

TN302

Road Traffic Act 1974

## **Road Safety Regulations Amendment and Repeal Regulations 2021**

SL 2021/58

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

#### **1. Citation**

These regulations are the *Road Safety Regulations Amendment and Repeal Regulations 2021*.

#### **2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Road Traffic Amendment (Impaired Driving and Penalties) Act 2020* section 25 comes into operation.

### **Part 2 — *Road Traffic (Blood Sampling and Analysis) Regulations 1975* amended**

#### **3. Regulations amended**

This Part amends the *Road Traffic (Blood Sampling and Analysis) Regulations 1975*.

#### **4. Regulation 15 amended**

Delete regulation 15(2).

### **Part 3 — *Road Traffic (Breath Analysis) Regulations 1975* amended**

#### **5. Regulations amended**

This Part amends the *Road Traffic (Breath Analysis) Regulations 1975*.

**6. Regulation 4 amended**

- (1) In regulation 4(1) delete “the First Schedule.” and insert:

Schedule 1.

- (2) Delete regulation 4(2).

- (3) In regulation 4(3) delete “the First Schedule.” and insert:

Schedule 1.

**7. Regulation 5 replaced**

Delete regulation 5 and insert:

**5. Operation of Dräger Alcotest 9510 breath analysing equipment**

For the purpose of analysing a sample of a person’s breath using the apparatus known as the “Dräger Alcotest 9510”, the breath analysing equipment must be operated in accordance with the instructions set out in Schedule 2.

**8. Regulation 6 deleted**

Delete regulation 6.

**9. Regulation 7 amended**

In regulation 7 delete “by self-testing breath analysing equipment shall be” and insert:

by breath analysing equipment is

**10. First Schedule amended**

- (1) Delete the heading to the First Schedule and the reference after it and insert:

**Schedule 1 — Forms**

[r. 4]

- (2) In the First Schedule delete Form 2.

- (3) In the First Schedule Form 3 delete “self-testing” (each occurrence).

**11. Second Schedule replaced**

Delete the Second Schedule and insert:

**Schedule 2 — Analysis of breath sample by Dräger  
Alcotest 9510 breath analysing equipment**

[r. 5]

1. Ensure that the equipment is switched on, that there is sufficient paper in the paper roll in the printer compartment, and that the words “READY TO START” appear on the display screen.
2. Follow the prompts on the display screen and enter particulars relating to the analysis.
3. After the words “PLEASE BLOW” appear on the display screen, connect a mouthpiece to the sampling hose.
4. Direct the person whose breath is to be analysed to provide a sample of the person’s breath into the equipment.
5. If the expression “DO YOU WANT TO REPEAT THE TEST? YES NO” appears on the display screen indicating that a sample of breath has not been provided as required then —

EITHER:

- 5.1 Select “YES” and follow instructions 3 and 4 again.
- OR
- 5.2 Select “NO” to terminate the analysis.

**12. Third Schedule deleted**

Delete the Third Schedule.

**Part 4 — *Road Traffic (Drug Driving) Regulations 2007*  
amended****13. Regulations amended**

This Part amends the *Road Traffic (Drug Driving) Regulations 2007*.

**14. Regulation 10 amended**

In regulation 10(1)(a) delete “blood, urine” and insert:

blood

**15. Schedule 1 Form 1 amended**

In Schedule 1 Form 1 delete “*Road Traffic (Urine Sampling and Analysis) Regulations 1983* r. 11(2)”.

**Part 5 — Repeal**

**16. *Road Traffic (Urine Sampling and Analysis) Regulations 1983* repealed**

The *Road Traffic (Urine Sampling and Analysis) Regulations 1983* are repealed.

N. HAGLEY, Clerk of the Executive Council.

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