

**ROAD TRAFFIC (VEHICLES) 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 (Vehicles) 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)** [4.58 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 re-align Western Australia's road traffic legislation based on administrative and functional responsibilities.

The Road Traffic (Vehicles) Bill contains the legislative framework for vehicle licensing, which has been moved from the Road Traffic Act. It also consolidates mass, dimension and load restraint offences and the Commissioner of Main Roads' power to manage access to the road network for oversize and over-mass vehicles, which were previously contained in the vehicle standards regulations. It also introduces key compliance components of the Road Transport Reform (Compliance and Enforcement) Bill national reforms.

This bill will introduce a "reasonable steps defence". This new defence is being made available to all parties in the transport chain and complements the expansion of legal liability that is the fundamental component of the new regime. The bill will also create risk categorisation of breaches to provide for a more equitable treatment of offenders; and give the compliance agency the ability to issue improvement notices to businesses to rectify defective systems that may lead to a breach of the mass, dimension or load restraint requirements. The bill will also require container weight declarations for vehicles transporting multi-modal shipping containers. These declarations will assist operators in identifying the appropriate vehicle to transport the container, and drivers will not be permitted to drive these vehicles without a valid container weight declaration. The bill will also introduce commercial benefits penalty orders to allow courts to penalise offenders up to three times the commercial benefit that was gained by the illegal transport activity, thereby providing a disincentive to persons seeking to gain a commercial advantage by operating illegally; enable courts to directly affect the operation of parties involved in road transport by imposing supervisory intervention orders and prohibition orders targeting specific commercial activities; and provide for courts to suspend or cancel vehicle licences where the vehicle has been operated in breach of the mass, dimension or load restraint laws.

This bill will provide a more robust and comprehensive legislative framework to maximise the effect of compliance activities on parties that persistently disregard the mass, dimension and load restraint requirements in order to gain a commercial advantage.

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.