imposed under the *Road Traffic (Charges and Fees) Regulations 2006*, every identification tablet or number plate remains the property of the Director General and is to be returned to the Director General by a responsible person for, or other person in possession of, the vehicle —
 - (a) if the licence is cancelled or the licence holder is disqualified, as soon as practicable after the cancellation or disqualification; or
 - (b) if the licence has expired —
 - (i) in the case of a seasonal heavy vehicle licence, within one year of the expiry of the licence; and
 - (ii) in any other case, within 3 months of the expiry of the licence.

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- (3a) At any time whilst a compliance notice under Part 7 of the *Road Traffic (Vehicle Standards) Regulations 2002* is in force for a vehicle, the Director General may, by notice served on a person responsible for, 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 person upon whom such a notice is served shall forthwith return those identification tablets or number plates to the Director General.
- (4) A person who wishes to obtain personalised plates, special plates or name plates to replace ordinary plates previously issued in respect of a vehicle shall return those ordinary plates to the Director General.
- (5) Except in a case referred to in subregulation (6) a person who wishes to obtain ordinary plates to replace personalised plates, special plates or name plates previously issued in respect of a vehicle shall return those personalised plates, special plates or name plates, as the case may be, to the Director General.
- (6) A person to whom a set of personalised plates, special plates or name plates has been issued may, with the approval of the Director General, and on payment of the relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006* to the Director General, transfer those plates —
- (a) in the case of special plates or name plates, to another vehicle owned by him; or
 - (b) in the case of personalised plates, to another vehicle owned by him or by a member of his immediate family,
- and shall, where the vehicle from which the personalised plates, special plates or name plates, as the case may be, were removed, is still licensed, obtain a set of ordinary plates from the Director General and affix those plates to the vehicle.
- (7) The Director General shall not issue special plates or name plates in respect of the following kinds of vehicles —
- (a) taxis;

- (b) omnibuses; and
- (c) heavy vehicles that are the subject of a seasonal heavy vehicle licence.

[Regulation 22 inserted in Gazette 1 Aug 1975 p. 2795-6; amended in Gazette 5 Dec 1975 p. 4369; 15 Oct 1976 p. 3676; 20 May 1977 p. 1511; 10 Nov 1977 p. 4190; 30 Dec 1977 p. 4751; 10 Mar 1978 p. 688; 29 Sep 1978 p. 3579; 11 May 1979 p. 1223; 12 Dec 1980 p. 4215; 26 Jun 1981 p. 2296; 2 Feb 1982 p. 402; 20 Aug 1982 p. 3270; 23 Sep 1983 p. 3815; 21 Oct 1983 p. 4270; 11 Nov 1983 p. 4512; 14 Dec 1984 p. 4129; 24 May 1985 p. 1761-2; 29 Nov 1985 p. 4452 (erratum in Gazette 6 Dec 1985 p. 4532); 11 Apr 1986 p. 1382; 26 Sep 1986 p. 3691; 10 Jun 1988 p. 1906; 8 Sep 1989 p. 3171-2; 21 Sep 1990 p. 4940-1; 28 Sep 1990 p. 5072-3; 6 Sep 1991 p. 4713; 13 Mar 1992 p. 1205; 26 Jun 1992 p. 2795; 17 Aug 1993 p. 4430-1; 31 Dec 1993 p. 6908; 22 Jul 1994 p. 3788; 10 Jan 1995 p. 65; 31 Jan 1997 p. 683; 1 Nov 2002 p. 5393; 23 Dec 2005 p. 6284; 28 Nov 2006 p. 4906; 31 Dec 2009 p. 5406.]

23. Lost number plates

- (1) Where a number plate or number plates issued in respect of a vehicle are lost as a result of being stolen or any other cause, a responsible person for the vehicle shall, forthwith, send to the Director General notice in writing of that happening and the Director General shall, on proof, by statutory declaration of the loss, and on production of the licence or certificate of registration, issue another set of number plates in respect of the vehicle but where the lost number plate is —

- (a) a special plate;
- (b) a name plate; or
- (c) a personalised plate,

the Director General shall issue a number plate in substitution for that number plate being of the same type or class, and

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bearing the same characters or numerals or both, as the case may be, as that number plate.

- (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, a responsible person for the vehicle shall return the plate to the Director General, together with the licence of the vehicle, and the Director General shall where the number plate is an ordinary number plate 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, and where the number plate so dilapidated or damaged is —
- (a) a special plate;
 - (b) a name plate; or
 - (c) a personalised plate,

the Director General shall issue another number plate in substitution for that number plate, being of the same type or class, and bearing the same characters or numerals or both, as the case may be, as that number plate.

[Regulation 23 amended in Gazette 2 Feb 1982 p. 402; 24 May 1985 p. 1762; 29 Nov 1985 p. 4452; 29 May 1987 p. 2221-2; 31 Jan 1997 p. 683; 23 Dec 2005 p. 6284.]

24. Nature of number plates

- (1) Subject to this regulation, identification tablets and number plates shall display the expression “W.A.” or “Western Australia” and such other words, letters and numerals as the Director General with the approval of the Minister may determine.

[(2) deleted]

- (3) Identification tablets or number plates may be issued by the Director General displaying a letter or letters approved by the Director General indicating the district in which a responsible person for the vehicle resides, together with a numeral or numerals and shall in addition have the expression “W.A.” or

“Western Australia”, displayed above the letter or letters, numeral or numerals, or contained in any words displayed pursuant to subregulation (1), on the identification tablet or number plate.

- (4) Any identification tablet or number plate issued pursuant to subregulation (3) to a responsible person 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 38 millimetres in diameter, between the lettering and the numerals unless the letters on the identification tablet or number plate indicating the district are not duplicated in any other district in which case the Director General may issue a tablet or plate without the circular figure in the shape of a disc.
- (4a) Special plates may consist of —
- (a) a non-reflective tablet containing the expression “W.A.” or “Western Australia” in white arranged vertically on the left of the tablet and white numerals arranged horizontally on a black background;
 - (b) a unique series consisting of the trade name of a particular make or model of vehicle in black letters on a white reflective background; or
 - (c) a unique series, other than a unique series referred to in paragraph (b), consisting of —
 - (i) a reflective background containing such words, letters, numerals, symbols, or logo; or
 - (ii) such reflective words, letters, numerals, symbols, or logo on a non-reflective background,as may be approved by the Director General and using such colours as are approved by the Director General.
- (4b) Name plates may consist of a reflective background containing the expression “W.A.” or “Western Australia” in blue arranged horizontally at the top of the tablet and such number of letters that constitute a name or a combination of name or acronym

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chosen by the applicant with the approval of the Director General.

- (5) Identification tablets and number plates shall bear the prescribed characters enamelled or painted thereon, in the colour and on the background approved by the Director General for the class of tablets or plates concerned.
- (6) Except where the identification tablets or number plates are special plates, the Director General may, by notice served on a licence holder, require the licence holder to surrender to the Director General any identification tablets or number plates specified in the notice that are not reflective plates and on receipt of any fee payable for the issue of the plates under the *Road Traffic (Charges and Fees) Regulations 2006*, issue to the licence holder a set of reflective plates by way of replacement.
- (6a) The Director General may, by notice served on a licence holder, require the licence holder to surrender to the Director General any identification tablets or number plates specified in the notice that are issued in respect of an interchangeable semi-trailer the licence for which was granted on payment of a reduced fee in accordance with a direction of the Director General under the *Road Traffic (Charges and Fees) Regulations 2006* regulation 17 and on receipt of the appropriate fee payable under regulation 22 for the issue of plates, issue to the licence holder a set of number plates with the letters “IT” and the word “interchangeable” on the plate by way of replacement.
- (7) For the purposes of subregulations (6) and (6a), a notice may be served on a licence holder 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 licence holder, 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 licence holder who fails, within 14 days after the service on him of a notice pursuant to subregulations (6) and (6a) to surrender to the licensing authority, the identification tablets or number plates specified in the notice commits an offence.

[Regulation 24 inserted in Gazette 1 Aug 1975 p. 2796; amended in Gazette 12 Aug 1977 p. 2610; 2 Feb 1982 p. 402; 24 May 1985 p. 1762; 29 Nov 1985 p. 4452; 15 May 1987 p. 2122; 10 Jun 1988 p. 1906; 1 Jul 1988 p. 2145; 6 Sep 1991 p. 4714; 17 Aug 1993 p. 4431; 22 Dec 1995 p. 6195; 31 Jan 1997 p. 683; 1 Jul 1997 p. 3273; 23 Dec 2005 p. 6284; 28 Nov 2006 p. 4907 and 4911; 31 Dec 2009 p. 5407-8.]

25. Number plate to be fixed on vehicle

- (1) A responsible person for, or a 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 as defined in the *Road Traffic (Vehicle Standards) Regulations 2002*, 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), 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; and
 - (c) in the case of an identification tablet or number plate that is a special plate that consists only of the expression “W.A.”, or “Western Australia”, and numerals, the

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special plate is mounted on the vehicle within a reflective frame supplied by the Director General that provides a border of not less than 10 mm around the perimeter of the special plate; and

- (d) in any case, the characters on the identification tablet or number plate are not covered in any way by any type of film or cover, unless it is a transparent film or cover that —
 - (i) is of a type approved by the Director General as being non-reflective; and
 - (ii) bears the name of its manufacturer and its serial or other identification number in a conspicuous place, but not so as to obscure the characters on the identification tablet or number plate; and
 - (iii) is kept clean, in good condition and free from discoloration, heavy scratching and any marking other than those referred to in subparagraph (ii).
- (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 Director General in accordance with these regulations.

[Regulation 25 amended in Gazette 11 Sep 1981 p. 3926; 2 Feb 1982 p. 402; 24 May 1985 p. 1762; 18 Nov 1988 p. 4531; 28 Nov 1995 p. 5521; 22 Dec 1995 p. 6196; 31 Jan 1997 p. 683; 1 Jul 1997 p. 3273; 23 Dec 2005 p. 6284; 28 Nov 2006 p. 4907.]

25A. Certificate of right to display

- (1) The Director General shall issue to a person who is entitled to the right to display special plates issued under these regulations a certificate in the form of Form 5 in Schedule 1 and, in the case of a special plate referred to in regulation 24(4a)(a), a miniature of the special plate in a size determined by the Director General.
- (2) A person who is entitled to the right to display special plates may transfer that entitlement.
- (3) A transfer for the purposes of subregulation (2) shall be by instrument in writing in duplicate in the form of Form 6 in Schedule 1 and signed by the vendor and the purchaser.
- (4) The vendor of a right to display a special plate shall, within 14 days of the execution of the instrument of transfer by the vendor, lodge with the Director General —
 - (a) the duplicate of the instrument of transfer of the special plates;
 - (b) where the special plates in question are not held by the Director General, the special plates; and
 - (c) the certificate of ownership issued by the Director General in respect of the right to display the special plates.
- (5) The purchaser of the right to display special plates must forward to the Director General —
 - (a) the original of the instrument of transfer of the right to display the special plates together with any relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006*; and
 - (b) notification of the vehicle in respect of which the special plates are to be displayed.
- (6) The Director General must issue to the purchaser of the right to display the special plates —
 - (a) a certificate of ownership of the special plates; and

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- (b) in the case of special plates referred to in regulation 24(4a)(a), a miniature of the special plates; and
- (c) subject to regulation 25B, the special plates.

[Regulation 25A inserted in Gazette 24 May 1985 p. 1762-3; amended in Gazette 6 Sep 1991 p. 4714; 17 Aug 1993 p. 4431; 31 Jan 1997 p. 683-4; 28 Nov 2006 p. 4907-8.]

25B. Retention of special plates by Director General

- (1) Where the person who is entitled to the right to display a special plate on a vehicle does not nominate a licensed vehicle on which the special plate in question is to be used as an identification tablet or number plate the special plate shall be retained by the Director General.

[(2) deleted]

- (3) Where the person who is entitled to the right to display a special plate on a vehicle fails to pay a relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006* for 3 consecutive years the Director General may by notice served on that person at his last known address and published in a newspaper circulating throughout the State notify him that unless he pays all the fees prescribed under those regulations that are due in respect of the storage of the special plate on or before the date specified in the notice his entitlement to the right to display the special plates will cease.
- (4) Where a person is notified under subregulation (3) and fails to comply with the requirements of the notice the entitlement of that person to the right to display the special plates ceases with effect from the date specified in the notice.

[Regulation 25B inserted in Gazette 24 May 1985 p. 1763; amended in Gazette 8 Sep 1989 p. 3171-2; 21 Sep 1990 p. 4941; 17 Aug 1993 p. 4431; 31 Jan 1997 p. 683-4; 28 Nov 2006 p. 4908.]

25C. Name plates to be treated as special plates

The provisions of regulations 25A and 25B apply to and in relation to name plates as though name plates were special plates except that the Director General shall not issue a miniature of a name plate under regulation 25A(1) or (5)(d).

[Regulation 25C inserted in Gazette 29 Nov 1985 p. 4452; amended in Gazette 31 Jan 1997 p. 683-4.]

26. Application for trade plates

- (1) A person of one of the classes prescribed in subregulation (2) may apply in writing to the Director General for number plates, to be known as trade plates, to be assigned and issued to him pursuant to section 26(2) of the Act.
- (2) The classes of persons to whom trade 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 —
 - (i) a manufacturer or dealer in new motor vehicles; or
 - (ii) a registered used car dealer;
 - (f) vehicle body builders;
 - (g) any class of persons approved by the Director General for the purposes of this regulation.

[Regulation 26 inserted in Gazette 15 Feb 1980 p. 464; amended in Gazette 26 Jun 1981 p. 2296; 2 Feb 1982 p. 402; 21 Oct 1983 p. 4270; 24 May 1985 p. 1760; 26 Sep 1986 p. 3691; 21 Sep 1990 p. 4941; 26 Jun 1992 p. 2796; 17 Aug 1993 p. 4432; 22 Dec 1995 p. 6196; 31 Jan 1997 p. 683-4; 28 Nov 2006 p. 4908; 24 Sep 2010 p. 5018.]

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26A. Annual fee for trade plates

[(1) deleted]

(2) The Director General shall —

(a) on payment of an annual fee under the *Road Traffic (Charges and Fees) Regulations 2006* regulation 32(1); and

(b) where a replacement plate or replacement set of plates is issued pursuant to the *Road Traffic (Charges and Fees) Regulations 2006* regulation 32(3) or a substituted plate or new set of plates is issued pursuant to regulation 32(4) of those regulations, 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 trade 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.

[Regulation 26A inserted in Gazette 15 Feb 1980 p. 464-5; amended in Gazette 12 Dec 1980 p. 4215; 2 Feb 1982 p. 402; 20 Aug 1982 p. 3270; 21 Oct 1983 p. 4270; 26 Sep 1986 p. 3691; 8 Sep 1989 p. 3171-2; 21 Sep 1990 p. 4941; 17 Aug 1993 p. 4432; 31 Jan 1997 p. 683-4; 28 Nov 2006 p. 4908; 22 Jun 2007 p. 2872 and 2874; 24 Sep 2010 p. 5018.]

[26B. *Deleted in Gazette 28 Nov 2006 p. 4908.]*

26C. Conditions of use

- (1) The conditions applying to the use of an unlicensed vehicle bearing trade plates are that —
- (a) the vehicle complies with the Vehicle Standards;
 - (ba) if the vehicle does not comply with the Vehicle Standards and it is one of the following —
 - (i) a motor vehicle with only a cab and chassis;
 - (ii) a motor vehicle that could be licensed under regulation 9(2) except that it does not have a compliance plate fitted to it;
 - (iii) an agricultural machine,the vehicle has —
 - (iv) effective steering, brakes and suspension (if fitted); and
 - (v) a driver's seat situated so that the driver has a full and uninterrupted view of the road and any traffic ahead and on each side of the driver; and
 - (vi) wheels and tyres or rubber tracks; and
 - (vii) in the case of a vehicle of a type referred to in subparagraph (i) or (ii), mudguards for each wheel or mudflaps for the rear wheels; and
 - (viii) in the case of a vehicle of a type referred to in subparagraph (i) or (ii), lights at the front and rear; and
 - (ix) in the case of an agricultural machine, lights at the front (if the machine is used in the period between sunrise and sunset) and lights at the front and rear (if the machine is used in the period between sunset and sunrise); and
 - (x) reflectors at the rear; and
 - (xi) a means of transmitting power from the engine to the drive wheels; and

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- (xii) a structure that will not fail when the vehicle is used for the purpose for which it was designed;
- (b) if the vehicle is an agricultural machine that does not comply with the Vehicle Standards, the vehicle —
 - (i) is not more than 2.5 m wide, 4.3 m high and 12 m long and complies with any applicable requirements of the *Road Traffic (Vehicle Standards) Regulations 2002* Schedules 1 and 2; or
 - (ii) is more than 2.5 m but not more than 3.5 m wide and not more than 4.3 m high and 12 m long and —
 - (I) complies with the *Road Traffic (Vehicle Standards) Regulations 2002* Schedule 2; and
 - (II) if driven at night on a road, has fitted to it the lights and reflectors that must be fitted to the vehicle under the *Road Traffic (Vehicle Standards) Regulations 2002* and those lights are lit; and
 - (III) is not used on a road within a radius of 30 km of the intersection of St Georges Terrace and Barrack Street Perth during peak hours as defined in the *Road Traffic (Towed Agricultural Implements) Regulations 1995* regulation 19(4);
- or
- (iii) is more than 3.5 m but not more than 6 m wide and not more than 4.3 m high and 12 m long and —

- (I) complies with the *Road Traffic (Vehicle Standards) Regulations 2002* Schedule 2; and
 - (II) is not used on a road without the prior written approval of the Commissioner of Main Roads;
- or
- (iv) is more than 4.3 m but not more than 4.6 m high and is not used on a road without the prior written approval of Western Power Corporation;
 - (c) the vehicle is driven by or in the presence of, the registered holder of the plates or an employee of the holder, or is driven by a person authorised by the holder;
 - (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;
 - (e) the vehicle is not used to carry goods other than —
 - (i) goods essential for the operation of the vehicle;
 - (ii) goods for the comfort of the person or persons travelling in the vehicle;
 - (iii) other vehicles in accordance with subregulation (2)(g);
 - (iv) goods belonging to the holder or a customer of the holder of trade plates being transported to or from the holder or the customer.
- (2A) The *Road Traffic (Vehicle Standards) Regulations 2002* regulation 8 does not apply to a motor vehicle bearing trade plates driven on a road if the vehicle complies with the conditions referred to in subregulation (1)(ba) or (b).
- (2) Subject to subregulation (1)(a), (c) and (d), a vehicle bearing trade plates may be used for the purposes of —
- (a) trial after completion or repair;

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- (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 and, where the vehicles have the same owner, carrying another vehicle or vehicles to or from an Agricultural Show, an Agricultural Field Day or a Motor Show, for the purpose of exhibiting the vehicle or vehicles;
 - (h) being driven in such circumstances or for such purposes as the Director General may, in any particular case, approve.
- (3) The characters on a trade plate shall comprise a combination of letters and numerals approved by the Director General, with the expression “W.A.” or “Western Australia”, above, and the word, “Trade”, below that combination and shall be enamelled or painted on the plate in the colour and on the background approved by the Director General.
- (4) A trade plate shall be fitted to the motor vehicle, in the position in which a number plate is required by these regulations, to be fitted.
- (5) A member of the Police Force may seize and take possession of trade plates where he has reasonable grounds to believe that the vehicle bearing those trade plates has been used —
- (a) contrary to the conditions set out in subregulation (1);

- (b) other than for the purposes set out in subregulation (2);
or
- (c) contrary to regulation 26A(3).

[Regulation 26C inserted in Gazette 15 Feb 1980 p. 465-6; amended in Gazette 6 Feb 1981 p. 538; 2 Feb 1982 p. 402; 23 Sep 1983 p. 3815; 26 Oct 1984 p. 3457; 4 Sep 1987 p. 3493; 28 Sep 1990 p. 5072-3; 22 Dec 1995 p. 6196; 31 Jan 1997 p. 683-4; 1 Jul 1997 p. 3273; 1 Nov 2002 p. 5393; 24 Sep 2010 p. 5018-21.]

26D. Terms used

For the purposes of regulations 26, 26A, 26B and 26C —
plate fee, in relation to trade plates, means any fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006* for the assigning and issue of those plates;

set in relation to trade plates means one or more trade plates each of which bears the same characters.

[Regulation 26D inserted in Gazette 15 Feb 1980 p. 466; amended in Gazette 28 Nov 2006 p. 4908; 24 Sep 2010 p. 5021.]

26E. Transitional

- (1) For a period of 30 days beginning on the day after the day on which the *Road Traffic (Licensing) Amendment Regulations 2010* are published in the *Gazette* (the **commencement day**), dealers plates that were issued before the commencement day are to be taken to be trade plates for the purpose of regulation 26C.
- (2) A person to whom dealers plates have been issued who holds those plates immediately before the commencement day (the **holder**) may return those plates to the Director General within the period referred to in subregulation (1) and —
 - (a) the Director General must, if the holder so requests, issue trade plates to the holder; and

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- (b) if trade plates are so issued, the annual fee and the deposit paid in respect of the dealers plates are to be taken to be the annual fee and deposit that is required to be paid in relation to the issue of the trade plates.
- (3) If a holder returns the holder's dealers plates to the Director General but does not request that trade plates be issued to the holder in substitution for the dealers plates, the Director General must refund to the holder —
 - (a) the deposit paid by the holder in respect of those dealers plates; and
 - (b) the same proportion of the annual fee paid by the holder in respect of those dealers plates as the proportion of the year in respect of which the fee was paid remaining after the day on which the plates were returned to the Director General.

[Regulation 26E inserted in Gazette 24 Sep 2010 p. 5022.]

27. Prohibition on painting or interfering with number plates

- (1) Subject to subregulation (2), 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 Director General.
- (2) A person may, in accordance with rule 148(2) of the *Road Traffic (Vehicle Standards) Rules 2002*, affix to an identification tablet or number plate that has been issued to him by the Director General a label indicating that the vehicle to which the identification tablet or number plate is fixed uses Liquefied Petroleum Gas as fuel.

[Regulation 27 amended in Gazette 2 Feb 1982 p. 402; 25 Feb 1983 p. 654; 28 Sep 1990 p. 5072-3; 31 Jan 1997 p. 683-4; 1 Nov 2002 p. 5393.]

27A. Term used: imitation plate

In regulations 27B and 27C *imitation plate* means —

- (a) a replica or imitation of an identification tablet or number plate issued under these regulations; or
- (b) an article that is so similar to an identification tablet or number plate issued under these regulations that it is likely to be confused with such an identification tablet or number plate.

[Regulation 27A inserted in Gazette 2 Jun 1989 p. 1611.]

27B. Restriction on manufacture, sale or supply of imitation plates

A person shall not manufacture, sell or supply an imitation plate except under written authorisation granted by the Director General.

[Regulation 27B inserted in Gazette 2 Jun 1989 p. 1611; amended in Gazette 31 Jan 1997 p. 683-4.]

27C. Confiscation and disposal of imitation plates

- (1) A member of the Police Force may seize and take possession of —
 - (a) any imitation plate that the member has reasonable grounds to believe has been manufactured, sold or supplied contrary to regulation 27B; or
 - (b) any imitation plate that is fixed to a vehicle.
- (2) The Director General may, with the approval of a justice, cause an imitation plate seized under this regulation to be destroyed.
- (3) An imitation plate may be destroyed under subregulation (2) whether or not any person has been convicted of or charged with an offence under regulation 27B in connection with the plate.
- (4) When, or as soon as practicable after, an imitation plate is seized under this regulation a member of the Police Force shall

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serve the person from whom it was seized with a notice that informs the person —

- (a) that the plate is liable to be destroyed; and
 - (b) that the person may make written representations to the Director General in relation to the plate within 10 days after service of the notice.
- (5) For the purposes of subregulation (4) an imitation plate that was fixed to a vehicle shall be deemed to have been seized from the person who is the owner of the vehicle within the meaning of paragraph (d) of the definition of owner in section 5(2) of the Act.
- (6) At any time after the expiration of 14 days from service of the notice under subregulation (4) the Director General may apply to a justice for approval to destroy the imitation plate.
- (7) The application shall be accompanied by copies of any representations received under subregulation (4)(b) in relation to the plate.
- (8) The justice, after considering the application, the representations (if any), and the need (if any) for the plate to be retained for evidentiary purposes, may —
- (a) approve of the destruction of the plate;
 - (b) direct that the plate be returned to the person from whom it was seized; or
 - (c) authorise the continued retention of the plate for evidentiary purposes.
- (9) A person is not entitled to any payment by way of compensation or restitution in respect of the seizure, retention or destruction of an imitation plate under this regulation.

*[Regulation 27C inserted in Gazette 2 Jun 1989 p. 1611;
amended in Gazette 31 Jan 1997 p. 683-4.]*

28. Engine identification marks

- (1) Upon an application to license a motor vehicle under these regulations, the Director General 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.

- (2) A responsible person for, or a 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 7 days after the change or replacement, give to the Director General 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 responsible person for the motor vehicle;
 - (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 Director General may allot an identification mark, where —
 - (a) there is no identification mark on the engine of a motor vehicle; or

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

[Regulation 28 amended in Gazette 2 Feb 1982 p. 402-3; 31 Jan 1997 p. 683-4; 23 Dec 2005 p. 6284-5.]

28A. Vehicle identification number

- (1) Upon an application being made under these regulations to license a motor vehicle, trailer or semi-trailer manufactured on or after 1 January 1989, the Director General shall not grant the licence —
 - (a) unless a vehicle identification number is legibly and durably stamped on the vehicle; or
 - (b) if the vehicle identification number on the vehicle has been, or appears to have been, altered, defaced or obliterated.

- (2) The Director General may allot a vehicle identification number to a motor vehicle, trailer or semi-trailer manufactured on or after 1 January 1989, where —
 - (a) there is no vehicle identification number on the vehicle; or
 - (b) the vehicle identification number on the vehicle has been or appears to have been, altered, defaced or obliterated.

- (3) Where a vehicle identification number is allotted pursuant to subregulation (2), the owner or the person in charge of the vehicle shall ensure —
 - (a) that the number is legibly and durably stamped on the vehicle in such manner and in such position, as the Director General directs; and
 - (b) that upon being stamped, the vehicle is produced to the Director General for inspection of the vehicle identification number.

[Regulation 28A inserted in Gazette 31 Mar 1989 p. 856; amended in Gazette 28 Sep 1990 p. 5072-3; 31 Jan 1997 p. 683-4; 1 Nov 2002 p. 5393; 31 Dec 2009 p. 5408.]

Part V — Labels issued on grant or renewal of licence

[Heading inserted in Gazette 31 Dec 2009 p. 5408.]

29. Labels to be issued for heavy vehicles

- (1) The Director General is to issue a label on the grant or renewal, under Part III of the Act, of a vehicle licence for a heavy vehicle.
- (2) The Director General is to issue a label on the grant, extension or renewal, under Part IV of the Act, of a vehicle licence for a heavy vehicle.

[Regulation 29 inserted in Gazette 31 Dec 2009 p. 5408.]

30. Information to be contained in or on labels

A label issued under regulation 29(1) or (2) for a vehicle is to contain the following information about the vehicle —

- (a) its make;
- (b) its model or body type, whichever is the more descriptive;
- (c) its vehicle identification number;
- (d) if the vehicle does not have a vehicle identification number but has an engine, its engine identification mark as mentioned in regulation 28;
- (e) if the vehicle does not have a vehicle identification number or an engine, its body identification mark;
- (f) its GVM as defined in the Vehicle Standards;
- (g) its GCM as defined in the Vehicle Standards;
- (h) its number plate particulars;
- (i) the expiry date of its vehicle licence;
- (j) the class of its vehicle licence;
- (k) a short form reference to each condition or restriction to which the use of the vehicle is subject under its vehicle licence.

[Regulation 30 inserted in Gazette 31 Dec 2009 p. 5408-9.]

31. Affixing, display of, labels

(1) A licence holder of a vehicle for which a label is issued under regulation 29(1) or (2) must ensure that within 21 days after the label is issued —

- (a) the label is affixed to the vehicle in accordance with subregulation (3) if the vehicle has a windscreen; or
- (b) the label is displayed in accordance with subregulation (4) if the vehicle does not have a windscreen.

Penalty:

- (a) for a first offence, a fine of 24 PU;
- (b) for a subsequent offence, a fine of 48 PU.

(2) A licence holder of a vehicle for which a label is issued under regulation 29(1) or (2) must ensure that until the vehicle's licence is renewed or extended, or expires —

- (a) the label remains affixed to the vehicle in accordance with subregulation (3) if the vehicle has a windscreen; or
- (b) the label remains displayed in accordance with subregulation (4) if the vehicle does not have a windscreen.

Penalty:

- (a) for a first offence, a fine of 24 PU;
- (b) for a subsequent offence, a fine of 48 PU.

(3) If the vehicle has a windscreen the label is to be affixed to the windscreen so that —

- (a) the label's centre is approximately 150 mm from the bottom left corner of the windscreen; and
- (b) the front of the label faces towards the front of the vehicle.

(4) If the vehicle does not have a windscreen —

- (a) the label is to be placed in a protective holder from which the details on the label can be seen; and

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- (b) the holder is to be affixed to the left side of the vehicle.
- (5) For the purposes of subregulation (1) an offence under that subregulation is to be treated as a subsequent offence if the person by whom it is committed had committed an offence under section 27(3) or 38(2) of the Act before 1 January 2010 by not affixing a registration label to a vehicle.
- (6) For the purposes of subregulation (2) an offence under that subregulation is to be treated as a subsequent offence if the person by whom it is committed had committed an offence under section 27(3) or 38(2) of the Act before 1 January 2010 by not keeping a registration label affixed to a vehicle.

[Regulation 31 inserted in Gazette 31 Dec 2009 p. 5409-11.]

32. Affixing, display of, registration labels issued 10 to 31 December 2009 for heavy vehicles

- (1) In this regulation —
registration label means a registration label that was issued on or after 10 December 2009 under section 27(1) or 38(1) of the Act as those provisions were in effect before 1 January 2010.
- (2) If a registration label for a heavy vehicle is not affixed to the vehicle before 1 January 2010, a licence holder of the vehicle must ensure that within 21 days after the label was issued —
 - (a) the registration label is affixed to the vehicle in accordance with regulation 31(3) if the vehicle has a windscreen; or
 - (b) the registration label is displayed in accordance with regulation 31(4) if the vehicle does not have a windscreen.

Penalty:

- (a) for a first offence, a fine of 24 PU;
- (b) for a subsequent offence, a fine of 48 PU.

- (3) For the purposes of subregulation (2) an offence under that subregulation is to be treated as a subsequent offence if the person by whom it is committed had committed an offence under section 27(3) or 38(2) of the Act before 1 January 2010 by not affixing a registration label to a vehicle.

[Regulation 32 inserted in Gazette 31 Dec 2009 p. 5411.]

33. Keeping affixed registration labels issued before 1 January 2010 for heavy vehicles

- (1) In this regulation —
registration label means a registration label that was —
- (a) issued under section 27(1) or 38(1) of the Act as those provisions were in effect before 1 January 2010; and
 - (b) valid immediately before 1 January 2010.
- (2) If a registration label for a heavy vehicle is affixed to the vehicle before 1 January 2010, a licence holder of the vehicle must ensure that the registration label is kept affixed to the vehicle until the vehicle's licence is renewed or extended, or expires.

Penalty:

- (a) for a first offence, a fine of 24 PU;
 - (b) for a subsequent offence, a fine of 48 PU.
- (3) For the purposes of subregulation (2) an offence under that subregulation is to be treated as a subsequent offence if the person by whom it is committed had committed an offence under section 27(3)(b) or 38(2) of the Act before 1 January 2010 by not keeping a registration label affixed to a vehicle.

[Regulation 33 inserted in Gazette 31 Dec 2009 p. 5412.]

[34. Deleted in Gazette 31 Dec 2009 p. 5408.]

Part VI — Traffic inspectors

35. Application of Part

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

36. Certificate of appointment, badge of authority, uniform, etc.

- (1) A certificate of the appointment of a traffic inspector shall be in the form of Form 1 in Schedule 1.
- (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 Director General.
- (3) Every traffic inspector shall, except where the Director General otherwise directs, wear the uniform approved by the Director General.

*[Regulation 36 amended in Gazette 2 Feb 1982 p. 403;
17 Aug 1993 p. 4432; 31 Jan 1997 p. 683-4.]*

[Part VII (r. 37, 38) deleted in Gazette 28 Nov 1986 p. 4382.]

Part VIII — Miscellaneous

[Heading amended in Gazette 24 Nov 1995 p. 5454.]

[38A, 38B. Deleted in Gazette 28 Nov 2006 p. 4909.]

39. Penalty for breach of regulation

- (1) A person committing a breach of any of these regulations, except regulations 31(1) and (2) and 32(2) and (3), is liable, for a first offence, to a fine not exceeding four penalty units (4 PU) and, for a subsequent offence, to a fine not exceeding eight penalty units (8 PU).
- (2) For the purposes of subregulation (1) 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*⁴, as amended at any time or against the *Traffic (Licensing Authorities) Regulations 1974*⁵, as amended at any time.

*[Regulation 39 amended in Gazette 23 Dec 1997 p. 7444;
31 Dec 2009 p. 5412-13.]*

Schedule 1

[Heading amended in Gazette 17 Aug 1993 p. 4432.]

Form 1

Road Traffic Act 1974

[Reg. 36(1)]

**CERTIFICATE OF APPOINTMENT OF TRAFFIC INSPECTOR BY
LOCAL AUTHORITY**

Office of the local government⁶ 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 local government district⁶ of

.....

Dated this.....day of.....20.....

.....
Mayor/President

.....
Town/Shire Clerk

[Forms 2, 3, 4 deleted in Gazette 28 Nov 1986 p. 4382.]

Form 5

[Reg. 25A(1)]

Road Traffic Act 1974

Road Traffic (Licensing) Regulations 1975

CERTIFICATE OF RIGHT TO DISPLAY AND TRADE

In accordance with the regulations made pursuant to the *Road Traffic Act 1974*

.....
has the right to display and trade the special plate bearing the characters.....
.....

.....
For and on behalf of the
Director General.

*[Form 5 inserted in Gazette 24 May 1985 p. 1763; amended in
Gazette 31 Jan 1997 p. 683; 28 Nov 2006 p. 4910; 22 Jun 2007
p. 2874.]*

Form 6

Road Traffic Act 1974

Road Traffic (Licensing) Regulations 1975

TRANSFER OF RIGHT TO DISPLAY SPECIAL PLATES

Description of special
plate

--

Vendor
(Full name and address)

Consideration

--

Purchaser
(Full name and address)

Dated this day of, 20.....

.....
Signed by Vendor

.....
Signed by Purchaser

*[Form 6 inserted in Gazette 24 May 1985 p. 1763; amended in
Gazette 28 Nov 2006 p. 4910; 22 Jun 2007 p. 2874.]*

[Schedule 2 deleted in Gazette 28 Nov 2006 p. 4909.]

Schedule 3

Classes of licences for heavy vehicles

[Regulation 9A]

1. Terms used

- (1) In this Schedule a converter dolly and a semi-trailer when used together shall be regarded as one trailer.
- (2) For the purposes of this Schedule, a vehicle exceeds the maximum permissible axle loading if, and only if, the mass supported on any axle or axle group of the vehicle exceeds the maximum permitted under Schedule 1 to the *Road Traffic (Vehicle Standards) Regulations 2002*.
- (3) In this Schedule —

goods vehicle derivative means a self-propelled special purpose vehicle in which the forward part of the body form and the greater part of the mechanical equipment are the same as in a goods vehicle;

trailer derivative means a caravan (trailer type) or plant trailer, in which the body form and the greater part of the mechanical equipment are the same as in a trailer or semi-trailer.

Column 1	Column 2	Column 3	Column 4
Class	No. of axles	MRC	Limitation as to heavy trailers hauled
Car or bus (not articulated)			
1B2	2	12 000 kg or under	
2B2	2	over 12 000 kg	
2B3	3	any	
Car or bus (articulated)			
AB3	3	any	
Goods vehicle or motor home			
1R2	2	12 000 kg or under	nil
2R2	2	over 12 000 kg	nil
1R3	3	16 500 kg or under	nil

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Schedule 3 Classes of licences for heavy vehicles

Column 1	Column 2	Column 3	Column 4
Class	No. of axles	MRC	Limitation as to heavy trailers hauled
2R3	3	over 16 500 kg	nil
1R4	4	20 000 kg or under	nil
2R4	4	over 20 000 kg	nil
1R5	5 or more	20 000 kg or under	nil
2R5	5 or more	over 20 000 kg	nil
SR2	2	any	1
SR3	3	any	1
SR4	4	any	1
SR5	5	any	1
MR2	2	any	1
MR3	3	any	1
MR4	4	any	1
MR5	5 or more	any	1
LR2	2	any	
LR3	3	any	
LR4	4	any	
LR5	5 or more	any	
Prime mover			
SP2	2	any	1 semi-trailer and nil other trailers
SP3	3	any	1 semi-trailer and nil other trailers
SP4	4	any	1 semi-trailer and nil other trailers
SP5	5 or more	any	1 semi-trailer and nil other trailers
MC2	2	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer
MC3	3	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer

Column 1	Column 2	Column 3	Column 4
Class	No. of axles	MRC	Limitation as to heavy trailers hauled
MC4	4	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer
MC5	5 or more	any	2 semi-trailers if no other trailers, otherwise 1 semi-trailer

Trailer, not being a towed special purpose vehicle

HT	any	any
----	-----	-----

Special purpose vehicle

Other than goods vehicle derivative or trailer derivative

PSV	any	any
-----	-----	-----

Goods vehicle derivative or trailer derivative not exceeding maximum permissible axle mass loading

TSV	any	any
-----	-----	-----

Goods vehicle derivative or trailer derivative exceeding maximum permissible axle mass loading

OSV2	one or 2	any
OSV3	3	any
OSV4	4	any
OSV5	5	any
OSV6	6	any
OSV7	7	any
OSV8	8	any
OSV9	9	any

[Schedule 3 inserted in Gazette 24 May 1996 p. 2179-81; amended in Gazette 1 Jul 1997 p. 3274; 25 May 1999 p. 2069; 17 May 2000 p. 2426-7; 1 Nov 2002 p. 5393; 28 Nov 2006 p. 4909-10; 30 May 2008 p. 2084.]



Notes

¹ This is a compilation of the *Road Traffic (Licensing) 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.^{1a}

Compilation table

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Regulations 1975</i> ⁷	29 May 1975 p. 1577-88	1 Jun 1975
Untitled regulations	1 Aug 1975 p. 2795-6	1 Aug 1975
Untitled regulations	14 Nov 1975 p. 4184	14 Nov 1975
Untitled regulations	5 Dec 1975 p. 4369	5 Dec 1975
Untitled regulations	2 Apr 1976 p. 1048	2 Apr 1976
Untitled regulations	23 Jul 1976 p. 2534	23 Jul 1976
Untitled regulations	15 Oct 1976 p. 3676	15 Oct 1976
Untitled regulations	17 Dec 1976 p. 4980-1	17 Dec 1976
Untitled regulations	24 Dec 1976 p. 5038-9	24 Dec 1976
Untitled regulations	20 May 1977 p. 1510-11	20 May 1977
Untitled regulations	3 Jun 1977 p. 1649	3 Jun 1977
Untitled regulations	22 Jul 1977 p. 2358	22 Jul 1977
Untitled regulations	12 Aug 1977 p. 2610	12 Aug 1977
Untitled regulations	10 Nov 1977 p. 4189-90	14 Nov 1977
Untitled regulations	18 Nov 1977 p. 4308	18 Nov 1977
Untitled regulations	30 Dec 1977 p. 4750-1	30 Dec 1977

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Citation	Gazettal	Commencement
Untitled regulations	10 Mar 1978 p. 688	10 Mar 1978
Untitled regulations	30 Jun 1978 p. 2141	30 Jun 1978
Untitled regulations	29 Sep 1978 p. 3578-9	29 Sep 1978
Untitled regulations	3 Nov 1978 p. 4165	3 Nov 1978
Reprint of the Road Traffic (Licensing) Regulations 1975 authorised 21 Dec 1978 in Gazette 29 Dec 1978 p. 4849-66 (includes amendments listed above except those in Gazette 30 Jun 1978, 29 Sep 1978 and 3 Nov 1978)		
Untitled regulations	11 May 1979 p. 1221	11 May 1979
Untitled regulations	15 Feb 1980 p. 464-6	15 Feb 1980 (see <i>Gazette</i> 15 Feb 1980 p. 456)
<i>Road Traffic (Licensing) Amendment Regulations 1980</i>	12 Dec 1980 p. 4215	1 Jan 1981 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations 1980</i>	31 Dec 1980 p. 4426-7	1 Jan 1981 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations 1981</i>	6 Feb 1981 p. 538	6 Feb 1981
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1981</i>	13 Mar 1981 p. 939	13 Mar 1981
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1981</i>	26 Jun 1981 p. 2296	1 Jul 1981 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 1981</i>	11 Sep 1981 p. 3926	11 Sep 1981
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1981</i>	2 Oct 1981 p. 4186	2 Oct 1981
<i>Road Traffic (Licensing) Amendment Regulations (No. 6) 1981</i>	18 Dec 1981 p. 5194	18 Dec 1981
<i>Road Traffic (Licensing) Amendment Regulations 1982</i>	2 Feb 1982 p. 401-3	2 Feb 1982 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1982</i>	20 Aug 1982 p. 3270	1 Oct 1982 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1982</i>	1 Oct 1982 p. 3889	1 Nov 1982 (see r. 2)

Road Traffic (Licensing) Regulations 1975

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations 1983</i>	25 Feb 1983 p. 654	1 Apr 1983 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1983</i>	4 Mar 1983 p. 771	4 Mar 1983
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1983</i>	27 May 1983 p. 1612	27 May 1983
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 1983</i>	23 Sep 1983 p. 3815	1 Nov 1983 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1983</i>	21 Oct 1983 p. 4269-70	1 Nov 1983 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 6) 1983</i>	11 Nov 1983 p. 4512	11 Nov 1983
Reprint of the Road Traffic (Licensing) Regulations 1975 authorised 21 Aug 1984 in Gazette 28 Aug 1984 p. 2663-82 (includes amendments listed above)		
<i>Road Traffic (Licensing) Amendment Regulations 1984</i>	26 Oct 1984 p. 3457	1 Nov 1984 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1984</i> ⁸	14 Dec 1984 p. 4129	14 Dec 1984
<i>Road Traffic (Licensing) Amendment Regulations 1985</i>	24 May 1985 p. 1760-1	24 May 1985
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1985</i>	24 May 1985 p. 1761-3	24 May 1985
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1985</i>	29 Nov 1985 p. 4452 (erratum 6 Dec 1985 p. 4532)	29 Nov 1985
<i>Road Traffic (Licensing) Amendment Regulations 1986</i>	11 Apr 1986 p. 1382	11 Apr 1986
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1986</i>	26 Sep 1986 p. 3690-1	1 Oct 1986 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1986</i>	28 Nov 1986 p. 4382	28 Nov 1986
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1987</i>	15 May 1987 p. 2122	15 May 1987
<i>Road Traffic (Licensing) Amendment Regulations 1987</i>	29 May 1987 p. 2221-2	29 May 1987
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1987</i>	14 Aug 1987 p. 3169	14 Aug 1987

Road Traffic (Licensing) Regulations 1975

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 1987</i>	28 Aug 1987 p. 3438	1 Oct 1987 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1987</i>	4 Sep 1987 p. 3493	4 Sep 1987
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1988</i>	4 Mar 1988 p. 677	4 Mar 1988
<i>Road Traffic (Licensing) Amendment Regulations 1988</i>	10 Jun 1988 p. 1906	10 Jun 1988
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1988</i>	1 Jul 1988 p. 2145	1 Jul 1988
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 1988</i>	18 Nov 1988 p. 4531	17 Jan 1989 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1989</i>	31 Mar 1989 p. 856	31 Mar 1989
<i>Road Traffic (Licensing) Amendment Regulations 1989</i>	2 Jun 1989 p. 1611	30 Jun 1989 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1989</i>	30 Jun 1989 p. 1906	30 Jun 1989
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1989</i>	21 Jul 1989 p. 2220	21 Jul 1989 (see r. 2 and <i>Gazette</i> 21 Jul 1989 p. 2212)
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 1989</i>	21 Jul 1989 p. 2220	19 Sep 1989 (see r. 2 and <i>Gazette</i> 21 Jul 1989 p. 2212)
<i>Road Traffic (Licensing) Amendment Regulations (No. 6) 1989</i>	18 Aug 1989 p. 2758	18 Aug 1989
<i>Road Traffic (Licensing) Amendment Regulations (No. 8) 1989</i>	8 Sep 1989 p. 3171-2 (corrigendum 10 Nov 1989 p. 4054)	1 Oct 1989 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 7) 1989</i>	24 Nov 1989 p. 4349 (corrigendum 24 Nov 1989 p. 4348)	24 Nov 1989
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1990</i>	21 Sep 1990 p. 4940-1	1 Oct 1990 (see r. 2)
<i>Regulations Amendment (Towed Agricultural Implements) Regulations 1990 Pt. 5</i>	28 Sep 1990 p. 5071-3	1 Nov 1990 (see r. 2 and <i>Gazette</i> 28 Sep 1990 p. 5073)

Road Traffic (Licensing) Regulations 1975

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1991</i>	6 Sep 1991 p. 4713-14	6 Sep 1991
<i>Road Traffic (Licensing) Amendment Regulations 1991</i>	20 Sep 1991 p. 4944-7	1 Oct 1991 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations 1992</i>	13 Mar 1992 p. 1205	13 Mar 1992
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1992</i>	26 Jun 1992 p. 2795-6	1 Jul 1992 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations 1993</i>	17 Aug 1993 p. 4429-35	17 Aug 1993
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1993</i>	31 Dec 1993 p. 6907-8	31 Dec 1993
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1994</i>	22 Jul 1994 p. 3788 (correction 9 Aug 1994 p. 4009)	22 Jul 1994
<i>Road Traffic (Licensing) Amendment Regulations 1994</i>	29 Jul 1994 p. 3859	29 Jul 1994
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1994</i>	16 Sep 1994 p. 4790-1	1 Oct 1994 (see r. 2)
Reprint of the Road Traffic (Licensing) Regulations 1975 as at 5 Oct 1994 (includes amendments listed above)		
<i>Road Traffic (Licensing) Amendment Regulations 1995</i>	10 Jan 1995 p. 64-5	10 Jan 1995 (see r. 2 and <i>Gazette</i> 10 Jan 1995 p. 73)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1995</i>	26 May 1995 p. 2072	1 Jul 1995 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1995</i>	27 Jun 1995 p. 2606-7	1 Jul 1995 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 1995</i>	24 Nov 1995 p. 5448-55	25 Nov 1995 (see r. 2 and <i>Gazette</i> 24 Nov 1995 p. 5390)
<i>Road Traffic (Licensing) Amendment Regulations (No. 6) 1995</i>	28 Nov 1995 p. 5521	28 Nov 1995
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1995</i>	22 Dec 1995 p. 6194-6	22 Dec 1995
<i>Road Traffic (Licensing) Amendment Regulations 1996⁹</i>	24 May 1996 p. 2172-81	Regulations other than r. 6, 7 and 13: 1 Jun 1996 (see r. 2(2)); r. 6, 7 and 13: 1 Jul 1996 (see r. 2(1))

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1996</i> ¹⁰	17 Dec 1996 p. 7013-14	17 Dec 1996
<i>Road Traffic (Licensing) Amendment Regulations 1997</i>	31 Jan 1997 p. 682-4	1 Feb 1997 (see r. 2 and <i>Gazette</i> 31 Jan 1997 p. 613)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1997</i> ¹¹	26 Mar 1997 p. 1650	1 Apr 1997 (see r. 2)
<i>Road Traffic (Amendments to Fees) Regulations 1997 Div. 3</i>	13 May 1997 p. 2340-3	1 Jul 1997 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1997</i>	1 Jul 1997 p. 3272-4	1 Jul 1997
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 1997</i>	23 Dec 1997 p. 7443-4	1 Jan 1998 (see r. 2 and <i>Gazette</i> 23 Dec 1997 p. 7400)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1998</i>	12 May 1998 p. 2797-8	1 Jul 1998 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations 1998</i>	12 May 1998 p. 2798-9	1 Jul 1998 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1998</i>	4 Aug 1998 p. 3991	4 Aug 1998
<i>Road Traffic (Licensing) Amendment Regulations 1999</i>	2 Feb 1999 p. 352-3	1 Jul 1999 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1999</i>	25 May 1999 p. 2067-9	1 Jul 1999 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 1999</i>	29 Oct 1999 p. 5401	29 Oct 1999
Reprint of the Road Traffic (Licensing) Regulations 1975 as at 11 Feb 2000 (includes amendments listed above)		
<i>Road Traffic (Licensing) Amendment Regulations 2000</i>	18 Feb 2000 p. 914-15	18 Feb 2000
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2000</i> ¹²	17 May 2000 p. 2426-7	31 May 2000 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 2000</i>	17 May 2000 p. 2428-32	1 Jul 2000 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 2000</i>	8 Sep 2000 p. 5192	8 Sep 2000
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2001</i>	30 Jan 2001 p. 628	5 Feb 2001 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 5) 2001</i>	15 Jun 2001 p. 2974-5	1 Jul 2001 (see r. 2)

Road Traffic (Licensing) Regulations 1975

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2001</i>	29 Jun 2001 p. 3248-51	1 Aug 2001 (see r. 2)
<i>Corporations (Consequential Amendments) Regulations 2001 Pt. 8</i>	28 Sep 2001 p. 5353-8	15 Jul 2001 (see r. 2 and Cwlt <i>Gazette</i> 13 Jul 2001 No. S285)
<i>Road Traffic (Licensing) Amendment Regulations 2002</i>	5 Feb 2002 p. 547	5 Feb 2002
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2002</i>	7 May 2002 p. 2319-20	7 May 2002
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2002</i>	17 May 2002 p. 2561-4	1 Jul 2002 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 2002</i>	28 Jun 2002 p. 3113-15	1 Jul 2002 (see r. 2 and <i>Gazette</i> 17 May 2002 p. 2561)
Reprint of the Road Traffic (Licensing) Regulations 1975 as at 20 Sep 2002 (includes amendments listed above)		
<i>Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002 Pt. 4</i>	1 Nov 2002 p. 5388-400	1 Nov 2002 (see r. 2)
<i>Road Traffic (Vehicle Standards 2002) Amendment Regulations 2002 r. 13(1)</i>	3 Jan 2003 p. 5-11	3 Jan 2003
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2003</i>	20 May 2003 p. 1800-3	1 Jul 2003 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 2003</i>	31 Oct 2003 p. 4566-7	31 Oct 2003
<i>Road Traffic (Licensing) Amendment Regulations 2004</i>	28 May 2004 p. 1845-9	1 Jul 2004 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2004</i>	27 Jul 2004 p. 3081-2	27 Jul 2004
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 2004</i>	24 Dec 2004 p. 6256-7	1 Feb 2005 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2005</i>	27 May 2005 p. 2309-12	1 Jul 2005 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 4) 2005</i>	26 Jul 2005 p. 3402	26 Jul 2005
Reprint 6: The Road Traffic (Licensing) Regulations 1975 as at 26 Aug 2005 (includes amendments listed above)		
<i>Road Traffic (Licensing) Amendment Regulations 2005</i>	16 Sep 2005 p. 4326	16 Sep 2005

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2005</i>	23 Dec 2005 p. 6283-5	1 Jan 2006 (see r. 2 and <i>Gazette</i> 23 Dec 2005 p. 6244-5)
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2006</i>	26 May 2006 p. 1884-5	1 Jul 2006 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2006</i>	26 May 2006 p. 1888-92	1 Jul 2006 (see r. 2)
<i>Road Traffic (Licensing) Amendment Regulations 2006</i>	28 Nov 2006 p. 4898-911	4 Dec 2006 (see r. 2 and <i>Gazette</i> 28 Nov 2006 p. 4889)
Reprint 7: The Road Traffic (Vehicle Licensing) Regulations 1975 as at 18 May 2007 (includes amendments listed above)		
<i>Road Traffic (Vehicle Licensing) Amendment Regulations (No. 4) 2007</i>	22 Jun 2007 p. 2871-2	r. 1 and 2: 22 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Jun 2007 (see r. 2(b))
<i>Road Traffic (Vehicle Licensing) Amendment Regulations 2007</i>	22 Jun 2007 p. 2873-4	22 Jun 2007
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2008</i>	30 May 2008 p. 2083-4	r. 1 and 2: 30 May 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b))
<i>Road Traffic (Licensing) Amendment Regulations 2009</i>	31 Dec 2009 p. 5405-13	r. 1 and 2: 31 Dec 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2010 (see r. 2(b))
Reprint 8: The Road Traffic (Licensing) Regulations 1975 as at 9 Apr 2010 (includes amendments listed above)		
<i>Road Traffic (Licensing) Amendment Regulations 2010</i>	24 Sep 2010 p. 5017-22	r. 1 and 2: 24 Sep 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Sep 2010 (see r. 2(b))
<i>Road Traffic (Licensing) Amendment Regulations 2011</i>	25 Feb 2011 p. 657-8	r. 1 and 2: 25 Feb 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 26 Feb 2011 (see r. 2(b))
<i>Road Traffic (Licensing) Amendment Regulations (No. 3) 2011</i>	2 Dec 2011 p. 5073-4	r. 1 and 2: 2 Dec 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 3 Dec 2011 (see r. 2(b))

Road Traffic (Licensing) Regulations 1975

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2011</i>	2 Dec 2011 p. 5075	r. 1 and 2: 2 Dec 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 3 Dec 2011 (see r. 2(b))
<i>Road Traffic (Licensing) Amendment Regulations 2012</i>	14 Dec 2012 p. 6207-8	r. 1 and 2: 14 Dec 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 15 Dec 2012 (see r. 2(b))
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2013</i>	12 Apr 2013 p. 1540	r. 1 and 2: 12 Apr 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 13 Apr 2013 (see r. 2(b) and <i>Gazette</i> 12 Apr 2013 p. 1533)

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Citation	Gazettal	Commencement
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 2014</i> r. 3-8 ¹³	9 Sep 2014 p. 3249-52	26 Sep 2014 (see r. 2(b))

² Footnote no longer applicable.

³ Repealed by the *Motor Vehicle (Third Party Insurance) Regulations 2009*.

⁴ Revoked on 4 Oct 1974 (see *Gazette* 3 Oct 1974 p. 3701).

⁵ Revoked on 1 Jun 1975 (see *Gazette* 29 May 1975 p. 1577).

⁶ Under the *Local Government Act 1995* Sch. 9.3 cl. 3(2) a reference to a municipality or municipal district under the *Local Government Act 1960* may, when the context requires, be read as if it had been amended to include or be a reference to a local government or local government district under the *Local Government Act 1995*. This reference was changed under the *Reprints Act 1984* s. 7(5)(a).

⁷ Now known as the *Road Traffic (Licensing) Regulations 1975*; citation changed (see note under r. 1).

⁸ The *Miscellaneous Regulations (Validation) Act 1985* applied to these regulations. It deems the regulations not to have ceased to have effect as a result of the failure to comply with section 42(1) of the *Interpretation Act 1984*, subject to their being laid before the Legislative Assembly. The *Interpretation Act 1984* s. 42(2) then

applied as if the words “or if any regulations are not laid before both Houses of Parliament in accordance with subsection (1)” had been omitted.

- ⁹ The *Road Traffic (Licensing) Amendment Regulations 1996* r. 15 is a transitional provision of no further effect.
- ¹⁰ The *Road Traffic (Licensing) Amendment Regulations (No. 3) 1996* r. 6 is a transitional provision of no further effect.
- ¹¹ Disallowance of the *Road Traffic (Licensing) Amendment Regulations (No. 2) 1997* r. 3(a) on 26 Aug 1997 in *Gazette* 2 Sep 1997 p. 5001 has no effect as the relevant provision was subsequently amended prior to disallowance.
- ¹² The *Road Traffic (Licensing) Amendment Regulations (No. 3) 2000* r. 6 reads as follows:

6. Transitional

A licence for a vehicle of a class described in the portion of the Table deleted by regulation 5(4) is to be taken to be a licence for the appropriate class of vehicle described in the portion of the Table inserted by that regulation.

- ¹³ On the date as at which this compilation was prepared, the *Road Traffic (Licensing) Amendment Regulations (No. 2) 2014* r. 3-8 had not come into operation. They read as follows:

3. Regulations amended

These regulations amend the *Road Traffic (Licensing) Regulations 1975*.

4. Regulation 3 amended

In regulation 3(1) insert in alphabetical order:

character includes letter and numeral;

5. Regulation 23 amended

In regulation 23(1) and (2) delete “or numerals or both, as the case may be,”.

6. Regulation 25 amended

In regulation 25(1):

- (a) in paragraph (c) delete “plate; and” and insert:

plate.

- (b) delete paragraph (d).

7. **Regulation 25AA inserted**

After regulation 25 insert:

25AA. Preventing effective identification of number plate

- (1) In this regulation —

ID prevention state, in relation to a plate on a vehicle, means that —

- (a) the plate is bent in a way that prevents the whole or a part of a character on the plate from being read at any time when the vehicle is used or driven; or
- (b) the plate's angle is changed in a way that prevents the whole or a part of a character on the plate from being read at any time when the vehicle is used or driven; or
- (c) the plate or any part of the plate is covered, altered or otherwise obscured in a way that prevents the whole or part of a character on the plate from being read at any time when the vehicle is used or driven; or
- (d) a character or a part of a character on the plate is covered, altered or otherwise obscured in a way that prevents the whole or part of a character on the plate from being read at any time when the vehicle is used or driven; or
- (e) the plate is affected in a way that prevents the whole or part of a character on the plate from being read from one or more positions, even though the character can be read from one or more other positions, at any time when the vehicle is used or driven;

obscuring device means a device the use or operation of which would result in a plate on a vehicle being in an ID prevention state but does not include —

- (a) a tow ball fitted to the rear of a vehicle; or
- (b) a bicycle rack fitted to the rear of a vehicle; or
- (c) a bicycle carried on a bicycle rack fitted to the rear of a vehicle;

obscuring device action, in relation to a vehicle, means —

- (a) installing an obscuring device in or on the vehicle; or

- (b) causing an obscuring device to be installed in or on the vehicle; or
- (c) otherwise providing an obscuring device for the vehicle;

plate means a number plate or identification tablet;

read, in relation to a plate on a vehicle, means read from the vehicle's exterior.

- (2) A responsible person for a vehicle must not allow the vehicle to be used or driven unless the whole of each character on a plate on the vehicle can be read whenever the vehicle is used or driven.
- (3) A responsible person for a vehicle must not allow the vehicle to be used or driven if a plate on the vehicle is in an ID prevention state.
- (4) A responsible person for a vehicle must not take obscuring device action in relation to the vehicle.
- (5) A responsible person for a vehicle must not allow the vehicle to be used or driven if an obscuring device is installed in or on the vehicle or is otherwise provided for the vehicle.
- (6) A person in charge of a vehicle must not use or drive the vehicle unless the whole of each character on a plate on the vehicle can be read whenever the vehicle is used or driven.
- (7) A person in charge of a vehicle must not use or drive the vehicle if a plate on the vehicle is in an ID prevention state.
- (8) A person in charge of a vehicle must not use or drive the vehicle if an obscuring device is installed in or on the vehicle or is otherwise provided for the vehicle.
- (9) A person in charge of a vehicle must not use or operate an obscuring device at any time so as to prevent the whole or part of a character on the plate from being read at any time when the vehicle is used or driven.
- (10) A person does not commit an offence under subregulation (2), (3), (6) or (7) if the thing that is preventing the whole or part of a character on the plate from being read is —
 - (a) a tow ball fitted to the rear of the vehicle; or
 - (b) a bicycle rack fitted to the rear of the vehicle; or
 - (c) a bicycle carried on a bicycle rack fitted to the rear of the vehicle.
- (11) A person does not commit an offence under subregulation (3) or (7) in relation to the covering of a plate or a character if the plate or character is covered by a transparent film or cover that —
 - (a) is of a type approved by the Director General as being non-reflective; and

- (b) bears the name of its manufacturer and its serial or other identification number in a conspicuous place, but not so as to obscure the characters on the number plate; and
- (c) is kept clean, in good condition and free from discoloration, heavy scratching and any marking other than those referred to in paragraph (b).

Penalty applicable to subregulations (2), (3), (4), (5), (6), (7), (8) and (9): a fine of 24 PU.

8. Regulation 39 amended

In regulation 39(1) delete “regulations 31(1)” and insert:

regulations 25AA(2), (3), (4), (5), (6), (7), (8) and (9), 31(1)

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
agricultural implement	3(1)
agricultural machine	3(1)
agricultural vehicle	3(1)
approved place	3C(1A)
authorised vehicle examiner	3(1)
axle	3(1)
car or bus	3(1)
compliance plate	3(1)
converter dolly	3(1)
electric personal transporter	3
electric personal transporter use area	3
goods vehicle	3(1)
goods vehicle derivative	Sch. 3 cl. 1(3)
heavy trailer	3(1)
heavy vehicle	3(1)
identifier	3(1)
imitation plate	27A
licence holder	3(1)
manufacturer's gross vehicle mass	3(1)
motor cycle	3(1)
motor home	3(1)
motor vehicle	3(1)
motorised wheelchair	3(1)
MRC	3(1)
name plates	3(1)
new owner	16A(1)
ordinary plates	3(1)
permit	11(1)
personalised plates	3(1)
plate fee	26D
prime mover	3(1)
reflective plates	3(1)
registration label	32(1), 33(1)
renewal period	3(1)
repairable write-off	3(1)
restricted access vehicle	3(1)
seasonal heavy vehicle licence	3(1)
semi-trailer	3(1)
set	26D

Defined Terms

special plates	3(1)
special purpose vehicle	3(1)
statutory write-off	3(1)
tow truck	3(1)
trailer	3(1)
trailer derivative	Sch. 3 cl. 1(3)
unloaded mass	3(1)
vehicle identification number	3(1)
Vehicle Standards	3(1)
Written-Off Vehicle Register	3(1)