

TN303\*

Road Traffic Act 1974

## **Road Traffic (Licensing) Amendment Regulations (No. 2) 2014**

Made by the Administrator in Executive Council.

### **1. Citation**

These regulations are the *Road Traffic (Licensing) Amendment Regulations (No. 2) 2014*.

### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 26 September 2014.

### **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

