

ROAD TRAFFIC ACT 1974**VEHICLE STANDARDS AMENDMENT REGULATIONS (No. 3) 1990**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Vehicle Standards Amendment Regulations (No. 3) 1990*.

Commencement

2. These regulations shall come into operation on 30 June 1990.

Principal regulations

3. In these regulations the *Vehicle Standards Regulations 1977** are referred to as the principal regulations.

[*Reprinted in the Gazette of 18 August 1982 at pp. 3177-3247. For amendments to 20 April 1990 see pp. 351-52 of 1988 Index to Legislation of Western Australia and Gazettes of 27 January, 3 February, 5 May, 18 August, 1 and 8 September, 22 and 29 December 1989, 12 January and 30 March 1990.]

Regulation 103 repealed

4. Regulation 103 of the principal regulations is repealed.

Regulation 103B inserted

5. After regulation 103A of the principal regulations the following regulation is inserted—

Limited application of regulations to vehicles manufactured on or after 1 July 1988

“ 103B. The following provisions do not apply to vehicles manufactured on or after 1 July 1988 to which the Australian Design Rules apply—

- (a) in Part 1, regulations 110, 111 (2), (3), (4), (5), (8) and (9), 112, 115, 116 and 118 to 123 inclusive; and
- (b) Parts 2 to 11 inclusive, 13, 15, 16 and 18 (other than regulations 307, 404, 408, 607, 802, 803 (5), 1002 (4), 1008, 1104, 1107, 1503, 1619 and 1622). ”.

Regulation 104 amended

6. Regulation 104 of the principal regulations is amended by deleting the definition of “Australian Design Rule” and substituting the following definition—

“ “Australian Design Rule” means—

- (a) in relation to a vehicle manufactured before 1 July 1988, a design rule contained in the publication titled “Australian Design Rules for Motor Vehicle Safety—2nd Edition”, issued by the Commonwealth Department of Transport as at 30 June 1988; and
- (b) in relation to a vehicle manufactured on or after 1 July 1988, a design rule contained in the publication titled “Australian Design Rules for Motor Vehicles and Trailers—3rd Edition”, issued by the Commonwealth Department of Transport and Communications as at 30 March 1990; ”.

Regulation 106 amended

7. Regulation 106 of the principal regulations is amended in subregulation (2)—

- (a) by inserting after “with” the following—

“ or conform to ”; and
- (b) by deleting “specifically” and substituting the following—

“ either specifically or generally ”.

Regulation 1008 amended

8. Regulation 1008 of the principal regulations is amended by deleting “An” and substituting the following—

“ Unless otherwise approved by the Board, an ”.

Part 11A inserted

9. After Part 11 of the principal regulations the following Part is inserted—

“

**PART 11A—CONSTRUCTION, EQUIPMENT AND OTHER
REQUIREMENTS FOR VEHICLES MANUFACTURED ON
OR AFTER 1 JULY 1988**

Vehicles to conform to Australian Design Rules

1108. (1) Notwithstanding anything to the contrary in these regulations (other than regulation 106 (2) and (4)), every vehicle manufactured on or after 1 July 1988 shall conform to the requirements of Australian Design Rules 1/00 to 64/00 inclusive, applicable to that vehicle.

(2) For the purposes of determining under this regulation—

- (a) whether a requirement of an Australian Design Rule is applicable to a vehicle; and
- (b) whether a vehicle conforms to a requirement of an Australian Design Rule,

the definitions in the Australian Design Rules, and not the definitions in regulation 104, apply. ”.

By His Excellency's Command,

M. WAUCHOPE, Clerk of the Council.