

Western Australia

Road Traffic Amendment Act 2004

As at 10 Jun 2004

No. 6 of 2004

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Road Traffic Amendment Act 2004

No. 6 of 2004

An Act to amend the *Road Traffic Act 1974* and for related purposes.

[Assented to 10 June 2004]

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Road Traffic Amendment Act 2004*.

s. 2

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. The Act amended

The amendments in this Act are to the *Road Traffic Act 1974**.

[* *Reprinted as at 19 October 2001.*

For subsequent amendments see Western Australian Legislation Information Tables for 2002, Table 1, p. 342 and Acts Nos. 45 of 2002 and 9 and 50 of 2003 and Gazette amendment 20 May 2003 p. 1804.]

4. Section 5 amended

Section 5(1) is amended in paragraph (a) of the definition of “licensing provisions of this Act” by inserting after “82” —

“ , section 113 ”.

5. Section 113 inserted

After section 112 the following section is inserted —

“

113. Schemes for optional number plates

- (1) The regulations may provide for schemes under which the Director General —
 - (a) allocates number plates (in this section called “**optional number plates**”) to persons wishing to reserve the right to use those number plates instead of number plates that would otherwise be issued under this Act;
 - (b) supplies and, if necessary, replaces optional number plates;

- (c) permits the transfer from one person to another of the right to use optional number plates;
 - (d) gives directions as to which vehicle optional number plates are to be used on;
 - (e) is given the power to cancel, with or without compensation, a person's right to use optional number plates if charges due and payable in respect of that right remain unpaid for a period prescribed in the regulations.
- (2) The rights may be for a specified period or otherwise.
- (3) A scheme may be designed to be operated commercially but —
 - (a) the sale of the rights allocated is to be —
 - (i) by public auction or public tender; or
 - (ii) if the Treasurer authorises the sale to be by private treaty or any other means, by the means authorised;
 - and
 - (b) any other charge under a scheme is to be prescribed in the regulations.
- (4) The amount of a charge that may be prescribed under subsection (3)(b) is not limited to the amount needed to recover costs even though it is for a matter for which only a fee could be prescribed if the number plates were not optional number plates.
- (5) The regulations may deal with matters that it is necessary or convenient to deal with for the purposes of, or in connection with, schemes relating to optional number plates.

”.

6. Validation

Regulations made before the commencement of this Act are, and are to be regarded as having always been, as valid and effective as they would have been if, before those regulations were made —

- (a) this Act had been enacted and had commenced; and
- (b) the Treasurer had, in accordance with section 113(3)(a)(ii) as inserted by this Act, authorised the sale by private treaty of rights allocated.

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