

Road Traffic Act 1974

## **Road Traffic (Licensing) Amendment Regulations 2009**

Made by the Lieutenant-Governor and deputy of the Governor in  
Executive Council.

**1. Citation**

These regulations are the *Road Traffic (Licensing) Amendment  
Regulations 2009*.

**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 1 January 2010.

**3. Regulations amended**

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

**4. Regulation 3 amended**

- (1) In regulation 3(1) delete the definitions of:  
*licensee*  
*registration label*

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- (2) In regulation 3(1) insert in alphabetical order:

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

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

**5. Regulation 16A inserted**

At the end of Part II insert:

**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 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.

**6. Regulation 22 amended**

In regulation 22(3)(a) delete “licensee” and insert:

licence holder

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- (1) In regulation 24(6):
  - (a) delete “licensee,” and insert:  
  
licence holder,
  - (b) delete “licensee” (each occurrence) and insert:  
  
licence holder
- (2) In regulation 24(6a):
  - (a) delete “licensee,” and insert:  
  
licence holder,
  - (b) delete “licensee” (each occurrence) and insert:  
  
licence holder
- (3) In regulation 24(7):
  - (a) delete “licensee” and insert:  
  
licence holder
  - (b) in paragraph (c) delete “licensee,” and insert:  
  
licence holder,

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- (4) In regulation 24(8) delete “licensee” and insert:

licence holder

**8. Regulation 28A amended**

Delete regulation 28A(4).

**9. Part V replaced**

Delete Part V and insert:

**Part V — Labels issued on grant or renewal  
of licence**

**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.

**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;

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- (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.

**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.

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- (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
  - (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.

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- (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.

**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.

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**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.

**10. Regulation 39 amended**

In regulation 39(1):

- (a) delete “regulations” and insert:

regulations, except regulations 31(1) and (2) and 32(2) and (3),



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(b) delete “a penalty” (each occurrence) and insert:

a fine

By Command of the Lieutenant-Governor and deputy of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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