

**93. Drivers of Vehicles Approaching Level Crossings**

- (1) Subject to paragraph (3) of section 42 of the *Government Railways Act 1904*, as amended, the driver of a vehicle approaching a railway level crossing shall —
- (a) before crossing the railway line, satisfy himself that such line is sufficiently clear of railway and other traffic to allow him to do so with safety, and shall, where practicable, give audible or visible warning of his intention to cross the line;
  - (b) stop his vehicle on the approach side of the railway line, so that the front of it is safely clear of the nearest rail of the line, where —
    - (i) he is directed or instructed to stop by a person authorized by the Commission, and he shall not proceed except in accordance with the person's direction;
    - (ii) an approaching train is visible or emits an audible signal and there is danger of collision between his vehicle and the train, and he shall not proceed until he has ascertained that in the circumstances it is safe to do so;
    - (iii) a stop sign facing the driver is erected at or near the level crossing, and he shall proceed only if it is safe to do so;
    - (iv) twin alternating red lights are flashing or a wig-wag signal is moving or a warning bell is ringing at or near the level crossing, and he shall not proceed until the lights, signal or bell have ceased to flash, move or ring unless otherwise directed or instructed by a person authorized by the Commission;
    - (v) by reason of traffic congestion he is not immediately able to lawfully drive his vehicle over and clear of the level crossing, and he shall not proceed until he can so drive his vehicle over and clear of the level crossing.
- (2) A person guilty of a breach of this by-law shall be liable to a penalty not exceeding \$200.

*[By-law 93 inserted by Gazette 22 June 1979 pp.1750-1; amended by Gazette 30 December 1994 p.7335; 9 May 1997 p.2313.]*

