

## ROAD TRAFFIC.

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No. 42 of 1980.

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AN ACT to amend the Road Traffic Act 1974-1979.

[Assented to 12 November 1980.]

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 Amendment Act 1980*.

Short title  
and citation.

(2) In this Act the Road Traffic Act 1974-1979 is referred to as the principal Act.

Reprinted as  
approved  
22 July  
1980.

(3) The principal Act as amended by this Act may be cited as the Road Traffic Act 1974-1980.

Commence-  
ment.

2. (1) Subject to subsection (2) of this section this Act shall come into operation on the day that it is assented to by the Governor.

(2) Sections 3, 4, 5, 6, 8, 9 (a), and 10 shall come into operation on 1 January 1981.

Section 19  
amended.

3. Section 19 of the principal Act is amended in subsection (1) by deleting "the recording fee specified in Part I of the Second Schedule" and substituting the following—

" the prescribed recording fee " .

Section 21  
amended.

4. Section 21 of the principal Act is amended by repealing subsection (2) and subsection (3).

Section 42  
amended.

5. Section 42 of the principal Act is amended—

(a) in subsection (2), by deleting "the fees provided by this Act" and substituting the following—

" the prescribed fee "; and

(b) by inserting after subsection (2) the following subsection—

" (2a) The Authority may accept evidence other than the requirement that a person undergo a driving test in satisfaction of the requirement imposed by paragraph (c) of subsection (2) of this section. " .

Section 46  
amended.

6. Section 46 of the principal Act is amended in subsection (3) by deleting the passage commencing with "42," and ending with "licence." and substituting the following—

" 42. " .

7. Section 47 of the principal Act is amended in subsection (1)— Section 47 amended.

(a) by deleting “fees” and substituting the following—

“ fee ” ; and

(b) by deleting “, other than a driving licence appropriate to the passenger vehicle class,”.

8. Section 50 of the principal Act is amended— Section 50 amended.

(a) in subsection (1), by deleting “on payment of a fee of one dollar and”;

(b) by repealing subsection (3) and substituting the following subsection—

“ (3) A permit issued under this section is, unless sooner cancelled, valid—

(a) in the case of a permit in force on 1 January 1981 from the date of issue or last renewal; and

(b) in any other case, from the date of issue,

for a period of 12 months. ”;

(c) by repealing subsections (5) and (6) and substituting the following subsections—

“ (5) Where the Authority causes a person applying for a driver’s licence to undergo a driving test for the purposes of satisfying it of his ability to control the class of motor vehicle for which the driver’s licence is sought, the applicant is authorized to drive a motor vehicle

during the conduct of the test as if he were at that time the holder of the appropriate driver's licence.

(6) Where—

- (a) a person has made application for a licence pursuant to section 42;
- (b) the Authority has caused that person to undergo a driving test for the purpose of satisfying it of his ability to control the class of motor vehicle for which the driver's licence is sought; and
- (c) that person has after undergoing two driving tests failed to satisfy the Authority of his ability to control the class of vehicle for which the driver's licence is sought,

such additional fee as is prescribed is payable in respect of each further driving test.

Section 52  
amended.

9. Section 52 of the principal Act is amended—

- (a) by repealing subsection (1) and substituting the following subsection—

“ (1) The fee payable on the issue, and renewal, of a driver's licence is set out in Part IV of the Second Schedule. ”; and

- (b) by repealing subsection (2) and substituting the following subsection—

“ (2) The Authority shall pay  $33\frac{1}{3}$  per cent of the fees (calculated to the nearest dollar) paid pursuant to subsection (1) of this section during the

financial year 1980-1981 to the credit of the Main Roads Trust Account maintained under the Main Roads Act 1930. ”.

10. The Second Schedule to the principal Act is amended— Second  
Schedule.  
amended.

(a) by repealing Part I; and

(b) by repealing Part IV and substituting the following—

“ PART IV.

FEE FOR A DRIVER'S LICENCE.

The fee payable on the issue or renewal of a driver's licence for each period of twelve months for which the licence is issued or renewed is ..... \$7.00 ” .

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