

TR301*

Road Traffic Act 1974

Road Traffic Code Amendment Regulations 2008

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations 2008*.

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 day after that day.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic Code 2000*.

4. Regulation 3 amended

Regulation 3(1) is amended in the definition of “children’s crossing” by deleting

“

Children crossing - stop signs

(octagonal background in red)

(background in orange)



”

and inserting instead —

“

Children crossing — stop sign

(octagonal background in red)

(square background in lime/yellow)



”

5. Regulation 46 amended

- (1) Regulation 46(1) is amended by inserting after “traffic-control signals” in the second place where it occurs —

“ under regulation 50 ”.

- (2) Regulation 46(2) is amended by deleting “facing a “give way” sign and no traffic-control signals.” and inserting instead —

“

at an intersection under regulation 55 or a T-intersection under regulation 56, as the case requires, that is not controlled by traffic-control signals or does

not have a “stop” sign, stop line, “give way” sign, or give way line that applies to the driver.

”.

(3) Regulation 46(3) is amended as follows:

- (a) by deleting paragraph (a);
- (b) after paragraph (b) by inserting —
“ and ”;
- (c) by deleting paragraph (c) and “and” after it.

6. Regulation 56 amended

Regulation 56(1) is amended by deleting “only”.

7. Regulations 61 and 62 amended

Regulations 61(2) and 62(3) are amended by deleting

“

Children crossing - stop signs

(octagonal background in red)

(background in orange)



”.

and inserting instead —

“

Children crossing — stop sign

(octagonal background in red)

(square background in lime/yellow)



”.

8. Regulation 133A amended

(1) Regulation 133A(4) is amended by deleting “A” and inserting instead —

“ Subject to subregulation (6), a ”.

(2) Regulation 133A(5) is amended by deleting “The” and inserting instead —

“ Subject to subregulation (6), the ”.

- (3) After regulation 133A(5) the following subregulation is inserted —

“

- (6) Subregulations (4) and (5) do not apply if it is necessary for a person to alight from, or board, a vehicle in a busway because —
- (a) the vehicle is disabled; or
 - (b) there is a medical or other emergency.

”.

9. Regulation 222A inserted

After regulation 222 the following regulation is inserted —

“

222A. Power assisted pedal cycles, protective helmets to be worn when riding

- (1) In this regulation —

“**protective helmet**” means a helmet that is, or is of a standard or type that is, approved by the Director General, for the purposes of regulation 222, by notice in the *Government Gazette*.

- (2) A person must not ride, on a road or any path, a power assisted pedal cycle with the power assistance engaged unless that person is wearing a protective helmet securely fastened on his or her head.

Modified penalty: 1 PU

- (3) A person must not ride, on a road or any path, a power assisted pedal cycle with the power assistance engaged unless the person ensures that any other person being carried on the power assisted pedal cycle is wearing a protective helmet securely fastened on his or her head.

Modified penalty: 1 PU

- (4) Where any other person is being carried on the power assisted pedal cycle, that other person must wear a protective helmet securely fastened on his or her head.

Modified penalty: 1 PU

”.

10. Regulation 285 amended

Regulation 285(2) is amended by deleting the Table and inserting the following Table instead —

“

Table

Part 4 (Turns), Division 1 (Left turns at intersections) and Division 2 (Right turns (except hook turns) at intersections)
Part 7 (Giving way), except —
* regulation 50 (Stopping and giving way at a stop sign or stop line at an intersection without traffic-control signals)
* regulation 51 (Stopping and giving way at a stop sign or stop line at other places)
* regulation 52 (Giving way at a give way sign or give way line at an intersection)
* regulation 53 (Giving way at a give way sign at a bridge or length of narrow carriageway)
* regulation 54 (Giving way at a give way sign or give way line at other places)
Part 8 (Traffic signs and road markings), except —
* regulation 84 (Clearance and low clearance signs — <i>to the extent that a vehicle passes a sign, but not so as to allow an oversize vehicle to attempt to pass under the object that is the subject of the sign</i>)
* regulation 85 (Load limit signs)
Part 11 (Keeping to the left), except —
* regulation 121 (No overtaking unless safe to do so)
* regulation 124 (Keeping a safe distance when overtaking)
Part 12 (Restrictions on stopping and parking)
Regulation 190 (Using horns and similar warning devices)
Part 14 (Regulations for pedestrians), except regulation 201(1) (which is about unreasonably causing a traffic hazard by moving into the path of an approaching vehicle or pedestrian)
Regulation 232 (Driver to wear seat belt)
Regulation 236 (Passenger to wear seat belt)
Regulation 242 (Body or limbs protruding from vehicles)
Regulation 253 (Driving on paths)
Regulation 254 (Driving on a nature strip)
Regulation 261 (Driving backwards)
Regulation 263(1)(b) (which requires a driver to have a clear view of the surrounding road and traffic)
Regulation 278(1)(a) and (b) (which are about the space between vehicles and the visibility of the tow line when towing a vehicle)

”

11. Regulation 296 amended



Regulation 296(e) is amended by deleting “5” and inserting instead —

“ 6 ”.

12. Schedule 2 amended

Schedule 2 is amended by deleting


“

<p>Children crossing - stop sign <i>(octagonal background in red)</i></p> <p>(regs 3, 61, 62)</p> 	<p>Children crossing - stop sign <i>(background in orange)</i></p> <p>(regs 3, 61, 62)</p> 
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”

and inserting instead —

“

<p>Children crossing - stop sign <i>(octagonal background in red)</i> <i>(square background in lime/yellow)</i></p> <p>(regs 3, 61, 62)</p> 

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.