

ROAD TRAFFIC.

No. 17 of 1976.

AN ACT to amend sections forty-five and one hundred and eleven of the Road Traffic Act, 1974-1975.

[Assented to 3rd June, 1976.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Road Traffic Act Amendment Act, 1976*.

Short title
and
citation.

(2) In this Act the Road Traffic Act, 1974-1975 is referred to as the principal Act.

Act No. 59
of 1974.
Amended
by
Act No. 93
of 1975.

(3) The principal Act as amended by this Act may be cited as the Road Traffic Act, 1974-1976.

Commence-
ment.

2. The provisions of this Act shall come into operation on such date or dates as is or are, respectively, fixed by proclamation.

Section 45
amended.

3. Section 45 of the principal Act is amended—

- (a) by substituting for the words “three years” where they occur in lines five and thirteen of subsection (1) and line five of subsection (3), the words “one year” in each case;
- (b) by inserting before the word “of” in line seven of subsection (3) the passage “and subsection (4)”;
- (c) by adding after subsection (3) subsections as follows—

(4) For the purposes of this Act—

(a) where, as at the coming into operation of section 3 of the Road Traffic Act Amendment Act, 1976, a person—

(i) is the holder of a driver’s licence issued on probation; and

(ii) has been the holder of a valid driver’s licence issued on probation for a period of, or for periods amounting in the aggregate to, not less than one year,

then, on and after the coming into operation of that section, the driver’s licence referred to in subparagraph (i) of this paragraph shall be deemed to be an unrestricted licence;

(b) where, after the coming into operation of section 3 of the Road Traffic Act Amendment Act, 1976, a person who is the

holder of a driver's licence issued on probation completes a period of, or periods amounting in the aggregate to, one year as the holder of such a licence then, on and after the completion of that period or the last of those periods, as the case may be, that driver's licence shall be deemed to be an unrestricted licence.

(5) "Unrestricted licence", as used in subsection (4) of this section, means a driver's licence that is not issued on probation.

(6) The provisions of subsection (4) of this section shall have effect in relation to a driver's licence notwithstanding the terms of any endorsement made on that licence for the purposes of this section. .

4. Subsection (2) of section 111 of the principal Act is amended— Section 111
amended.

- (a) by substituting for the passage "paragraph (j)" in line six of paragraph (k), the passage "paragraph (l) or (m)";
- (b) by adding after the word "subsection" in line three of paragraph (l) the passage " , not being an offence referred to in paragraph (m) of this subsection," ;
- (c) by substituting for the passage "dollars." in the last line of paragraph (l), the passage "dollars;" ; and
- (d) by adding after paragraph (l), the following paragraphs—
 - (m) imposing for an offence against a regulation requiring the driver or person in charge of a vehicle to comply with any reasonable direction given by a patrolman for the purpose of ascertaining the

weight of that vehicle or any component thereof or its load, penalties not exceeding five hundred dollars for a first offence and not exceeding one thousand dollars for any subsequent offence;

- (n) defining the previous offences that shall be taken into account in determining whether an offence is a first or subsequent offence for the purposes of the regulations. .
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