

ROAD TRAFFIC (ADMINISTRATION) BILL 2007

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Adele Farina (Parliamentary Secretary)**, read a first time.

As to Standing Committee Considerations — Motion

On motion without notice by **Hon Kim Chance (Leader of the House)**, resolved —

That the Road Traffic (Administration) Bill 2007, upon being referred to a committee pursuant to standing order 230A, the committee have the power to consider the policy of the bill, and that the committee report to the house by 6 May 2008.

Second Reading

HON ADELE FARINA (South West — Parliamentary Secretary) [4.55 pm]: I move —

That the bill be now read a second time.

This is one of a suite of five bills to facilitate the introduction of the Road Transport Reform (Compliance and Enforcement) Bill national reforms and to restructure Western Australia's road traffic legislation based on administrative and functional responsibilities.

The Road Traffic (Administration) Bill incorporates numerous provisions that have been moved from the Road Traffic Act 1974. These relate to general administrative matters and enforcement powers, such as the power to stop vehicles, demand the name and address of drivers, remove vehicles causing an obstruction or danger, and conduct examinations to ensure compliance with the various vehicle standards. This bill also introduces amendments that will enable infringement notices to be issued where light vehicles—those that weigh less than 4.5 tonnes—that are unlicensed are driven on roads.

The bill introduces various components of the model provisions contained in the Road Transport Reform (Compliance and Enforcement) Bill that are required to effectively investigate and enforce breaches of the mass, dimension and load restraint requirements throughout the road transport chain. It contains provisions from the model bill that will enable enforcement staff to search vehicles and business premises, under limited circumstances, for the purpose of gathering evidence of suspected mass, dimension and load restraint breaches. The bill will also empower enforcement staff to require various parties connected with the transport of goods to produce documentation, provide information and give reasonable assistance to officers undertaking compliance activities. This bill also provides for the issue of warrants by justices of the peace to enter premises to enable enforcement staff to search for evidence of mass, dimension and load restraint breaches. Evidentiary provisions have also been considerably expanded to allow for the use of averments and the presentation of certificates to support prosecutions. All matters pertaining to the issue and operation of infringement notices for all traffic offences have also been moved to this bill.

The rights and procedures relating to the review of administrative decisions made under the road traffic legislation have also been consolidated in this bill to provide a single point of reference and consistency in the processes to be followed when dealing with such matters.

I commend the bill to the house.

Debate adjourned and bill referred to the Standing Committee on Uniform Legislation and Statutes Review, pursuant to standing orders.