

Road Traffic Legislation Amendment (Disqualification for Life) Bill 2016

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Western Australia

LEGISLATIVE ASSEMBLY

(Introduced by Hon Mr Rob Johnson, MLA)

Road Traffic Legislation Amendment (Disqualification for Life) Bill 2016

A Bill for

***An Act to amend the *Road Traffic Act 1974* and the *Road Traffic
(Authorisation to Drive) Act 2008*.***

The Parliament of Western Australia enacts as follows:

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Part 1 — Preliminary

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1. Short title

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This is the *Road Traffic Legislation Amendment*
4 *(Disqualification for Life) Act 2016*.

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2. Commencement

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This Act comes into operation as follows —

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(a) Part 1 — on the day on which this Act receives the
8 Royal Assent;

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(b) the rest of the Act — on the day after that day.

Part 2 — Amendments to the *Road Traffic Act 1974*

3. Act amended

This Part amends the *Road Traffic Act 1974*.

4. Section 59 amended

(1) In section 59(3):

(a) in paragraph (b)(ii) delete “person,” and insert:

person.

(b) delete “and, in any event, the court convicting that person shall order that he be disqualified from holding or obtaining a driver’s licence for a period of not less than 2 years.”.

(2) After section 59(4B) insert:

(4C) A court convicting a person on indictment of an offence against this section must order —

(a) that the person be permanently disqualified from holding or obtaining a driver’s licence, if the incident occasions the death of another person and either —

(i) the offence is against subsection (1)(a), (ba) or (bb); or

(ii) the offence is against subsection (1)(b) and is committed in circumstances of aggravation;

or

(b) that the person be disqualified from holding or obtaining a driver’s licence for a period of not less than 2 years, in any other case.

s. 5

Part 3 — Amendments to the *Road Traffic (Authorisation to Drive) Act 2008*

5. Act amended

This Part amends the *Road Traffic (Authorisation to Drive) Act 2008*.

6. Section 27 amended

In section 27(3):

(a) after paragraph (a) insert:

(aa) by an order made under the *Road Traffic Act 1974* section 59(4C)(a); or

(b) delete “paragraph (a), (ba)” and insert:

paragraph (a), (aa), (ba)

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