Road Traffic Act 1974

Road Traffic Code Amendment Regulations (No. 2) 2017

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 2) 2017*.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day 6 weeks after that day.

3. Regulations amended

These regulations amend the *Road Traffic Code 2000*.

4. Regulation 9 amended

(1) Delete regulation 9(1a), (2) and (2a) and insert:

(1A) A person who commits an offence against Part 16 Division 2 or regulation 244 is liable —

(a) for a first offence, to a minimum penalty of the number of penalty units that could be imposed as a modified penalty for the particular offence and a maximum penalty of 56 penalty units (56 PU); and

(b) for a subsequent offence, to a minimum penalty of the number of penalty units that could be imposed as a modified penalty for the particular offence and a maximum penalty of 84 penalty units (84 PU).

(1B) For the purposes of subregulation (1A)(b), an offence is regarded as a subsequent offence if the person by whom it is committed has previously committed an offence of any kind against Part 16 Division 2 or regulation 244.

(2) Except as provided in subregulation (1A), a person who commits an offence against these regulations is liable —

(a) for a first offence, to a penalty not exceeding 64 penalty units (64 PU); and

(b) for a subsequent offence, to a penalty not exceeding 96 penalty units (96 PU).

(2) In regulation 9(3) after "committed an offence" insert:

of any kind

5. Regulation 17 amended

(1) In regulation 17(1) in the Table item (e) delete "20 PU" (each occurrence) and insert:

24 PU

(2) In regulation 17(2) in the Table:

(a) in item (d) delete "17 PU" (each occurrence) and insert:

24 PU

(b) in item (e) delete "20 PU" (each occurrence) and insert:

30 PU

N. HAGLEY, Clerk of the Executive Council.