
POLICE

PO301

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations
(No. 8) 2017**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 8) 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 the 56th day after that day.

3. Regulations amended

These regulations amend the *Road Traffic Code 2000*.

4. Part 11 Division 6A inserted

After Part 11 Division 6 insert:

Division 6A — Stationary incident response vehicles**137A. Approaching and passing stationary incident response vehicles**

- (1) In this regulation —

hazard warning light has the same meaning as in regulation 188;

incident response vehicle means any of the following vehicles if the vehicle is displaying a flashing light other than a turn indicator light or hazard warning light —

- (a) an emergency vehicle;
- (b) a motor break-down service vehicle;
- (c) a tow truck;
- (d) a vehicle that is being used to provide an incident response service on behalf of the Commissioner of Main Roads.

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- (2) A driver approaching a stationary incident response vehicle must drive at a speed at which the driver can, if necessary, stop safely before passing the incident response vehicle.
Points: 3 Modified penalty: 6 PU
- (3) A driver approaching a stationary incident response vehicle that is in the same lane of a multi-lane carriageway as the driver must move to another lane for vehicular traffic travelling in the same direction as the driver, if it is safe to do so.
Points: 3 Modified penalty: 6 PU
- (4) A driver must not pass a stationary incident response vehicle at a speed exceeding 40 km/h.
Points: 3 Modified penalty: 6 PU
- (5) Subregulations (2) and (4) do not apply if the driver —
- (a) is on a two-way carriageway; and
 - (b) the incident response vehicle is on the side of the carriageway used by vehicular traffic travelling in the opposite direction to the driver.

R. KENNEDY, Clerk of the Executive Council.