
PLANNING AND INFRASTRUCTURE

PI301*

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations
(No. 3) 2006**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 3) 2006*.

2. The regulations amended

The amendments in these regulations are to the *Road Traffic Code 2000**.

[* *Reprint 1 as at 27 August 2004.*

For amendments to 30 November 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]

3. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) by inserting in the appropriate alphabetical positions —
“

“**motor vehicle**” does not include a motorised scooter;

“**motorised scooter**” means a scooter that is propelled by one or more electric motors (whether the motors are a part of the scooter or attached to the scooter) and complies with the requirements of paragraph (e) in the definition of “scooter”;

“**scooter**” means a device that —

- (a) has 2 or more wheels and a footboard supported by those wheels; and
- (b) is steered by handlebars; and
- (c) is designed to be used by a single person; and
- (d) is propelled by any one or more of the following —
 - (i) gravity;
 - (ii) the user pushing a foot against the ground;

- (iii) an electric motor or motors;
- and
- (e) if it is fitted with an electric motor or motors, satisfies the following criteria —
 - (i) its maker certifies (either by means of a plate attached to the motor or on each motor, or by means of engraving on the motor or each motor) the ungoverned power output of the motor, or each motor;
 - (ii) the maximum power output of the motor, or the combined maximum power output of the motors, is not more than 200 watts;
 - (iii) when propelled only by the motor, or motors, the scooter is not capable of going faster than 10 km/h on level ground;

”;

- (b) in the definition of “wheeled toy” by inserting after “scooter” —

“ (other than a motorised scooter) ”.

4. Regulation 206 amended

After regulation 206(2) the following subregulation is inserted —

“

- (3) A person travelling in or on a wheeled recreational device, motorised scooter or wheeled toy must not travel past a “no wheeled recreational devices, scooters or toys” sign.

Modified penalty: 1 PU



No wheeled recreational devices, scooters or toys signs

”.

5. Regulation 209A inserted

After regulation 209 the following regulation is inserted —

“

209A. Protective helmets to be worn on motorised scooters

(1) In this regulation —

“**protective helmet**” means a helmet that is, or is of a standard or type that is, approved by the Director General, for the purposes of regulation 222, by notice in the *Gazette*.

(2) A person shall not travel on a motorised scooter on a road or any path unless that person is wearing a protective helmet securely fastened on his or her head.

Modified penalty: 1 PU

”.

6. Regulation 210A inserted

After regulation 210 the following regulation is inserted in Part 14 Division 2 —

“

210A. Proper control of motorised scooters

A person shall not on any road or path —

- (a) travel on a motorised scooter while under the influence of alcohol, drugs or alcohol and drugs to such an extent as to be incapable of having proper control of the motorised scooter; or
- (b) travel on a motorised scooter recklessly or without due care and attention.

Modified penalty: 2 PU

”.

7. Schedule 2 amended

Schedule 2 is amended by inserting after the sign entitled “No U turn sign (Variable illuminated message sign)” —

“

<p>No wheeled recreational devices, scooters or toys sign (circle and slash in red) (reg 206)</p> 	<p>No wheeled recreational devices, scooters or toys sign (circles and slashes in red) (reg 206)</p> 
---	--

”.

8. References to “motorised scooter” added

- (1) Regulation 3(1) is amended in paragraph (c) of the definition of “pedestrian” by inserting after “wheeled recreational device” —
“ or a motorised scooter ”.
- (2) Regulation 203(6) is amended by inserting after “wheeled recreational device” —
“ , a motorised scooter ”.
- (3) Regulation 204(2)(a)(ii) is amended by inserting after “rollerskates” —
“ , a motorised scooter ”.
- (4) The heading to Part 14 Division 2 is amended by inserting after “wheeled recreational devices” —
“ , **motorised scooters** ”.
- (5) Regulation 206(1) is amended by inserting after “wheeled recreational device” —
“ , motorised scooter ”.

- (6) Regulation 206(2) is amended by inserting after “wheeled recreational device,” —
“ motorised scooter ”.
- (7) Regulation 207 is amended by inserting after “wheeled recreational device” —
“ , motorised scooter ”.
- (8) Regulation 208 is amended by inserting after “wheeled recreational device” in both places where it occurs —
“ , motorised scooter ”.
- (9) Regulation 209(1) and (2) are amended by inserting after “roller skates,” —
“ a motorised scooter ”.
- (10) Regulation 210(1), (2) and (3) are amended by inserting after “wheeled recreational device” —
“ , motorised scooter ”.

By Command of the Governor,

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