
TRANSPORT

TN301*

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations
(No. 2) 2013**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic Code Amendment Regulations (No. 2) 2013*.

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 that is 3 months after that day.

3. Regulations amended

These regulations amend the *Road Traffic Code 2000*.

4. Regulation 3 amended

- (1) In regulation 3(1) in the definition of *accredited pilot* after “means a person” insert:

who has a driver’s licence that is not endorsed as a provisional licence under the *Road Traffic (Authorisation to Drive) Regulations 2008* and

- (2) In regulation 3(1) in the definition of *level crossing* delete “whether or not there is a “level crossing” sign on the road at all or any of the entrances to the area;” and insert:

together with the road area between the “level crossing” signs on the approaches to the railway and any adjacent area that is denoted by painted, crosshatched road markings;

- (3) In regulation 3(1) in the definition of *speed limit sign* delete paragraph (a) and insert:

- (a) is displayed or erected on or near a carriageway; and

- (4) Delete regulation 3(2)(da).

5. Regulation 39 amended

In regulation 39(1):

- (a) in paragraph (b)(ii) delete “intersection; and” and insert:

intersection;

- (b) delete paragraph (b)(iii);

- (c) after paragraph (b) insert:

or

- (c) turn right if the driver gives way to any vehicle that has entered or is approaching the intersection from the opposite direction.

6. Regulation 62 amended

In regulation 62(4) after the Examples insert:

- (5) Despite subregulation (4), a driver may enter upon or attempt to cross a pedestrian crossing if —
 - (a) the pedestrian crossing is immediately before an intersection that is not controlled by traffic lights; and
 - (b) the pedestrian crossing is not blocked; and
 - (c) the driver gives way to any pedestrian on the pedestrian crossing at the time the driver enters upon or attempts to cross the pedestrian crossing.
- (6) If entering a pedestrian crossing under subregulation (5), a driver may remain on that crossing until the intersection immediately after the crossing is safe to enter or cross.

7. Regulation 110 replaced

Delete regulation 110 and insert:

110. Keeping a minimum distance between long vehicles

- (1) In this regulation —
 - B-double** has the meaning given in the *Road Traffic (Vehicle Standards) Regulations 2002* Glossary;
 - long vehicle** means a vehicle or combination 7.5 m or more in length, inclusive of any projection and of its load, other than a B-double or a road train;
 - road train** has the meaning given in the *Road Traffic (Vehicle Standards) Regulations 2002* Glossary.
- (2) The driver of a long vehicle (the **vehicle**) when following another long vehicle, a B-double or a road train outside a built-up area shall, wherever conditions permit, keep the vehicle not less than 60 metres behind the other vehicle unless the vehicle is —
 - (a) on a carriageway with 2 or more marked lanes available exclusively for vehicles travelling in the same direction as that in which the vehicle is travelling; or
 - (b) overtaking or passing.

Points: 1

Modified penalty: 2 PU

- (3) The driver of a B-double or a road train (the **vehicle**) when following a long vehicle, a B-double or a road train outside a built-up area shall, wherever conditions

permit, keep the vehicle not less than 200 metres behind the other vehicle unless the vehicle is —

- (a) on a carriageway with 2 or more marked lanes available exclusively for vehicles travelling in the same direction as that in which the B-double or road train is travelling; or
- (b) overtaking or passing.

Points: 1

Modified penalty: 2 PU

8. Regulation 119 amended

In regulation 119(2) in the Penalty delete “Points: 3” and insert:

Points: 1

9. Regulation 144 amended

After regulation 144(1) insert:

- (2A) This regulation does not apply if regulation 62(5) applies.

10. Regulation 173 amended

In regulation 173(b) delete “twice the period (as allowed under that regulation).” and insert:

the period allowed under that regulation.

11. Regulation 174 amended

- (1) In regulation 174(2) delete “disabilities) for twice the period indicated on the sign.” and insert:

disabilities) —

- (a) if the time limit indicated on or with the sign is under 30 minutes — for 30 minutes;
- (b) if the time limit indicated on or with the sign is between 30 and 60 minutes — for 2 hours;
- (c) if the time limit indicated on or with the sign is over 60 minutes — for twice the period indicated on the sign.

(2) After regulation 174(2) insert:

- (3) Despite subregulation (2), if another law of the State permits the driver to park for a longer period than that allowed by subregulation (2), or for an unlimited period, the driver may park for that longer period of time.

12. Regulation 178 amended

At the end of regulation 178(5) insert:

Modified penalty: 1 PU

13. Regulation 191 amended

- (1) In regulation 191(4) delete “subregulation (5)” and insert:

subregulation (5) or (6A) as the case requires,

- (2) In regulation 191(5) delete “The” and insert:

Where the speed limit on a carriageway is lower than 80 km/h, the

- (3) After regulation 191(5) insert:

- (6A) Where the speed limit on a carriageway is 80 km/h or higher, the signs placed in advance and to the rear of the vehicle, in compliance with subregulation (3), are to be placed at a distance of between 200 m and 250 m from the vehicle, and the third sign is to be placed at the side of the vehicle in such a position as to give reasonable warning to drivers approaching from either direction.

14. Regulation 192 amended

- (1) In regulation 192(2) delete “subregulation (3),” and insert:

subregulation (3) or (4A) as the case requires,

- (2) In regulation 192(3) delete “The” and insert:

Where the speed limit on a carriageway is lower than 80 km/h,
the

- (3) After regulation 192(3) insert:

- (4A) Where the speed limit on a carriageway is 80 km/h or higher, the signs placed in advance and to the rear of the fallen load, in compliance with subregulation (2), are to be placed at a distance of between 200 m and 250 m from the edge of the fallen load, and the third sign is to be placed at the side of the fallen load in such a position as to give reasonable warning to drivers approaching from either direction.

15. Regulation 197 amended

In regulation 197(3)(b) delete “nearest” and insert:

far

16. Regulation 211 amended

In regulation 211:

- (a) in paragraph (a) delete “sit” and insert:

if seated, sit

- (b) in paragraph (b) delete “handlebars; and” and insert:

handlebars.

- (c) delete paragraph (c).

17. Regulation 227 amended

- (1) In regulation 227(3):

- (a) after “strip” insert:

in the direction of travel of the rider

- (b) after “continue” insert:

crossing the intersection

- (2) In regulation 227(4):
 - (a) after “strip” insert:

in the direction of travel of the rider
 - (b) after “continue” insert:

crossing the carriageway

18. Regulation 230 amended

- (1) In regulation 230 in the definition of *AS/NZS:1754-1991*:
 - (a) delete “*AS/NZS:1754-1991* means” and insert:

AS/NZS:1754-1995 means
 - (b) delete “AS/NZS:1754-1991” and insert:

AS/NZS:1754-1995
- (2) In regulation 230 in the definition of *booster seat* paragraph (a) delete “AS/NZS:1754-1991; or” and insert:

AS/NZS:1754-1995; or
- (3) In regulation 230 in the definition of *child restraint*:
 - (a) delete “AS/NZS:1754-1991,” (each occurrence) and insert:

AS/NZS:1754-1995,
 - (b) in paragraph (a) delete “AS/NZS:1754-1991” and insert:

AS/NZS:1754-1995
- (4) In regulation 230 in the definition of *child safety harness* paragraph (a) delete “AS/NZS:1754-1991; or” and insert:

AS/NZS:1754-1995; or
- (5) In regulation 230 in the definition of *suitable child restraint*:
 - (a) delete “size” and insert:

height

- (b) delete “AS/NZS:1754-1991,” and insert:

AS/NZS:1754-1995,

- (6) In regulation 230 in the definition of *suitable child safety harness*:

- (a) delete “size” and insert:

height

- (b) delete “AS/NZS:1754-1991,” and insert:

AS/NZS:1754-1995,

19. Regulation 234 amended

In regulation 234(6) after “other seats” insert:

or unobstructed seating positions

20. Regulation 235 amended

In regulation 235(1)(a) delete “size” and insert:

height

21. Regulation 264 amended

In regulation 264(2):

- (a) after paragraph (a) insert:

- (ba) the driver is the rider of a motorcycle and the visual display unit is, or is part of, a driver’s aid and is attached to the rider’s arm (but not hand-held); or

- (b) in paragraph (d) before “a mobile” insert:

the display unit of a video recording device or

22. Regulation 288A amended

In regulation 288A(2)(a) delete “vehicle; and” and insert:

vehicle or is assisting a person to gain access to a vehicle in which the person has locked the vehicle access key; and

G. MOORE, Clerk of the Executive Council.