

**Road Safety (General) and Road Safety (Road Rules) Amendment (Mobile Phones and Seatbelts) Regulations 2009**

**S.R. No. 46/2009**

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STATUTORY RULES 2009

S.R. No. 46/2009

*Road Safety Act 1986*

**Road Safety (General) and Road Safety (Road Rules) Amendment (Mobile Phones and Seatbelts) Regulations 2009**

The Governor in Council makes the following Regulations:

Dated: 5 May 2009

Responsible Minister:

TIM PALLAS  
Minister for Roads and Ports

RYAN HEATH  
Clerk of the Executive Council

**1 Objective**

The objective of these Regulations is to—

- (a) amend the Road Safety (General) Regulations 1999 to increase the traffic infringement penalties for the mobile phone and seatbelt offences in the Road Rules; and
- (b) amend the Road Safety (Road Rules) Regulations 1999 to increase the court-based penalties for the mobile phone and seatbelt offences in the Road Rules.

**2 Authorising provision**

These Regulations are made under section 95 of the **Road Safety Act 1986**.

### **3 Amendments to Schedule 4 to Road Safety (General) Regulations 1999**

In Schedule 4 to the Road Safety (General) Regulations 1999<sup>1</sup>—

- (a) in the item in respect of code 2078, for "1.35" **substitute** "2";
- (b) in the item in respect of code 2079, for "1.35" **substitute** "2";
- (c) in the item in respect of code 2091, for "1.35" **substitute** "2";
- (d) in the item in respect of code 2092, for "1.35" **substitute** "2";
- (e) in the item in respect of code 7385, for "1.35" **substitute** "2";
- (f) in the item in respect of code 7386, for "1.65" **substitute** "2.25";
- (g) in the item in respect of code 7387, for "1.65" **substitute** "2.25".

### **4 Amendments to Schedule 4 to Road Safety (Road Rules) Regulations 1999**

- (1) In item 31 of Schedule 4 to the Road Safety (Road Rules) Regulations 1999<sup>2</sup>, for "3 penalty units" **substitute** "10 penalty units".
- (2) After item 40 of Schedule 4 to the Road Safety (Road Rules) Regulations 1999, **insert**—
  - '41. Rule 264(1) of the Road Rules is to be read as if for the penalty at the foot of the rule there were substituted—  
"Penalty: 10 penalty units."

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42. Rule 265(1) of the Road Rules is to be read as if for the penalty at the foot of the rule there were substituted—

"Penalty: 10 penalty units."

43. Rule 266(1) of the Road Rules is to be read as if for the penalty at the foot of the rule there were substituted—

"Penalty: 10 penalty units."'

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**Endnotes**

S.R. No. 46/2009

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**ENDNOTES**

<sup>1</sup> Reg. 3: S.R. No. 27/1999. Reprint No. 4 as at 1 July 2008. Reprinted to S.R. No. 79/2008. Subsequently amended by S.R. Nos 104/2008, 115/2008, 137/2008, 168/2008 and 17/2009, and extended in operation by S.R. No. 22/2009.

<sup>2</sup> Reg. 4(1): S.R. No. 120/1999. Reprint No. 2 as at 1 January 2008. Reprinted to S.R. No. 74/2007. Subsequently amended by S.R. Nos 151/2007, 28/2008, 78/2008, 161/2008, 170/2008 and 17/2009.