
TRANSPORT

TN301

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations
(No. 6) 2017**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 6) 2017*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 30 November 2017.

3. Regulations amended

These regulations amend the *Road Traffic Code 2000*.

4. Regulation 116 amended

- (1) In regulation 116 delete “Where” and insert:

- (1) Where

- (2) At the end of regulation 116 insert:

- (2) Subregulation (1) is subject to regulations 120 and 124A(5).

5. Regulation 119 amended

In regulation 119(2):

- (a) in paragraph (c) delete “island.” and insert:

- island; or

(b) after paragraph (c) insert:

(d) it is to comply with regulation 124A(1), in accordance with regulation 124A(5).

6. Regulation 124A inserted

After regulation 124 insert:

124A. Keeping safe distance when passing bicycle

(1) A driver of a motor vehicle passing to the right of a bicycle that is travelling on a road in the same direction as the vehicle must pass the bicycle at a safe distance from the bicycle.

Points: 4

Modified penalty: 8 PU

(2) A safe distance from the bicycle is —

(a) if the speed limit applicable to the length of road is not more than 60 km/h — a lateral distance of at least 1 m; or

(b) if the speed limit applicable to the length of road is more than 60 km/h — a lateral distance of at least 1.5 m.

(3) For the purposes of subregulation (2), the lateral distance is measured between the following points —

(a) the furthest point to the left on the driver's vehicle or any projection from the vehicle (whether or not attached to the vehicle);

(b) the furthest point to the right on the bicycle.

(4) For the purposes of subregulation (3)(b) —

(a) the following things are to be taken to be part of the bicycle —

(i) any bicycle trailer as defined in regulation 223(3) towed by the bicycle;

(ii) any basket or pannier bags attached to the bicycle or bicycle trailer;

(iii) the rider of the bicycle;

(iv) any passenger on the bicycle, in the bicycle trailer or on the bicycle trailer;

and

(b) a flag or stick (whether or not flexible) attached to and projecting sideways from the bicycle or any bicycle trailer is to be taken not to be part of the bicycle or bicycle trailer.

- (5) A driver of a motor vehicle may, if it is necessary in order to comply with subregulation (1), do any of the following —
- (a) if the driver is driving on a two-way carriageway without a dividing line or median strip — drive to the right of the centre of the carriageway, provided that the driver has a clear view of any approaching traffic and can do so safely;
 - (b) if the driver is driving on a two-way carriageway with a dividing line — drive to the right of the dividing line, provided that the driver has a clear view of any approaching traffic and can do so safely;
 - (c) drive on a dividing strip, or on or over a single continuous line or 2 parallel continuous lines, or on or over a painted island, provided that the driver has a clear view of any approaching traffic and can do so safely.

7. Regulation 127 amended

After regulation 127(3)(a) insert:

- (aa) the driver is driving a motor vehicle and is passing a bicycle in accordance with regulation 124A(5); or

R. NEILSON, Clerk of the Executive Council.
