

Exemption for drivers carrying children with a medical condition or disability from standard child restraint requirements

(RTC – 2020 – 203695)

I, Peter Woronzow, Acting Chief Executive Officer of the Department of Transport, under regulation 240 of the *Road Traffic Code 2000*, **hereby exempt** a driver of a motor vehicle carrying an exempt passenger, from regulations 234(2), (3), (4) and (7) of the *Road Traffic Code 2000*, but only in relation to the exempt passenger.

The exemption is subject to the following conditions:

1. The exempt passenger is restrained in a device prescribed for the exempt passenger by a prescriber in accordance with AS/NZS: 4370-2013;
2. The device prescribed for the exempt passenger is fitted to the vehicle in accordance with any instructions stated in the advice to parent form;
3. The driver is carrying the advice to parent form, and produces the form to a police officer or warden upon request;
4. The driver is carrying a certificate signed by a medical practitioner, which certifies the exempt passenger is diagnosed with the condition(s) stated in the advice to parent form; and
5. The advice to parent form has not expired (the form expires at the end of the last day of the period stated in the form as the period of time a device is prescribed for).

In this instrument –

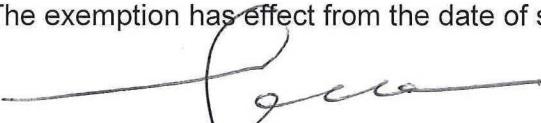
advice to parent form means an advice to parent form that is completed and signed by a prescriber, and issued for an exempt passenger in accordance with clause 2.2 of AS/NZS: 4370-2013;

AS/NZS: 4370-2013 means Australian/New Zealand Standard AS/NZS: 4370-2013 (“Restraint of children with disabilities, or medical conditions, in motor vehicles”) or any subsequent version of, or amendments to, that standard, published jointly by Standards Australia and the Standards Association of New Zealand;

exempt passenger means a passenger under 16 years of age who has been diagnosed with a medical condition or disability by a medical practitioner;

prescriber means a medical practitioner, occupational therapist, psychologist, physiotherapist, rehabilitation engineer, or biomedical engineer.

The exemption has effect from the date of signature until it is revoked.


Peter Woronzow
Acting Chief Executive Officer
Department of Transport

25/9/2020

Approved by LLS
Date: 15/07/2020

Note: This exemption does not apply outside Western Australia. It is recommended drivers check with relevant state and territory authorities regarding the use of devices prescribed in accordance with AS/NZS:4370 devices prior to travelling interstate.