

PI303*

Road Traffic Act 1974

Road Traffic Code Amendment Regulations (No. 4) 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 4) 2006*.

2. Commencement

These regulations come into operation on 1 January 2007.

3. 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 24 November 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]

4. Regulation 9 amended

Regulation 9(2) is amended by deleting “sixteen penalty units (16 PU)” and inserting instead —

“ twenty penalty units (20 PU) ”.

5. Regulation 17 replaced

Regulation 17 is repealed and the following regulation is inserted instead —

“

17. Penalties for speeding

- (1) Subject to regulation 17(2), the following points and modified penalties apply for the offences in this Part that refer to this regulation for their penalty.

Description	Points	Modified Penalty
Exceeding a speed limit by —		
(a) not more than 9 km/h		1.5 PU

Description		Points	Modified Penalty
(b)	more than 9 km/h but not more than 19 km/h —		
	(i) during a holiday period	4	3 PU
	(ii) other than during a holiday period	2	3 PU
(c)	more than 19 km/h but not more than 29 km/h —		
	(i) during a holiday period	6	5 PU
	(ii) other than during a holiday period	3	5 PU
(d)	more than 29 km/h but not more than 40 km/h —		
	(i) during a holiday period	10	7 PU
	(ii) other than during a holiday period	5	7 PU
(e)	more than 40 km/h —		
	(i) during a holiday period	14	20 PU
	(ii) other than during a holiday period	7	20 PU
(2) Despite regulation 17(1), the following points and modified penalties apply for the offences in this Part that refer to this regulation for their penalty if the offence is committed by the driver of a heavy vehicle.			
Description		Points	Modified Penalty
Exceeding a speed limit by —			
(a)	not more than 9 km/h		3 PU
(b)	more than 9 km/h but not more than 19 km/h —		
	(i) during a holiday period	4	5 PU
	(ii) other than during a holiday period	2	5 PU
(c)	more than 19 km/h but not more than 29 km/h —		
	(i) during a holiday period	6	7 PU
	(ii) other than during a holiday period	3	7 PU
(d)	more than 29 km/h but not more than 40 km/h —		
	(i) during a holiday period	10	10 PU
	(ii) other than during a holiday period	5	10 PU
(e)	more than 40 km/h —		
	(i) during a holiday period	14	20 PU
	(ii) other than during a holiday period	7	20 PU

”.

6. Regulation 201 amended

Regulation 201(1) is amended by inserting the following penalty at the foot of that subregulation —

“ Modified penalty: 2 PU ”.

7. Regulation 254 amended

Regulation 254(2) is amended by deleting the penalty at the foot of that subregulation and inserting instead —

“

Penalty:

- (a) if offence committed by the driver of a motor vehicle other than a ride-on lawn mower or motorised wheelchair —

Points: 3 Modified penalty: 2 PU;

- (b) otherwise —

Modified penalty: 2 PU.

”.

8. Various points and penalties amended

The regulations set out in column 1 of the following Table are amended by deleting the points and modified penalties set out in column 2 of the Table and substituting the points and modified penalties in column 3 instead.

Table

Regulation	Former points/modified penalty	New points/modified penalty
r. 27(1)	Points: 3 Modified penalty: 2 PU	Points: 2 Modified penalty: 2 PU
r. 30(1)	Points: 3 Modified penalty: 2 PU	Points: 2 Modified penalty: 2 PU
r. 31(1)	Points: 3 Modified penalty: 2 PU	Points: 2 Modified penalty: 2 PU
r. 32(1)	Points: 3 Modified penalty: 2 PU	Points: 2 Modified penalty: 2 PU
r. 33(2)	Points: 3 Modified penalty: 2 PU	Points: 2 Modified penalty: 2 PU
r. 41(3)	Points: 2 Modified penalty: 2 PU	Modified penalty: 2 PU
r. 44(4)	Modified penalty: 1 PU	Modified penalty: 2 PU
r. 48	Points: 2 Modified penalty: 2 PU	Points: 3 Modified penalty: 2 PU
r. 57(1)	Points: 3 Modified penalty: 2 PU	Points: 3 Modified penalty: 3 PU
r. 58	Points: 3 Modified penalty: 2 PU	Points: 3 Modified penalty: 3 PU

Regulation	Former points/modified penalty	New points/modified penalty
r. 62(2)	Points: 4 Modified penalty: 4 PU	Points: 3 Modified penalty: 4 PU
r. 66	Points: 2 Modified penalty: 3 PU	Points: 3 Modified penalty: 3 PU
r. 67	Points: 2 Modified penalty: 3 PU	Points: 3 Modified penalty: 3 PU
r. 68(1)	Points: 2 Modified penalty: 3 PU	Points: 3 Modified penalty: 3 PU
r. 68(3)	Points: 2 Modified penalty: 3 PU	Points: 3 Modified penalty: 3 PU
r. 73(1)	Points: 3 Modified penalty: 2 PU	Points: 2 Modified penalty: 2 PU
r. 77	Points: 2 Modified penalty: 2 PU	Modified penalty: 2 PU
r. 92(1)	Modified penalty: 1 PU	Modified penalty: 2 PU
r. 92(2)	Modified penalty: 1 PU	Modified penalty: 2 PU
r. 92(3)	Modified penalty: 1 PU	Modified penalty: 2 PU
r. 92(5)	Modified penalty: 1 PU	Modified penalty: 2 PU
r. 97	Points: 3 Modified penalty: 2 PU	Points: 2 Modified penalty: 2 PU
r. 111(1)	Points: 2 Modified penalty: 1 PU	Modified penalty: 2 PU
r. 112(1)	Modified penalty: 1 PU	Points: 2 Modified penalty: 1 PU
r. 117	Points: 4 Modified penalty: 3 PU	Points: 3 Modified penalty: 3 PU
r. 119(1)	Points: 3 Modified penalty: 2 PU	Points: 1 Modified penalty: 2 PU
r. 119(3)	Points: 3 Modified penalty: 2 PU	Points: 1 Modified penalty: 2 PU
r. 126(2)	Points: 2 Modified penalty: 2 PU	Points: 3 Modified penalty: 2 PU
r. 183(3)	Points: 3 Modified penalty: 2 PU	Points: 1 Modified penalty: 2 PU
r. 183(4)	Points: 3 Modified penalty: 2 PU	Points: 1 Modified penalty: 2 PU
r. 185(1)	Points: 1 Modified penalty: 1 PU	Points: 1 Modified penalty: 2 PU
r. 186(1)	Modified penalty: 1 PU	Points: 1 Modified penalty: 2 PU

Regulation	Former points/modified penalty	New points/modified penalty
r. 191(2)	Points: 3 Modified penalty: 2 PU	Modified penalty: 2 PU
r. 192(2)	Modified penalty: 1 PU	Points: 3 Modified penalty: 2 PU
r. 197(2)	Modified penalty: 3 PU	Modified penalty: 1 PU
r. 197(3)	Modified penalty: 3 PU	Modified penalty: 1 PU
r. 197(4)	Modified penalty: 3 PU	Modified penalty: 1 PU
r. 198(2)	Modified penalty: 3 PU	Modified penalty: 1 PU
r. 200(2)	Modified penalty: 1 PU	Modified penalty: 2 PU
r. 225	Modified penalty: 3 PU	Modified penalty: 1 PU
r. 226(1)	Modified penalty: 2 PU	Modified penalty: 1 PU
r. 232(1)	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case) 3 PU	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case): 4 PU
r. 233(1)	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case) 3 PU	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case): 4 PU
r. 234(1)	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case) 3 PU	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case): 4 PU
r. 234(2)	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case) 3 PU	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case): 4 PU
r. 235(1)	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case) 3 PU	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case): 4 PU
r. 236(1)	Modified penalty: 3 PU	Modified penalty: 4 PU
r. 237(1)	Modified penalty: 3 PU	Modified penalty: 4 PU
r. 237(2)	Modified penalty: 3 PU	Modified penalty: 4 PU
r. 238A(1)	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case) 3 PU	Points: during a holiday period 6; otherwise 3 Modified penalty (in each case): 4 PU
r. 239(1)	Modified penalty: 3 PU	Modified penalty: 4 PU
r. 242(1)	Points: 3 (<i>driver</i>) Modified penalty: 1 PU (<i>driver or passenger</i>)	Points: 1 (<i>driver</i>) Modified penalty: 1 PU (<i>driver or passenger</i>)
r. 242(2)	Points: 3 Modified penalty: 1 PU	Points: 1 Modified penalty: 1 PU

Regulation	Former points/modified penalty	New points/modified penalty
r. 248	Points: 3 Modified penalty: 3 PU	Points: 2 Modified penalty: 2 PU
r. 253(1)	Points: 3 Modified penalty: 2 PU	Modified penalty: 2 PU
r. 253(4)	Modified penalty: 2 PU	Points: 3 Modified penalty: 2 PU
r. 257(1)	Modified penalty: 2 PU	Modified penalty: 3 PU
r. 257(2)	Modified penalty: 2 PU	Modified penalty: 3 PU
r. 257(3)	Modified penalty: 2 PU	Modified penalty: 3 PU
r. 257(4)	Modified penalty: 2 PU	Modified penalty: 3 PU
r. 261	Points: 3 Modified penalty: 2 PU	Points: 1 Modified penalty: 2 PU
r. 263(1)	Points: 3 Modified penalty: 2 PU	Points: 1 Modified penalty: 2 PU
r. 265(1)	Points: 1 Modified penalty: 2 PU	Points: 3 Modified penalty: 2 PU

By Command of the Governor,

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