
TRANSPORT

TR302*

Road Traffic Act 1974

Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002*.

2. Commencement

These regulations come into operation on 1 November 2002.

3. Repeal

The *Road Traffic (Vehicle Standards) Regulations 1977* are repealed.

Part 2 — Road Traffic (Drivers' Licences) Regulations 1975 amended

4. The regulations amended

The amendments in this Part are to the *Road Traffic (Drivers' Licences) Regulations 1975**.

[* Reprinted as at 5 April 2002.

For amendments to 17 October 2002 see Gazette 3 and 17 May 2002.]

5. Schedule 7 amended

- (1) Schedule 7 clause 1 is repealed and the following clause is inserted instead —

“

1. Motor vehicles of class C or class LR

- (1) A motor vehicle of class C or class LR may be used to tow one trailer that complies with this clause and no other trailer.

- (2) A trailer complies with this clause if —
- (a) the GVM of the trailer does not exceed —
- (i) the mass recommended by the manufacturer of the motor vehicle as the maximum loaded mass of a trailer that may be towed by the motor vehicle; or
- (ii) if no such mass has been recommended by the manufacturer, or if the recommended mass is not ascertainable, the mass specified in Schedule 1 clause 5(2) of the *Road Traffic (Vehicle Standards) Regulations 2002*;
- and
- (b) the loaded mass of the trailer does not exceed the limit imposed by Schedule 1 clause 6 of the *Road Traffic (Vehicle Standards) Regulations 2002*.
- ”.

(2) Schedule 7 clause 2 is repealed.

(3) Schedule 7 clause 5(b) is deleted and the following paragraph is inserted instead —

“

- (b) is an unladen converter dolly or low loader dolly as defined in the *Road Traffic (Vehicle Standards) Regulations 2002*.

”.

6. Schedule 9 amended

Schedule 9 is amended by deleting item 86 and the heading immediately before it and inserting instead —

“

Road Traffic (Vehicle Standards) Regulations 2002.

86.	66(1)	Failure to comply with compliance notice	3
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”.

Part 3 — Road Traffic (Infringements) Regulations 1975 amended

7. The regulations amended

The amendments in this Part are to the *Road Traffic (Infringements) Regulations 1975**.

[* Reprinted as at 18 February 2000.

For amendments to 17 October 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 293.]

8. Regulation 3 amended

- (1) Regulation 3(1) is amended by deleting “In addition to the offences prescribed by regulation 9(4) of the *Road Traffic Code 2000*, the” and inserting instead —
“ The ”.
- (2) Regulation 3(2) is repealed and the following subregulation is inserted instead —
“
(2) In column 1 of the First Schedule, a reference to a provision that creates an offence when read with section 107 of the Act shall be taken to include a reference to the provision read with section 107.
”.
- (3) Regulation 3(3) is amended as follows:
(a) by deleting paragraph (b);
(b) in paragraph (e) by deleting “(a) to” and inserting instead —
“ (c) or ”.
- (4) After regulation 3(3) the following subregulation is inserted —
“
(4) The offences prescribed by this regulation for the purposes of section 102 of the Act are prescribed in addition to the offences prescribed for the purposes of that section by —
(a) the *Road Traffic Code 2002*;
(b) the *Road Traffic (Vehicle Standards) Regulations 2002*;
(c) the *Road Traffic (Bicycles) Regulations 2002*;
and
(d) the *Road Traffic (Animal Drawn Vehicles) Regulations 2002*.
”.

9. First Schedule amended

The First Schedule is amended by deleting the heading “*Road Traffic (Vehicle Standards) Regulations 1977*” and items 87 to 106.

Part 4 — *Road Traffic (Licensing) Regulations 1975* amended**10. The regulations amended**

The amendments in this Part are to the *Road Traffic (Licensing) Regulations 1975**.

[* Reprinted as at 11 February 2000.
For amendments to 17 October 2002 see 2001 Index to
Legislation of Western Australia, Table 4, p. 294, and
Gazette 7 and 17 May and 28 June 2002.]

11. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) by deleting the definition of “tare”;
- (b) by inserting the following definitions in the appropriate alphabetical positions —

“

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

“**unloaded mass**” means the mass of the vehicle in running order, equipped with all standard equipment and with all fuel and other fluid reservoirs filled to nominal capacity, but unoccupied and without any other load;

“**Vehicle Standards**” means the *Road Traffic (Vehicle Standards) Regulations 2002* and the *Road Traffic (Vehicle Standards) Rules 2002*.

”.

12. Regulation 3B amended

Regulation 3B(2a)(b) is amended by deleting “*Road Traffic (Vehicle Standards) Regulations 1977*” and inserting instead —

“ Vehicle Standards ”.

13. Regulation 4A replaced

Regulation 4A is repealed and the following regulation is inserted instead —

“

4A. Declaration as to immobilizer

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.

”.

14. Regulation 9 amended

- (1) Regulation 9(2) is amended as follows:

- (a) by inserting after “a motor vehicle” —

“ , other than a restricted access vehicle, ”;

- (b) by deleting "*Road Traffic (Vehicle Standards) Regulations 1977*" and inserting instead —
" Vehicle Standards ".
- (2) Regulation 9(3)(a) is amended as follows:
- (a) by deleting "*Road Traffic (Vehicle Standards) Regulations 1977*" in the first place where it occurs and inserting instead —
" Vehicle Standards ";
- (b) by deleting subparagraph (i) and inserting the following subparagraphs instead —
"
(i) the vehicle complies with the mass and dimension limits in the Vehicle Standards;
(ia) the vehicle is not a restricted access vehicle;
".
- (3) Regulation 9(3)(c) is amended by deleting "the dimensions of the vehicle exceed those prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, or the vehicle does not conform to the requirements of Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, if" and inserting instead —
" the vehicle is a restricted access vehicle and ".
- (4) Regulation 9(4) is amended as follows:
- (a) by deleting "motor vehicle" and inserting instead —
" restricted access vehicle ";
- (b) in paragraph (a) by deleting "the *Road Traffic (Vehicle Standards) Regulations 1977*" and inserting instead —
"
Schedule 1 to the *Road Traffic (Vehicle Standards) Regulations 2002*
".
- (5) Regulation 9(5) is amended by deleting "indorse" and inserting instead —
" endorse ".

15. Regulation 21A amended

Regulation 21A(1) is amended by deleting the definition of "load capacity".

16. Regulations 21F, 21K, 21L and 21P amended

Regulations 21F(1)(a), 21K(1)(a), 21L(2)(b) and 21P(1)(a) are amended by deleting "a tare weight" and inserting instead —

" an unloaded mass ".

17. Regulation 21PB amended

Regulation 21PB(1)(b) is amended by deleting “a tare” and inserting instead —

“ an unloaded mass ”.

18. Regulation 22 amended

Regulation 22(3a) is amended by deleting “the use of a vehicle is prohibited under regulation 107 of the *Road Traffic (Vehicle Standards) Regulations 1977*” and inserting instead —

“

a compliance notice under Part 7 of the *Road Traffic (Vehicle Standards) Regulations 2002* is in force for a vehicle

”.

19. Regulation 26C amended

Regulation 26C(1)(a) is deleted and the following paragraph is inserted instead —

“

(a) the vehicle complies with the Vehicle Standards;

”.

20. Regulation 27 amended

Regulation 27(2) is amended by deleting “regulation 1026 of the *Road Traffic (Vehicle Standards) Regulations 1977*” and inserting instead —

“

rule 148(2) of the *Road Traffic (Vehicle Standards) Rules 2002*

”.

21. Regulation 28A amended

Regulation 28A(4) is amended by deleting the definition of “vehicle identification number” and inserting the following definition instead —

“

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

”.

22. Schedule 3 amended

Schedule 3 clause 1(2) is amended by deleting “prescribed under regulation 1401 of the *Road Traffic (Vehicle Standards) Regulations 1975*.” and inserting instead —

“

permitted under Schedule 1 to the *Road Traffic (Vehicle Standards) Regulations 2002*.

”.

Part 5 — Road Traffic (Towed Agricultural Implements) Regulations 1995 amended

23. The regulations amended

The amendments in this Part are to the *Road Traffic (Towed Agricultural Implements) Regulations 1995**.

[* Published in Gazette 12 May 1995, p. 1809-18.

For amendments to 17 October 2002 see 2001 Index to
Legislation of Western Australia, Table 4, p. 294.]

24. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) by deleting the definition of “agricultural implement”
and inserting the following definition instead —

“

“**agricultural implement**” has the same meaning as it
has in the Vehicle Standards;

”.

- (b) at the end of the definition of “used” by deleting the full
stop and inserting a semicolon instead;

- (c) after the definition of “used” by inserting the following
definition —

“

“**Vehicle Standards**” means the *Road Traffic (Vehicle
Standards) Regulations 2002*, the *Road Traffic
(Vehicle Standards) Rules 2002* and the *Road
Traffic (Animal Drawn Vehicles)
Regulations 2002*.

”.

25. Regulation 7 amended

Regulation 7(1)(a) is amended by deleting “headlamp
complying with the requirements of regulation 202 of the *Road
Traffic (Vehicle Standards) Regulations 1977*” and inserting
instead —

“

headlight complying with Part 8 Division 2 of
the *Road Traffic (Vehicle Standards)
Rules 2002*

”.

26. Regulation 16 amended

- (1) Regulation 16(1) is amended by deleting “tare” and inserting
instead —

“ unloaded mass ”.

- (2) Regulation 16(2) is amended as follows:

- (a) by deleting the definition of “tare”;

- (b) at the end of the definition of “tractor” by deleting the full stop and inserting a semicolon instead;
- (c) after the definition of “tractor” by the inserting the following definition —

“

“**unloaded mass**” means the mass of the vehicle in running order, equipped with all standard equipment and with all fuel and other fluid reservoirs filled to nominal capacity, but unoccupied and without any other load;

”.

27. Regulation 21 amended

Regulation 21(2) is repealed and the following subregulation is inserted instead —

“

- (2) In this regulation “**dipped**” means that the headlights are on low beam within the meaning of the Vehicle Standards.

”.

28. Regulation 25 amended

Regulation 25(4)(a) is deleted and the following paragraph is inserted instead —

“

- (a) has a loaded mass (ascertained in accordance with the Vehicle Standards) that does not exceed 4.5 t;

”.

29. Various regulations amended

- (1) The regulations listed in the Table to this subregulation are amended by deleting “lamp” in each place where it occurs and inserting instead —

“ light ”.

Table	
r. 5(c)(i) — 3 times	r. 10(1)
r. 5(c)(ii) — twice	r. 10(2) — twice
r. 7(1)(b)(ii)	

- (2) The regulations listed in the Table to this subregulation are amended by deleting “lamps” in each place where it occurs and inserting instead —

“ lights ”.

Table	
r. 4(3)	r. 7(2)(b)
r. 5	r. 8

Table	
r. 5(b)	r. 9
r. 5(c)(ii)	r. 20(2)(a)
r. 6(1)	

Part 6 — *Road Traffic (Wardens) Regulations 1986* amended

30. The regulations amended

The amendments in this Part are to the *Road Traffic (Wardens) Regulations 1986**.

[* Reprinted as at 16 November 2001.]

31. Regulation 2 amended

Regulation 2(1) is amended as follows:

- (a) by inserting after “Police Force” —
“ or a police officer ”;
- (b) by deleting paragraph (d) and inserting the following paragraph instead —
“
(d) the *Road Traffic (Vehicle Standards) Regulations 2002*.
”.

32. Regulation 5 amended

(1) Regulation 5(1)(b) is amended as follows:

- (a) in subparagraph (i) by deleting “*Road Traffic (Vehicle Standards) Regulations 1977*” and inserting instead —
“ Vehicle Standards ”;
- (b) in subparagraph (ii) by deleting “member of the Police Force by the provisions of regulations 107 and 109 of the *Road Traffic (Vehicle Standards) Regulations 1977*” and inserting instead —
“
police officer by regulation 18 and
Part 7 of the *Road Traffic (Vehicle Standards) Regulations 2002*
”.

(2) After regulation 5(3) the following subregulation is inserted —

- “
(4) In subregulation (1) —
“**Vehicle Standards**” means —
(a) the *Road Traffic (Vehicle Standards) Regulations 2002*;

- (b) the *Road Traffic (Vehicle Standards) Rules 2002*;
- (c) the *Road Traffic (Bicycle) Regulations 2002*;
and
- (d) the *Road Traffic (Animal Drawn Vehicles) Regulations 2002*.

”

Part 7 — *Road Traffic Code 2000* amended

33. The regulations amended

The amendments in this Part are to the *Road Traffic Code 2000**.

[* Published in Gazette 4 August 2000, p. 4213-538.
For amendments to 17 October 2002 see 2001 Index to
Legislation of Western Australia, Table 4, p. 290, and
Gazette 8 March 2002.]

34. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) by deleting the definitions of “dipped”, “front fog light”, “oversize”, “rear fog light”, “the Vehicle Standards” and “tow truck”;
- (b) by inserting the following definitions in the appropriate alphabetical positions —

“

“**dipped**”, in relation to the main beam of light projected by the headlight of a motor vehicle, means in the low-beam position within the meaning of the Vehicle Standards;

“**front fog light**” has the same meaning as in the Vehicle Standards;

“**oversize**” has the same meaning as in the Vehicle Standards;

“**rear fog light**” has the same meaning as in the Vehicle Standards;

“**the Vehicle Standards**” means —

- (a) the *Road Traffic (Vehicle Standards) Regulations 2002*;
- (b) the *Road Traffic (Vehicle Standards) Rules 2002*;
- (c) the *Road Traffic (Bicycles) Regulations 2002*;

(d) the *Road Traffic (Animal Drawn Vehicles) Regulations 2002*; and

(e) the *Road Traffic (Towed Agricultural Implements) Regulations 1995*;

“**tow truck**” has the same meaning as in the *Road Traffic (Tow Truck) Regulations 1975*;

”.

35. Regulation 184 amended

Regulation 184(2) is amended by deleting “*Tow Truck Regulations 1975*” and inserting instead —

“ *Road Traffic (Tow Truck) Regulations 1975* ”.

36. Regulation 279 amended

Regulation 279(2) is amended by deleting “*Tow Truck Regulations 1975*” and inserting instead —

“ *Road Traffic (Tow Truck) Regulations 1975* ”.

37. Regulation 289 amended

- (1) Regulation 289(1)(c)(v), (va) and (vb) are deleted and the following subparagraphs are inserted instead —

“

(v) a pilot or escort vehicle travelling in front of or behind an agricultural machine, a towed agricultural implement, or a convoy of such vehicles;

(va) an agricultural machine that is required or permitted by the Vehicle Standards to be fitted with such a light;

(vb) a towed agricultural implement or a vehicle towing an agricultural implement, that is required or permitted by the Vehicle Standards to be fitted with such a light;

”.

- (2) After regulation 289(2) the following subregulation is inserted —

“

- (3) In this regulation “**agricultural machine**” and “**agricultural implement**” have the same meanings as they have in the Vehicle Standards.

”.

Part 8 — *Tow Truck Regulations 1975* amended

38. The regulations amended

The amendments in this Part are to the *Tow Truck Regulations 1975**.

[* Reprinted as at 19 May 1986.

For amendments to 17 October 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 298.]

39. Regulation 1 amended

Regulation 1 is amended by deleting “*Tow Truck Regulations 1975*” and inserting instead —

“ *Road Traffic (Tow Truck) Regulations 1975* ”.

40. Regulation 2 amended

Regulation 2 is amended as follows:

- (a) by deleting the definitions of “aggregate mass” and “load capacity”;
- (b) at the end of the definition of “tow truck” by deleting the full stop and inserting a semicolon instead;
- (c) by inserting the following definitions in the appropriate alphabetical positions —

“

“**GVM**” has the same meaning as it has in the Vehicle Standards;

“**load capacity**”, in relation to a vehicle, means the difference between its GVM and its unloaded mass;

“**unloaded mass**” means the mass of the vehicle in running order, equipped with all standard equipment and with all fuel and other fluid reservoirs filled to nominal capacity, but unoccupied and without any other load;

“**Vehicle Standards**” means the *Road Traffic (Vehicle Standards) Regulations 2002* and the *Road Traffic (Vehicle Standards) Rules 2002*.

”.

41. Regulation 4 amended

Regulation 4(7) is amended by deleting “tare and aggregate mass” and inserting instead —

“ unloaded mass and GVM ”.

42. Regulation 5 amended

- (1) Regulation 5(1)(b) is amended by deleting “*Road Traffic (Vehicle Standards) Regulations 1977*” and inserting instead —
“ *Road Traffic (Vehicle Standards) Regulations 2002* ”.
- (2) Regulation 5(2) is amended by deleting “*Road Traffic (Vehicle Standards) Regulations 1977*, as to the display or rear lamps, stop lamps, clearance lamps and flashing turn signal lamps,” and inserting instead —
“ Vehicle Standards relating to lights ”.

43. Regulation 6 amended

Regulation 6 is amended by deleting “the provisions of Regulation 1101 of the *Road Traffic (Vehicle Standards) Regulations 1977*” and inserting instead —

“ the Vehicle Standards ”.

44. Regulation 7 repealed

Regulation 7 is repealed.

45. Regulation 10 amended

Regulation 10(2) is amended as follows:

- (a) by deleting “an aggregate mass” and inserting instead —
“ a GVM ”;
- (b) by deleting “Aggregate mass” and inserting instead —
“ GVM ”.

46. Regulation 11 amended

Regulation 11(1) is amended by deleting “aggregate mass” in both places where it occurs and inserting instead —

“ GVM ”.

47. Regulation 12 amended

Regulation 12 is amended by deleting “tare weight” and inserting instead —

“ unloaded mass ”.

48. Regulation 13A amended

Regulation 13A(1) is amended by deleting “Commissioner,,” in both places where it occurs and inserting instead —

“ Commissioner, ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.