

TN302*

Road Traffic Act 1974

Road Traffic (Miscellaneous) Amendment Regulations (No. 2) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Miscellaneous) Amendment Regulations (No. 2) 2011*.

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 the day on which the *Road Traffic Amendment (Alcohol and Drug Related Offences) Act 2011* Part 2 comes into operation.

3. Regulations amended

These regulations amend the *Road Traffic (Miscellaneous) Regulations 2008*.

4. Regulations 6A and 6B inserted

At the end of Part 2 insert:

6A. Classes of person prescribed for s. 64A and 64AAA of Act

- (1) In this regulation —

contractor, to FESA, an emergency services organisation or a local government, means —

- (a) a person who is engaged by FESA, the emergency services organisation or the local government under a contract for services; or
- (b) a person who is employed or engaged by a person referred to in paragraph (a);

emergency services organisation means any of the following —

- (a) a FESA Unit as defined in the FESA Act section 3;
- (b) an SES Unit as defined in the FESA Act section 3;
- (c) a VMRS Group as defined in the FESA Act section 3;
- (d) a bush fire brigade as defined in the *Bush Fires Act 1954* section 7(1);
- (e) a private fire brigade as defined in the *Fire Brigades Act 1942* section 4(1);
- (f) a volunteer fire brigade as defined in the *Fire Brigades Act 1942* section 4(1);

FESA means the Fire and Emergency Services Authority of Western Australia established by the FESA Act section 4;

FESA Act means the *Fire and Emergency Services Authority of Western Australia Act 1998*.

- (2) The following classes of person are prescribed for the purposes of sections 64A(4A)(a) and 64AAA(2A)(a) of the Act —
 - (a) a person who is an officer or member of an emergency services organisation;
 - (b) a person who is employed by a local government under the *Local Government Act 1995* section 5.36;
 - (c) a person who is a contractor to FESA, an emergency services organisation or a local government;
 - (d) a person who is acting under the direction of a person referred to in paragraph (a), (b) or (c).

6B. Classes of motor vehicle prescribed for s. 64A of Act

The following classes of motor vehicle are prescribed for the purposes of section 64A(5)(e) of the Act —

- (a) a motor vehicle that is a placarded vehicle as defined in the *Dangerous Goods Safety (Explosives) Regulations 2007* regulation 107(1);
- (b) a motor vehicle transporting a load of dangerous goods that is required to be placarded under the *Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Regulations 2007* regulation 110.

5. Schedule 2 amended

In Schedule 2 in the item for section 64AAA delete “being a novice driver and”.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.
