

TN302

Road Traffic Act 1974

## **Road Traffic Code Amendment Regulations (No. 3) 2020**

**SL 2020/253**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Road Traffic Code Amendment Regulations (No. 3) 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 29 March 2021.

### 3. Regulations amended

These regulations amend the *Road Traffic Code 2000*.

### 4. Regulation 3 amended

- (1) In regulation 3(1) insert in alphabetical order:

***shared zone sign*** means a sign that is substantially rectangular in shape and consists of the following upon a white background —

- (a) the numerals “10” or “20” in black set within a red circle;
- (b) the words “SHARED ZONE” in black lettering;
- (c) the symbol of a person next to the symbol of a car, each in black;

#### Shared zone sign

(circle in red)



*Note* A “shared zone” sign may have a 10 or a 20 on the sign.

- (2) In regulation 3(1) in the definition of ***shared zone***:
- (a) before paragraph (a) insert —
    - (aa) an area designated by the Minister as a shared zone under regulation 4B; or
  - (b) delete both notes and insert:

*Note* A “shared zone” sign may have a 10 or a 20 on the sign.

- (3) In regulation 3(1) in the definition of ***speed limit*** after paragraph (c) insert:
- (ca) a shared zone, means —
    - (i) in the case of a shared zone referred to in paragraph (aa) of the definition of ***shared zone*** — the speed specified by the Minister as being the speed limit

- applicable to the shared zone under regulation 4B; or
- (ii) in the case of a shared zone referred to in paragraph (a) or (b) of the definition of *shared zone* — the speed indicated by the numerals on the “shared zone” sign at the beginning of the zone; or
  - (iii) in the case of a shared zone referred to in paragraph (c) of the definition of *shared zone* — the speed indicated by the numerals on the “shared zone” sign on a road leading into the zone;
- (4) In regulation 3(1) in the definition of *speed limit sign* delete “a “school zone” sign or a” and insert:
- “school zone” sign, “shared zone” sign or
- (5) In regulation 3(1) in the definition of *speed zone* after paragraph (c) insert:
- (ca) the beginning of a shared zone; or

**5. Regulation 4B inserted**

After regulation 4A insert:

**4B. Minister may designate shared zones**

- (1) The Minister may, by notice published in the *Gazette* —
  - (a) designate an area as a shared zone; and
  - (b) specify a speed limit applicable to that area of 20 km/h or less.
- (2) The Minister may, by notice published in the *Gazette*, amend or repeal a notice made under subregulation (1).

**6. Regulation 9 amended**

In regulation 9(3) delete “shall be regarded as” and insert:

is taken to be

**7. Regulation 11 amended**

In regulation 11(4) delete “vehicle in a shared zone, at a speed exceeding 10 km/h.” and insert:

vehicle in a shared zone at a speed exceeding the speed limit applicable to the zone.

**8. Regulation 20 amended**

In regulation 20(1) delete “shall so drive the vehicle that, when it reaches the intersection,” and insert:

must drive the vehicle so that when it reaches the intersection

**9. Regulation 31 amended**

- (1) In regulation 31(1) delete “shall” and insert:

must

- (2) In regulation 31(2):

- (a) delete “shall” and insert:

must

- (b) delete “the U turn is permitted by the traffic-control signals or”.

**10. Regulation 33 amended**

- (1) In regulation 33(1) delete “shall so drive the vehicle that, when it reaches the point at which the turn is to be made,” and insert:

must drive the vehicle so that when it reaches the point at which the turn is to be made

- (2) In regulation 33(2) delete “shall — ” and insert:

must —

- (3) In regulation 33(3) delete “shall,” and insert:

must,

**11. Regulation 34 amended**

## (1) In regulation 34(1):

- (a) in paragraph (c) delete “left;” and insert:

left, including diverging to the left from a straight line of travel within a marked lane or within a line of traffic;

- (b) after paragraph (c) insert:

- (ca) moving to the left in order to start, or stop, lane filtering in accordance with regulation 130B;

## (2) In regulation 34(2):

- (a) in paragraph (c) delete “right;” and insert:

right, including diverging to the right from a straight line of travel within a marked lane or within a line of traffic;

- (b) after paragraph (c) insert:

- (ca) moving to the right in order to start, or stop, lane filtering in accordance with regulation 130B;

**12. Regulation 39 replaced**

Delete regulation 39 and insert:

**39. Proceeding when faced with circular green signal or green arrow**

- (1) If a traffic-control signal facing a driver displays a circular green signal, the driver must, in accordance with these regulations and if it is safe to do so —

- (a) proceed straight ahead; or
- 
- (b) turn left; or
- 
- (c) turn right (including making a U turn if permitted).

Modified penalty: 4 PU

- (2) Subregulation (3) applies if a traffic-control signal facing a driver displays a green arrow signal and the driver is turning in the direction indicated by that arrow.

- (3) The driver must, in accordance with these regulations and if it is safe to do so, proceed in the direction indicated by the arrow (including making a U turn if permitted).

Modified penalty: 4 PU

**13. Regulation 40 amended**

- (1) In regulation 40(1):

- (a) delete “If” and insert:

Except as provided in regulations 42, 43 and 43A, if

- (b) in paragraph (a) delete “subject to regulations 42 and 43, if there is a stop line at or near the signal, the driver shall stop as near as practicable to, but before reaching, the stop line and shall” and insert:

if there is a stop line at or near the signal, the driver must stop as near as practicable to, but before reaching, the stop line and must

- (c) in paragraphs (b) and (c) delete “shall” (each occurrence) and insert:

must

- (2) In regulation 40(2):

- (a) delete “signal —” and insert:

signal and the driver is turning in the direction indicated by that arrow —

- (b) in paragraph (a) delete “subject to regulation 43, if there is a stop line at or near the signal, the driver shall stop as near as practicable to, but before reaching, the stop line and shall” and insert:

if there is a stop line at or near the signal, the driver must stop as near as practicable to, but before reaching the stop line and must

- (c) in paragraphs (b) and (c) delete “shall” (each occurrence) and insert:

must

**14. Regulation 41 amended**

- (1) In regulation 41(1) delete “If a traffic-control signal facing a driver displays a steady circular yellow signal or a yellow arrow, the driver shall” and insert:

Except as provided in regulations 42 and 43A, if a traffic-control signal facing a driver displays a steady circular yellow signal or a yellow arrow, the driver must

- (2) In regulation 41(2):  
(a) delete “If” and insert:

Except as provided in regulations 42 and 43A, if

- (b) delete “shall” and insert:

must

- (3) In regulation 41(3) delete “shall” and insert:

must

**15. Regulations 43A and 43B inserted**

After regulation 43 insert:

**43A. Effect of green bicycle light with red or yellow signals**

- (1) This regulation applies to the rider of a bicycle who is faced with —
- (a) bicycle crossing lights displaying a green bicycle crossing light; and
  - (b) either or both of the following —
    - (i) a traffic-control signal displaying a circular red signal or a steady circular yellow signal;
    - (ii) a traffic-control signal displaying a red arrow signal or a yellow arrow signal.

- (2) Despite regulations 40 and 41, the rider may proceed straight ahead.

**43B. Effect of red bicycle light with green arrow signal**

- (1) This regulation applies to the rider of a bicycle approaching an intersection on a carriageway if —
  - (a) the rider is in a bicycle lane to the far left side of the carriageway; and
  - (b) drivers entering the intersection from the marked lane next to the bicycle lane must only turn left.
- (2) Despite regulation 225, if the rider is faced with both a traffic-control signal displaying a green arrow signal pointing left and bicycle crossing lights displaying a red bicycle crossing light, the rider may proceed, but only in the direction indicated by the arrow.

**16. Regulation 81 amended**

In regulation 81(1) and (2) delete “driver, a driver shall” and insert:

driver on a carriageway, the driver must

**17. Regulation 126 amended**

- (1) In regulation 126(1) delete “shall” (each occurrence) and insert:  
  
must
- (2) After regulation 126(1) insert:
  - (1A) Subregulation (1) does not apply if the driver is the rider of a motor cycle who is lane filtering in accordance with regulation 130B.

**18. Regulation 127 amended**

- (1) In regulation 127(1) delete “shall” and insert:  
  
must

(2) After regulation 127(3)(b) insert:

- (ba) the driver is the rider of a motor cycle who is lane filtering in accordance with regulation 130B; or

**19. Regulation 130 amended**

(1) In regulation 130(1) delete “shall” and insert:

must

(2) In regulation 130(2):

(a) delete “shall” and insert:

must

(b) delete “riders.” and insert:

riders or one of the riders is the rider of a motor cycle who is lane filtering in accordance with regulation 130B.

(3) In regulation 130(3) delete “shall” and insert:

must

(4) In regulation 130(4) delete “shall” and insert:

must, unless one of the riders is the rider of a motor cycle who is lane filtering in accordance with regulation 130B,

**20. Regulations 130A and 130B inserted**

At the end of Part 11 Division 4 insert:

**130A. Rider of motor cycle not to ride next to other vehicles except in certain circumstances**

(1) In this regulation —

*2-wheeled motor cycle* means a motor cycle other than —

- (a) a 2-wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel; or

- (b) a motor vehicle with 3 wheels that is ridden in the same way as a motor vehicle with 2 wheels.
- (2) The rider of a motor cycle must not, unless overtaking in accordance with these regulations, ride on a carriageway alongside another vehicle that is —
- (a) travelling in the same direction as the motor cycle; but
  - (b) not travelling in a separate marked lane to the motor cycle.

Points: 2

Modified penalty: 2 PU

- (3) Subregulation (2) does not apply if the motor cycle is a 2-wheeled motor cycle and either —
- (a) the rider of the motor cycle is lane filtering in accordance with regulation 130B; or
  - (b) the other vehicle is a motor cycle or bicycle.
- (4) Subregulation (2) does not apply if the motor cycle is a motor cycle other than a 2-wheeled motor cycle and the other vehicle is a 2-wheeled motor cycle or bicycle.

**130B. When rider of a motor cycle is lawfully lane filtering**

- (1) The rider of a motor cycle is *lane filtering* in accordance with this regulation along a length of carriageway if —
- (a) the motor cycle is not —
    - (i) a 2-wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel; or
    - (ii) a motor vehicle with 3 wheels that is ridden in the same way as a motor vehicle with 2 wheels;
- and
- (b) the rider rides the motor cycle between 2 vehicles, each vehicle travelling in —
    - (i) the same direction as the motor cycle; and
    - (ii) separate but adjacent marked lanes or lines of traffic.
- (2) However, the rider of a motor cycle is not *lane filtering* in accordance with this regulation along a length of carriageway if any of the following circumstances apply —
- (a) the rider is approaching or riding on a children's crossing, marked foot crossing or pedestrian crossing;

- (b) the rider is riding at a speed of more than 30km/h;
  - (c) the rider is riding in a school zone or shared zone;
  - (d) the speed limit applicable to the area or zone that the rider is in is 40km/h or below (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 rider enters the zone is 40km/h or below);
  - (e) the rider is riding on a freeway;
  - (f) 1 or both of the vehicles that the rider is riding between is a heavy vehicle;
  - (g) the vehicles that the rider is riding between are merging;
  - (h) a “no overtaking or passing” sign applies to the length of carriageway within the meaning of regulation 74(2);
  - (i) the rider would not be permitted to overtake under regulation 75;
  - (j) it is not safe to do so in the circumstances;
  - (k) the rider is riding under the authority of a learner’s permit as defined in the *Road Traffic (Authorisation to Drive) Act 2008* section 3(1);
  - (l) the rider is riding in a roundabout;
  - (m) the rider is riding in or next to a special purpose lane.
- (3) The rider of a motor cycle who is lane filtering in accordance with this regulation is not overtaking for the purposes of these regulations.

**21. Regulation 192 amended**

In regulation 192(2) delete “shall forthwith” and insert:

must immediately

**22. Regulation 206 amended**

- (1) In regulation 206(1) delete “shall” and insert:

must

- (2) In regulation 206(1) delete the Modified penalty and insert:

Modified penalty:

- (a) where the person is travelling on a carriageway with a speed limit exceeding 70 km/h — 10 PU
- (b) in any other case — 1 PU

- (3) In regulation 206(1A) delete “subregulation (1)(c),” and insert:

subregulation (1)(c) and the Modified penalty in subregulation (1),

- (4) In regulation 206(2) delete “shall” and insert:

must

### **23. Regulation 211 amended**

In regulation 211:

- (a) delete “shall —” and insert:

must —

- (b) in paragraph (a) delete “if seated, sit” and insert:

be

### **24. Regulation 214 replaced**

Delete regulation 214 and insert:

#### **214. Riding across a crossing**

The rider of a bicycle riding across a carriageway, or part of a carriageway, on a children’s crossing, marked foot crossing or pedestrian crossing must —

- (a) enter the crossing from the path connected to the crossing and not from the carriageway; and
- (b) approach and ride on the crossing at a speed not exceeding 10 km/h; and
- (c) keep to the left of the crossing unless it is impracticable to do so; and
- (d) give way to any pedestrians on the crossing.

Modified penalty: 1 PU

**25. Regulation 225 amended**

In regulation 225 delete “The rider of a bicycle approaching a carriageway with bicycle crossing lights shall not enter that carriageway if —” and insert:

Except as provided in regulation 43B, the rider of a bicycle on or approaching a carriageway with bicycle crossing lights must not cross or enter that carriageway if —

**26. Regulation 264 amended**

- (1) In regulation 264(1) delete “shall not drive a motor” and insert:

must not drive a

- (2) In regulation 264(2)(ba) delete “motorcycle” and insert:

motor cycle or bicycle

**27. Regulation 297 amended**

- (1) In regulation 297(4), (4a) and (5) delete “shall” and insert:

must

- (2) In regulation 297(6) and (9) delete “shall be” and insert:

is

**28. Various references to “shall” amended**

In the provisions listed in the Table delete “shall” (each occurrence) and insert:

must

**Table**

r. 12(1)	r. 13(2), (3) and (4)
r. 14	r. 16
r. 21(1), (2A) and (3A)	r. 22(1)
r. 24(1) and (2)	r. 25(1) and (2)

r. 26(1) and (3A)	r. 27(1), (2) and (3)
r. 28(2)	r. 29
r. 30(1)	r. 32(1), (2) and (3)
r. 35	r. 36(1), (2), (3), (4) and (5)
r. 37(1) and (2)	r. 38(1) and (2)
r. 41A(1) and (2)	r. 44(2) and (4)
r. 45(1), (2) and (3)	r. 46(1) and (2)
r. 47	r. 48
r. 49(1), (2) and (3)	r. 50(2), (3), (4) and (5)
r. 51(2) and (3)	r. 52(1), (2) and (3)
r. 53	r. 54(2)
r. 55(2), (3), (4), (5) and (6)	r. 56(2), (3), (4), (5) and (6)
r. 57(1)	r. 58
r. 59(1)	r. 60(1)
r. 61(1), (2), (3) and (4)	r. 62(1), (2), (3) and (4)
r. 63	r. 64
r. 65	r. 66
r. 67	r. 68(1) and (3)
r. 69(1) and (2)	r. 70(1), (2) and (3)
r. 71	r. 72(1) and (2)
r. 73(1)	r. 74(1)
r. 75	r. 76
r. 77	r. 78(1)
r. 79(1)	r. 80(1)
r. 82	r. 83(1) and (2)
r. 84	r. 85(1) and (2)
r. 86(1), (2) and (3)	r. 87

r. 88(1), (2) and (3)	r. 89
r. 90(1)	r. 91A(2)
r. 92(1), (2), (3) and (5)	r. 93(2)
r. 94(2)	r. 95
r. 96(1)	r. 97
r. 98(1) and (2)	r. 99
r. 100	r. 101(1) and (2)
r. 102(1) and (2)	r. 103
r. 104	r. 105
r. 106	r. 107
r. 108(1) and (2)	r. 109
r. 110(2) and (3)	r. 111(1)
r. 112(1)	r. 113(3)
r. 114	r. 115(1) and (2)
r. 116(1)	r. 117
r. 118(1)	r. 119(1), (2) and (3)
r. 121	r. 122(1), (3) and (4)
r. 123(1), (2A) and (2)	r. 124(a) and (b)
r. 125(1) and (2)	r. 128
r. 132(1)	r. 133
r. 133A(1), (2), (3), (4) and (5)	r. 134
r. 135	r. 137(1)
r. 140	r. 141(1)
r. 142	r. 143(1), (2) and (3)
r. 144(2)	r. 145(1) and (2)
r. 146(2)	r. 147(1)
r. 148(1)	r. 149(1)

r. 151	r. 152
r. 153(1) and (2)	r. 154(1) and (2)
r. 155	r. 156
r. 157	r. 158
r. 159(1)	r. 160
r. 161(1) and (2)	r. 162(1)
r. 163(1)	r. 164(1)
r. 165	r. 166(1) and (2)
r. 167	r. 168(1)
r. 169	r. 170
r. 171(1)	r. 173
r. 175(2)	r. 176(1), (2), (3), (4), (5), (6), (7) and (8)
r. 177(2)	r. 178(2), (3)(a), (4) and (5)
r. 179(1), (2) and (3)	r. 180(1) and (2)
r. 181(1), (2) and (3)	r. 182
r. 183(1), (3) and (4)	r. 184(1) and (2)
r. 185(1)	r. 186(1)
r. 187(1)	r. 188(1)
r. 189	r. 190
r. 191(2) and (3)	r. 194
r. 195	r. 196(1)
r. 197(2), (3) and (4)	r. 198(2), (3) and (4)
r. 199(1) and (2)	r. 200(1) and (2)
r. 201(1)	r. 202(1) and (2)
r. 203(1), (2), (3)(a) and (b) and (4)	r. 204(1) and (3)
r. 205	r. 207(a) and (b)

r. 208	r. 209(1) and (2)
r. 209A(2)	r. 210(1), (2) and (3)
r. 210A	r. 212(1), (2), (3) and (4)
r. 213	r. 215A(1)
r. 215B(1) and (2)	r. 215
r. 217	r. 218(1)
r. 219(1) and (2)	r. 220(1) and (2)
r. 221	r. 222(2)
r. 223(1)	r. 224(1), (2A), (2B), (2C) and (2)
r. 226(1) and (2)	r. 227(1), (2), (3) and (4)
r. 228	r. 229
r. 230C	r. 230D
r. 230E	r. 230F
r. 230G(1) and (2)	r. 230H(1) and (2)
r. 230I	r. 230J(1) and (2)
r. 230K(1) and (2)	r. 230L(1) and (2)
r. 230M(1), (2) and (3)	r. 230N(1)
r. 231(3)	r. 242(1) and (2)
r. 243	r. 244(2) and (3)
r. 245(1)	r. 246A(2), (3), (4) and (5)
r. 246B(2), (3), (4) and (5)	r. 246
r. 247	r. 248
r. 250	r. 252(2) and (3)
r. 253(1) and (4)	r. 254(1) and (2)
r. 255	r. 256(1), (2), (3) and (4)
r. 257(1), (2), (3) and (4)	r. 259(1), (2) and (3)
r. 260	r. 261

r. 263(1) and (3)	r. 264A(1)
r. 267(1), (2) and (3)	r. 268
r. 269(1), (2) and (3)	r. 270
r. 272(1)	r. 273(1)(a) and (b), (3) and (4)
r. 275(1)	r. 276
r. 277(1) and (3)	r. 278(1), (2), (3) and (4)
r. 279(1)	r. 290(1), (2), (3) and (4)
r. 292	r. 292A
r. 298(1) and (2)	

N. HAGLEY, Clerk of the Executive Council.

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