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Road Traffic Act 1974

Road Traffic (Vehicle Standards) Amendment Regulations (No. 2) 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Road Traffic (Vehicle Standards) Amendment Regulations (No. 2) 2002*.

2. Commencement

These regulations come into operation on 1 July 2002.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Vehicle Standards) Regulations 1977**.

[* Reprinted as at 7 September 2001.

For amendments to 12 June 2002 see Gazette 17 May 2002.]

4. Regulation 1107 amended

After regulation 1107(1) the following subregulations are inserted —

“

- (1a) A person referred to in subregulation (1) may refuse to issue a permit under that subregulation if the owner or operator of the vehicle or combination of vehicles does not have a valid accreditation certificate issued under regulation 1107A(1) (the “**accreditation certificate**”).
- (1b) If the owner or operator of a vehicle or combination of vehicles does not have a valid accreditation certificate, the person referred to in subregulation (1) may issue a permit subject to a condition that the owner or operator obtains an accreditation certificate by a date specified in the condition.
- (1c) A permit issued under subregulation (1) to a person who has a valid accreditation certificate is valid in relation to the vehicle or combination of vehicles in respect of which the permit was issued only during the period that the accreditation certificate of the owner or operator of the vehicle or combination of vehicles is valid.

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5. Regulation 1107A inserted

After regulation 1107 the following regulation is inserted —

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1107A. Accreditation certificate

- (1) The Commissioner of Main Roads may issue an accreditation certificate to a person, on payment of the fee prescribed in subregulation (5), if a person approved by the Commissioner has certified that the applicant for the accreditation certificate has systems that comply with the requirements of the standards referred to in the Table to this subregulation.

Table

Main Roads Western Australia, *Western Australian Heavy Vehicle Accreditation Process Maintenance Management Module Standards* (28 February 2002)

Main Roads Western Australia, *Western Australian Heavy Vehicle Accreditation Process Fatigue Management Module Standards* (28 February 2002)

- (2) An accreditation certificate is valid for a period of 36 months from the date of issue or renewal.
- (3) An accreditation certificate may be renewed on payment of the fee prescribed in subregulation (5).
- (4) An accreditation certificate may be revoked by the Commissioner of Main Roads if the Commissioner is satisfied that the person to whom it was issued does not have systems that comply with the requirements of the standards referred to in the Table to subregulation (1).
- (5) The fee payable under subregulations (1) and (3) is \$225.00.
- (6) The fee referred to in subregulation (5) may be paid by 3 equal annual instalments, the first being payable before the issue or renewal of the accreditation certificate and the second and third instalments being payable on or before the day (the “**due day**”) 10 days after the day one year and 2 years, respectively, after the day on which the certificate was issued or renewed.
- (7) If an instalment of a fee is not paid on or before the due day —
- (a) the full amount outstanding of the fee becomes immediately payable; and
- (b) the accreditation certificate to which the fee applies is not valid during the period from the due day until the day on which the full amount outstanding is paid.

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6. Regulation 1402 amended

After regulation 1402(1) the following subregulations are inserted —

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- (1a) The Commissioner may refuse to issue a permit under subregulation (1) if the owner or operator of the vehicle, trailer or combination of vehicles does not have a valid accreditation certificate issued under regulation 1107A(1) (the “**accreditation certificate**”).
- (1b) If the owner or operator of a vehicle, trailer or combination of vehicles does not have a valid accreditation certificate, the Commissioner may issue a permit subject to a condition that the owner or operator obtains an accreditation certificate by a date specified in the condition.
- (1c) A permit issued under subregulation (1) to a person who has a valid accreditation certificate is valid in relation to the vehicle, trailer or combination of vehicles in respect of which the permit was issued only during the period that the accreditation certificate of the owner or operator of the vehicle, trailer or combination of vehicles is valid.

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By Command of the Governor,

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