

TN302

Road Traffic Act 1974

Road Traffic Code Amendment Regulations (No. 2) 2020

SL 2020/184

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 2) 2020*.

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 20 November 2020.

3. Regulations amended

These regulations amend the *Road Traffic Code 2000*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definition of *speed limit sign*.
- (2) In regulation 3(1) insert in alphabetical order:

emergency stopping bay means a bay to which an “emergency stopping bay” sign applies;

Emergency stopping bay signs

(background to “emergency” in red)

(background to phone in blue)



Note The sign may have an arrow pointing in a different direction.

overhead controlled lane means a marked lane that is part of a laned carriageway where separate traffic-control signals or variable illuminated signs capable of being speed limit signs are erected over each lane of that laned carriageway;

red X lane means a length of overhead controlled lane beginning at a traffic-control signal over that lane displaying an illuminated red diagonal cross and ending at the nearest of the following —

- (a) another traffic-control signal over that lane displaying an illuminated red diagonal cross;
- (b) another traffic-control signal over that lane displaying an illuminated white, green or yellow arrow pointing downwards;
- (c) a speed limit sign over that lane;
- (d) a speed limit sign erected on or near the carriageway of which the overhead controlled lane is part;

Illuminated red diagonal cross

(cross in red)



speed limit sign means a sign (including a variable illuminated sign), other than an “area speed limit” sign, a “school zone” sign or a “heavy vehicle speed zone” sign, that is substantially rectangular in shape and —

- (a) is displayed or erected on or near a carriageway; and
- (b) consists of one of the following —
 - (i) black numerals set within a white circle with a red outline upon a white background;
 - (ii) white numerals set within a black circle with a red outline upon a black background;
 - (iii) black numerals set within a white circle with a red outline upon a black background;

Speed limit sign
(Standard sign)

(circle in red)



Speed limit sign
(Variable illuminated sign)

(circle illuminated in red)



Speed limit sign
(Variable illuminated sign)

(circle illuminated in red)



Note A speed limit sign may have a different number on the sign.

variable illuminated speed limit sign means a speed limit sign that is a variable illuminated sign;

- (3) In regulation 3(1) in the definition of **special purpose lane** after “emergency stopping lane,” insert:

red X lane,

- (4) In regulation 3(1) in the definition of *speed zone* delete:

Speed limit signs

Speed limit sign
(Standard sign)

(circle in red)



Speed limit sign
(Variable illuminated message sign)

(circle illuminated red)



and insert:

Speed limit signs

Speed limit sign
(Standard sign)

(circle in red)



Speed limit sign
(Variable illuminated sign)

(circle illuminated in red)



Speed limit sign
(Variable illuminated sign)

(circle illuminated in red)



5. Regulation 11 amended

- (1) In regulation 11(1) and (2) delete “shall” and insert:

must

- (2) Delete regulation 11(3) and insert:

- (3) A person must not drive a vehicle in a speed zone at a speed exceeding the speed limit applicable to the zone.
Points and modified penalty: *see regulation 17.*

Speed limit signs

Speed limit sign
(Standard sign)*(circle in red)*Speed limit sign
(Variable illuminated sign)*(circle illuminated in red)*Speed limit sign
(Variable illuminated sign)*(circle illuminated in red)*

- (3A) For the purposes of subregulation (3), if the vehicle is in a speed zone that begins with a variable illuminated speed limit sign, the reference to the speed limit applicable to the zone is taken to be a reference to the speed limit applicable to the zone when the vehicle enters the zone.

- (3) In regulation 11(4), (5), (6) and (7) delete “shall” and insert:

must

6. Regulation 11A inserted

After regulation 11 insert:

11A. “When blank” signs

- (1) In this regulation —

“when blank” sign means a sign that is substantially rectangular in shape and —

- (a) is displayed or erected on or near a carriageway in conjunction with at least one variable illuminated sign that is, when operational, used as a speed limit sign (whether or not the sign is also used as a traffic-control signal) (a **corresponding illuminated speed sign**); and

- (b) consists of the following upon a white background —
- (i) black numerals set within a white circle with a red outline;
 - (ii) the words “when all signs blank” or “when sign blank”.

When blank signs

When all signs blank

(circle in red)



When sign blank

(circle in red)



- (2) A “when blank” sign is taken to be a speed limit sign for the purposes of these regulations if the corresponding illuminated speed sign is blank (or, if there is more than one corresponding illuminated speed sign, all of the corresponding illuminated speed signs are blank).
- (3) A “when blank” sign is not a speed limit sign for the purposes of these regulations if the corresponding illuminated speed sign is not blank (or, if there is more than one corresponding illuminated speed sign, any of the corresponding illuminated speed signs are not blank).

7. Regulation 12 amended

- (1) In regulation 12 delete “In” and insert:
 - (1) In
- (2) At the end of regulation 12 insert:
 - (2) For the purposes of subregulation (1), if the vehicle is in a freeway speed zone that begins with a variable illuminated speed limit sign, the reference to the speed limit applicable to the zone is taken to be a reference to the speed limit applicable to the zone when the vehicle enters the zone.

8. Regulation 39 amended

In regulation 39(1) delete “If” and insert:

Except as provided in regulation 39A, if

9. Regulation 39A inserted

After regulation 39 insert:

39A. Effect of traffic-control signal accompanied by “one vehicle per green each lane” sign

(1) This regulation applies if —

- (a) there is a traffic-control signal facing a driver; and
- (b) there is a “one vehicle per green each lane” sign at or near the traffic-control signal.

One vehicle per green each lane
sign



(2) If the traffic-control signal displays a circular green signal, the driver —

- (a) must not turn right or left; and
- (b) except as provided in subregulation (3), must not proceed straight ahead past the signal if another vehicle in the same lane has proceeded past the signal since the signal last changed to green.

Points: 2 Modified penalty: 4 PU

(3) Two vehicles in the same lane may proceed past the traffic-control signal displaying a circular green signal if —

- (a) the two vehicles were side by side when they were at the signal; and
- (b) at least one of the vehicles is a motor cycle; and
- (c) the vehicles are the first two vehicles in that lane to proceed past the signal since the signal last changed to green.

(4) If the traffic-control signal does not display a signal, the driver may proceed straight ahead past the signal

and any stop line at or near the signal, as if the traffic-control signal and the stop line were not there.

10. Regulation 76A inserted

After regulation 76 insert:

76A. Emergency stopping bay signs

The driver of a vehicle (other than a bicycle) must not drive in an emergency stopping bay unless —

- (a) the driver needs to drive in the bay to avoid a collision; or
- (b) the driver needs to stop in the bay in accordance with regulation 150; or
- (c) the driver's vehicle is disabled.

Points: 2 Modified penalty: 6 PU

Emergency stopping bay signs

(background to "emergency" in red)



(background to phone in blue)



11. Regulation 113 amended

In regulation 113(2)(a) delete "more; or" and insert:

more (or, if the driver is in a speed zone that begins with a variable illuminated speed limit sign, the speed limit applicable to the zone when the driver enters the zone is 90 km/h or more);
or

12. Regulation 124A amended

After regulation 124A(2) insert:

- (2A) For the purposes of subregulation (2), if the driver of the motor vehicle is in a speed zone that begins with a variable illuminated speed limit sign, a reference to the speed limit applicable to the length of road is a reference to the speed limit applicable to the speed zone when the driver enters the zone.

13. Regulation 129 amended

In regulation 129(3)(c) delete “road or” and insert:

road, an emergency stopping bay or

14. Regulation 131 replaced

Delete regulation 131 and insert:

131. Overhead traffic-control signals

- (1) The driver of a vehicle must not drive in a red X lane unless —
- (a) the driver of the vehicle would not be prohibited under these regulations from driving in the lane if the lane were an emergency stopping lane; or
 - (b) each of the following apply —
 - (i) driving in the red X lane is necessary for the driver to exit a freeway;
 - (ii) the driver drives in the red X lane for less than 100 m (or, where there are successive red X lanes, the total distance driven in the red X lanes is less than 100 m);
 - (iii) in the circumstances it is safe to drive in the red X lane.

Points: 3 Modified penalty: 4 PU

- (2) Subregulation (1) does not apply to a driver in relation to a red X lane if, at the time the driver entered the red X lane by driving past the traffic-control signal over the lane at the beginning of the lane, the traffic-control signal was not displaying an illuminated red diagonal cross.
- (3) If the driver of a vehicle is in an overhead controlled lane and the traffic-control signal over the lane displays an illuminated diagonal arrow signal, the driver may continue in the lane past the signal but must —
- (a) leave the lane in the direction indicated by the arrow as soon as it is safe to do so; and
 - (b) move to a lane that does not have a traffic-control signal over the lane displaying an illuminated diagonal arrow signal or an illuminated red diagonal cross.

Points: 3 Modified penalty: 4 PU

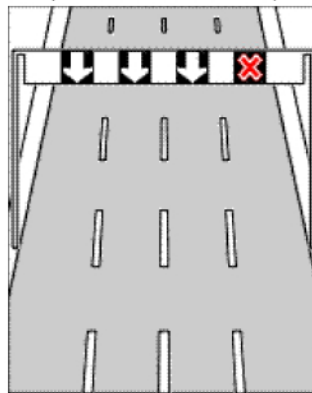
Illuminated diagonal arrow signals



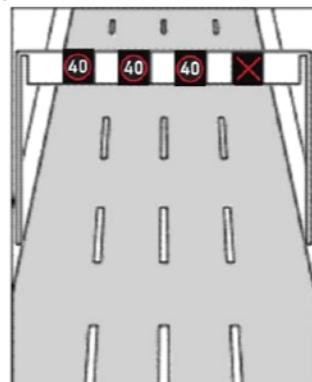
- (4) If the driver of a vehicle is in an overhead controlled lane and the traffic-control signal over the lane displays an illuminated white, green or yellow arrow pointing downwards, the driver may drive in the lane past the signal.

Examples

Overhead controlled lanes

(cross illuminated in red)

Overhead controlled lanes

(cross and circle illuminated in red)**15. Regulation 136 amended**

In regulation 136(1)(b) delete “road or” and insert:

road, an emergency stopping bay or

16. Part 12 Division 4 heading amended

In the heading to Part 12 Division 4 delete “**lanes**” and insert:

bays and lanes and red X lanes

17. Regulation 149 amended

In regulation 149(1)(a) delete “emergency stopping lane; or” and insert:

emergency stopping bay, an emergency stopping lane or a red X lane; or

18. Regulation 150 replaced

Delete regulation 150 and insert:

150. Stopping in emergency stopping bay, emergency stopping lane or red X lane

The driver of a vehicle (other than a bicycle) must not stop in an emergency stopping bay, an emergency stopping lane or a red X lane, unless —

- (a) all of the following apply —
 - (i) the driver, a passenger or the vehicle itself, encounters the rapid and unexpected onset of a situation as a result of which the health or safety of the driver or a passenger is at risk;
 - (ii) immediate action is required to address the risk;
 - (iii) the driver stops for no longer than is necessary in the circumstances;
- or
- (b) the driver’s vehicle is disabled and the driver stops for no longer than is necessary in the circumstances; or
- (c) the driver’s vehicle is permitted to stop in the emergency stopping bay, emergency stopping lane or red X lane under these regulations.

Modified penalty: 1 PU

Emergency stopping bay signs

(background to "emergency" in red)



(background to phone in blue)



Emergency stopping lane only sign



19. Regulation 188 amended

In regulation 188(1)(c) delete "emergency stopping lane; or" and insert:

emergency stopping bay, an emergency stopping lane or a red X lane; or

20. Regulation 191 amended

After regulation 191(6A) insert:

- (6B) For the purposes of determining whether subregulation (5) or (6A) applies, if the vehicle is in a speed zone that begins with a variable illuminated speed limit sign —
- (a) if the carriageway is a freeway — subregulation (6A) is taken to apply; and
 - (b) in any other case — subregulation (5) is taken to apply.

21. Regulation 192 amended

After regulation 192(4A) insert:

- (4B) For the purposes of determining whether subregulation (3) or (4A) applies, if the vehicle is in a

speed zone that begins with a variable illuminated speed limit sign —

- (a) if the carriageway is a freeway — subregulation (4A) is taken to apply; and
- (b) in any other case — subregulation (3) is taken to apply.

22. Regulation 206 amended

After regulation 206(1) insert:

- (1A) For the purposes of subregulation (1)(c), if the person is in a speed zone that begins with a variable illuminated speed limit sign, the reference to the speed limit is taken to be a reference to the speed limit applicable to the zone when the person enters the zone.

23. Regulation 265 amended

In regulation 265(1A)(c) delete “more; or” and insert:

more (or, in the case of a speed zone that begins with a variable illuminated speed limit sign, the speed limit applicable to the zone when the driver enters the zone is 80km/h or more); or

24. Regulation 285A amended

In regulation 285A(2) in the Table:

- (a) after the item relating to regulation 76 insert:

* regulation 76A (driving in an emergency stopping bay)

- (b) in the item relating to regulation 150 delete “emergency stopping lane)” and insert:

emergency stopping bay, emergency stopping lane or red X lane)

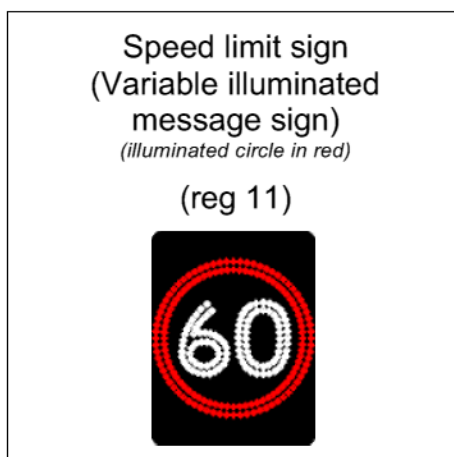
25. Regulation 302 amended

In regulation 302(4)(g) after ““bus lane” sign,” insert:

“emergency stopping bay” sign,

26. Schedule 2 amended

In Schedule 2 delete:

**27. Schedule 3 amended**

In Schedule 3 insert in alphabetical order:



One vehicle per green each
lane sign
(reg 39A)



School zone sign
(shading in orange, circle illuminated in red)
(regs 3, 11)



Speed limit sign
(Variable illuminated sign)
(circle illuminated in red)



Speed limit sign
(Variable illuminated sign)
(circle illuminated in red)



When blank sign
(When all signs blank)
(circle in red)

(reg 11A)



When blank sign
(When sign blank)
(circle in red)

(reg 11A)



28. Schedule 4 amended

In Schedule 4 insert in alphabetical order:

Illuminated diagonal arrow
signal

(reg 131)



Illuminated diagonal arrow
signal

(reg 131)



Illuminated red diagonal
cross

(cross illuminated in red)

(reg 3, 131)



V. MOLAN, Clerk of the Executive Council.
