
TRANSPORT

TN301

Road Traffic Act 1974

**Road Traffic Regulations Amendment
Regulations 2017**

Made by the Governor in Executive Council.

Part 1 — Preliminary**1. Citation**

These regulations are the *Road Traffic Regulations Amendment Regulations 2017*.

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 Legislation Amendment Act 2016* section 33 comes into operation.

Part 2 — *Road Traffic (Blood Sampling and Analysis) Regulations 1975* amended

3. Regulations amended

These regulations amend the *Road Traffic (Blood Sampling and Analysis) Regulations 1975*.

4. Regulations 3A and 3B inserted

After regulation 3 insert:

3A. Prescribed sample taker

For section 65 of the Act in paragraph (b) of the definition of the term *prescribed sample taker*, the following persons are prescribed for the purposes of each provision of the Act and these regulations in which the term is used —

- (a) pathology collector;
- (b) phlebotomist.

3B. Prescribed particulars of sample delivery to analyst

For section 70B(1) of the Act, the prescribed particulars of a sample delivered to an analyst are the following —

- (a) the serial number or barcode number of the sample;
- (b) the name of the person from whom the sample was taken;
- (c) the name and qualifications of the prescribed sample taker;
- (d) the name and signature of the police officer who required the sample to be taken;
- (e) the date and time the sample was collected;
- (f) the names and signatures of the persons who delivered the sample to the analyst.

5. Regulation 15 amended**(1) In regulation 15(3):**

- (a) in paragraph (a) delete “content — \$100; and” and insert:

content — \$296; and

- (b) in paragraph (b) delete “content — \$450.” and insert:

content — \$780.

(2) In regulation 15(4) delete “\$450.” and insert:

\$780.

6. Schedule amended**(1) In the Schedule Form B:**

- (a) delete “Medical Practitioner or Registered Nurse:” and insert:

prescribed sample taker:

- (b) delete “duly qualified medical practitioner or registered nurse” and insert:

prescribed sample taker,

- (c) delete “..... portion” and insert:

....., a portion

(2) In the Schedule Form D:

- (a) delete “section 66(5)” and insert:

section 66(5), 66(8B)

- (b) delete “the abovementioned regulations.” and insert:

section 69 of the *Road Traffic Act 1974*.

- (c) delete “medical practitioner or registered nurse or the words Medical Superintendent, Medical Officer in Charge, Medical Registrar or Registered Nurse, as the case may require.” and insert:

prescribed sample taker.

7. Various references to “medical practitioner or registered nurse” amended

In the provisions listed in the Table delete “medical practitioner or registered nurse” and insert:

prescribed sample taker

Table

r. 7(1), 2A and (2)	r. 8(1)(a) and (2)
r. 12	r. 15(1)

**Part 3 — *Road Traffic (Drug Driving) Regulations 2007*
amended**

8. Regulations amended

These regulations amend the *Road Traffic (Drug Driving) Regulations 2007*.

9. Regulation 7 inserted

After regulation 6 insert:

7. Prescribed particulars of sample delivery to drugs analyst

For the purposes of section 70B(1) of the Act, the prescribed particulars of a sample delivered to a drugs analyst are the following —

- (a) the serial number or barcode number of the sample;
- (b) the name of the person from whom the sample was taken;
- (c) the name and qualifications of the authorised drug tester;
- (d) the name and signature of the police officer who required the sample to be taken;
- (e) the date and time the sample was collected;

- (f) the names and signatures of the persons who delivered the sample to the drugs analyst.

Part 4 — *Road Traffic (Urine Sampling and Analysis) Regulations 1983* amended

10. Regulations amended

These regulations amend the *Road Traffic (Urine Sampling and Analysis) Regulations 1983*.

11. Regulations 4A and 4B inserted

After regulation 4 insert:

4A. Prescribed sample taker

For section 65 of the Act in paragraph (b) of the definition of the term *prescribed sample taker*, the following persons are prescribed for the purposes of each provision of the Act and these regulations in which the term is used —

- (a) pathology collector;
- (b) phlebotomist.

4B. Prescribed particulars of sample delivery to analyst

For section 70B(1) of the Act, the prescribed particulars of a sample delivered to an analyst are the following —

- (a) the serial number or barcode number of the sample;
- (b) the name of the person from whom the sample was taken;
- (c) the name and qualifications of the prescribed sample taker;
- (d) the name and signature of the police officer who required the sample to be taken;
- (e) the date and time the sample was collected;
- (f) the names and signatures of the persons who delivered the sample to the analyst.

12. Regulation 8 amended

- (1) In regulation 8(1) delete “medical practitioner or registered nurse” and insert:

prescribed sample taker

- (2) In regulation 8(2) delete “medical practitioner or registered nurse” and insert:

prescribed sample taker

13. Regulation 9 amended

- (1) In regulation 9(1)(a) delete “medical practitioner or registered nurse” and insert:

prescribed sample taker

- (2) In regulation 9(2) delete “medical practitioner or registered nurse” and insert:

prescribed sample taker

14. Regulation 12 amended

- (1) In regulation 12(1) delete “medical practitioner or registered nurse” and insert:

prescribed sample taker

- (2) In regulation 12(3):

- (a) in paragraph (a) delete “content — \$100; and” and insert:

content — \$200; and

- (b) in paragraph (b) delete “content — \$450.” and insert:

content — \$480.

- (3) In regulation 12(4) delete “\$450.” and insert:

\$480.

15. Schedule amended

In the Schedule Form 2:

- (a) delete “Medical Practitioner or Registered Nurse:” and insert:

prescribed sample taker:

- (b) delete “duly qualified medical practitioner or registered nurse,” and insert:

prescribed sample taker,

- (c) delete “..... portion” and insert:

....., a portion

- (d) delete “Medical practitioner or registered nurse:” and insert:

Prescribed sample taker:

N. HAGLEY, Clerk of the Executive Council.
