

Western Australia

Road Traffic Act 1974

Road Traffic (Wardens) Regulations 1986

Road Traffic (Wardens) Regulations 1986

CONTENTS

1.	Citation	1
1A.	Interpretation	1
2.	Transport wardens	1
3.	Crossing attendants	2
4.	Parking wardens	2
5.	Warden for the inspection of motor vehicles	3

Schedule

Notes

Compilation table	7
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Road Traffic (Wardens) Regulations 1986

1. Citation

These regulations may be cited as the *Road Traffic (Wardens) Regulations 1986*¹.

1A. Interpretation

In these regulations —

“**section**” means a section of the Act.

[Regulation 1A inserted in Gazette 31 Jan 1997 p. 687.]

2. Transport wardens

- (1) For the purposes referred to in section 7(3), a warden appointed under section 7(2) as a transport warden has the powers conferred on a member of the Police Force or a police officer by the provisions of —
 - (a) sections 53 and 58;
 - (b) regulation 272 of the *Road Traffic Code 2000*;
 - (c) the *Road Traffic (Licensing) Regulations 1975*; and
 - (d) the *Road Traffic (Vehicle Standards) Regulations 2002*.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(2).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in

r. 3

subregulation (1) shall be read as including a reference to a transport warden.

- (4) The certificate of appointment of a transport warden shall be in the form of Form 1.

[Regulation 2 inserted in Gazette 31 Jan 1997 p. 687; amended in Gazette 1 Dec 2000 p. 6760; 1 Nov 2002 p. 5396.]

3. Crossing attendants

- (1) The certificate of appointment of a person as a warden appointed under section 7(1) to perform duties relating to the controlling of vehicles and pedestrians at children's crossings and pedestrian crossings shall be in the form of Form 2 and any warden so appointed has, for the purposes referred to in section 7(3), the powers to stop vehicles from proceeding through a children's crossing or a pedestrian crossing, to require vehicles to remain stationary and to prohibit persons from walking across or onto a children's crossing or a pedestrian crossing, and any warden so appointed may give such signals or directions to drivers of those vehicles and to those other persons as are necessary for that purpose.

- (1a) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1).

- (2) A warden appointed to perform duties relating to the controlling of vehicles pedestrians at children's crossings and pedestrian crossings shall at all times when he or she is performing those duties, wear a uniform approved by the Commissioner of Police.

[Regulation 3 amended in Gazette 31 Jan 1992 p. 516; 31 Jan 1997 p. 688.]

4. Parking wardens

- (1) The certificate of appointment of a person as a warden appointed under section 7(1) to perform duties relating to the parking and standing of vehicles shall be in the form of Form 3, and any warden so appointed has, for the purposes referred to in

section 7(3), such of the powers of a member of the Police Force as are necessary for him to enforce the provisions of the Act and the *Road Traffic Code 2000*, relating to the parking and standing of vehicles, including the powers of demanding the name and address of the driver or person in charge of any vehicle and the powers of requiring the responsible person for a vehicle to disclose the identity of the driver of the vehicle at any relevant time.

- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(1).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1) shall be read as including a reference to a warden appointed under section 7(1) to perform the duties referred to in that subregulation.

*[Regulation 4 amended in Gazette 31 Jan 1997 p. 688;
1 Dec 2000 p. 6760; 23 Dec 2005 p. 6281.]*

5. Warden for the inspection of motor vehicles

- (1) Where a person has been appointed a warden under section 7(2) to perform duties relating to the inspection of motor vehicles —
 - (a) the certificate of appointment of the person as such a warden shall be in the form of Form 4; and
 - (b) any warden so appointed has, for the purposes referred to in section 7(3), the powers —
 - (i) to examine any vehicle at a place provided for the examination of vehicles and may for that purpose do all such things as are necessary for him to ascertain whether any such vehicle complies with the provisions of the Vehicle Standards;
 - (ii) conferred on a police officer by regulation 18 and Part 7 of the *Road Traffic (Vehicle Standards) Regulations 2002*; and

r. 5

- (iii) conferred on a member of the Police Force by the provisions of regulations 25(2) and 26C(5) of the *Road Traffic (Licensing) Regulations 1975*.
- (2) Subregulation (1) does not limit any power conferred by the Act on a warden appointed under section 7(2).
- (3) For the purposes referred to in section 7(3), a reference to a member of the Police Force in a provision referred to in subregulation (1)(b)(ii) or (iii) shall be read as including a reference to a warden appointed under section 7(2) to perform the duties referred to in that subregulation.
- (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*.

*[Regulation 5 amended in Gazette 28 Sep 1990 p. 5073;
31 Jan 1997 p. 688-9; 1 Nov 2002 p. 5396-7.]*

[6. *Repealed in Gazette 31 Jan 1997 p. 689.]*

Schedule

Road Traffic Act 1974

Reg. 2

Form 1

CERTIFICATE OF APPOINTMENT OF TRANSPORT WARDEN

This is to certify that
of
is duly appointed a warden under section 7(2) of the *Road Traffic Act 1974* to
perform duties relating to the licensing provisions of the Act and has such
powers as are conferred on such wardens by the Act and regulation 2 of the
Road Traffic (Wardens) Regulations 1986.

Dated this 20

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Director General

[Form 1 amended in Gazette 28 Feb 2003 p. 681.]

Road Traffic Act 1974

Reg. 3

Form 2

**CERTIFICATE OF APPOINTMENT OF WARDEN TO CONTROL
VEHICLES AND PEDESTRIANS AT CROSSINGS**

This is to certify that
.....
is duly appointed under section 7(1) of the *Road Traffic Act 1974*, to perform
the duties of controlling vehicles and pedestrians at children's crossings, and
pedestrian crossings, in respect of roads in the
.....
and has such powers as are conferred on such wardens by the Act and
regulation 3 of the *Road Traffic (Wardens) Regulations 1986*.

Dated this 20

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Commissioner of Police

Schedule

Road Traffic Act 1974

Reg. 4

Form 3

**CERTIFICATE OF APPOINTMENT OF WARDEN TO PERFORM
PARKING DUTIES**

This is to certify that
of
is duly appointed under section 7(1) of the *Road Traffic Act 1974*, to perform
duties relating to the parking and standing of vehicles and has such powers as
are conferred on such wardens by the Act and regulation 4 of the *Road Traffic
(Wardens) Regulations 1986*.

Dated this 20

.....
Commissioner of Police

Road Traffic Act 1974

Reg. 5

Form 4

**CERTIFICATE OF APPOINTMENT OF WARDEN TO INSPECT
MOTOR VEHICLES**

This is to certify that
of
is duly appointed under section 7(2) of the *Road Traffic Act 1974*, to perform
the duties of the inspection of motor vehicles, and has such powers as are
conferred on such wardens by the Act and regulation 5 of the *Road Traffic
(Wardens) Regulations 1986*.

Dated this 20

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Director General

[Form 4 amended in Gazette 28 Feb 2003 p. 681.]

*[Schedule amended in Gazette 30 Sep 1994 p. 5021; 31 Jan 1997 p. 689-90;
28 Feb 2003 p. 681.]*

Notes

- ¹ This is a compilation of the *Road Traffic (Wardens) Regulations 1986* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Road Traffic (Wardens) Regulations 1986</i>	28 Nov 1986 p. 4382-4	28 Nov 1986
<i>Regulations Amendment (Towed Agricultural Implements) Regulations 1990 Pt. 6</i>	28 Sep 1990 p. 5071-3	1 Nov 1990 (see r. 2 and <i>Gazette</i> 28 Sep 1990 p. 5073)
<i>Road Traffic (Wardens) Amendment Regulations 1991</i>	31 Jan 1992 p. 515-16	31 Jan 1992
<i>Road Traffic (Wardens) Amendment Regulations 1994</i>	30 Sep 1994 p. 5020-1	30 Sep 1994
<i>Road Traffic (Wardens) Amendment Regulations 1997</i>	31 Jan 1997 p. 687-90	1 Feb 1997 (see r. 2 and <i>Gazette</i> 31 Jan 1997 p. 613)
<i>Road Traffic (Wardens) Amendment Regulations (No. 2) 2000</i>	1 Dec 2000 p. 6760	1 Dec 2000 (see r. 2)
Reprint of the Road Traffic (Wardens) Regulations 1986 as at 16 Nov 2001 (includes amendments listed above)		
<i>Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002 Pt. 6</i>	1 Nov 2002 p. 5388-400	1 Nov 2002 (see r. 2)
<i>Road Traffic (Wardens) Amendment Regulations 2003</i>	28 Feb 2003 p. 680-1	28 Feb 2003
<i>Road Traffic (Wardens) Amendment Regulations 2005</i>	23 Dec 2005 p. 6280-1	1 Jan 2006 (see r. 2 and <i>Gazette</i> 23 Dec 2005 p. 6244-5)