

---

**TRANSPORT**

---

TN301

Road Traffic Act 1974

**Road Traffic Code Amendment Regulations  
(No. 3) 2017**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Road Traffic Code Amendment Regulations (No. 3) 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* (***gazettal day***);
- (b) the rest of the regulations — on the day after the period of 8 weeks beginning on gazettal day.

**3. Regulations amended**

These regulations amend the *Road Traffic Code 2000*.

**4. Regulation 3 amended**

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

***speed limit***, applicable to —

- (a) a heavy vehicle speed zone, means the speed indicated by the numerals on the “heavy vehicle speed zone” sign at the beginning of the zone;
- (b) a school zone, means the speed indicated by the numerals on the “school zone” sign at the beginning of the zone;
- (c) a speed limited area, means the speed indicated by the numerals on the “area speed limit” sign on a road leading into the area;
- (d) a speed zone, means the speed indicated by the numerals on the speed limit sign, at the beginning of the zone;

(2) After regulation 3(1) insert:

- (2) For the purposes of these regulations, a reference to speed is a reference to speed measured in kilometres per hour.

**5. Regulation 11 amended**

- (1) In regulation 11(3) delete “exceeding, in kilometres per hour, that indicated by the numerals on the speed limit sign, at the beginning of the speed zone.” and insert:

exceeding the speed limit applicable to the zone.

- (2) In regulation 11(5) delete “exceeding, in kilometres per hour, that indicated by the numerals on the “area speed limit” sign erected on a road leading into that area.” and insert:

exceeding the speed limit applicable to the area.

- (3) In regulation 11(6):

- (a) in paragraph (a) delete “exceeding, in kilometres per hour, that indicated by the numerals on; and” and insert:

exceeding the speed limit applicable to the zone; and

- (b) delete paragraph (b) and the passage that begins “the “school zone” sign” and continues to the end of the regulation and insert:

- (b) during the school zone periods indicated on the “school zone” sign at the beginning of the zone.

**6. Regulation 12 amended**

In regulation 12 delete “speed limit unless —” and insert:

speed limit applicable to the zone unless —

**7. Regulation 14 amended**

In regulation 14 delete “indicated by numbers shown on the “heavy vehicle speed zone” sign.” and insert:

applicable to the zone.

**8. Regulation 16 amended**

In regulation 16 delete “in kilometres per hour”.

**9. Regulation 18A inserted**

At the end of Part 3 insert:

**18A. Evasive action in relation to speed camera**

(1) In this regulation —

*average speed detection system* has the meaning given in the *Road Traffic (Administration) Act 2008* section 117B(1);

*speed measuring and recording equipment* has the meaning given in the *Road Traffic (Administration) Act 2008* section 117(1).

(2) A person must not drive a motor vehicle on a road if the vehicle is fitted with any device or other equipment that would prevent or adversely affect the operation of speed measuring and recording equipment or an average speed detection system.

Points:

- (a) during a holiday period: 14
- (b) other than during a holiday period: 7

Modified penalty:

- (a) when driving a heavy vehicle: 30 PU
- (b) when driving a motor vehicle other than a heavy vehicle: 24 PU

(3) A person must not drive a motor vehicle on a road in a manner that would prevent or adversely affect the operation of speed measuring and recording equipment or an average speed detection system.

Points:

- (a) during a holiday period: 14
- (b) other than during a holiday period: 7

Modified penalty:

- (a) when driving a heavy vehicle: 30 PU
- (b) when driving a motor vehicle other than a heavy vehicle: 24 PU

(4) A person who commits an offence against regulation 109, 112, 116, 117 or 129 (a road positioning offence) is taken to have also committed an offence against subregulation (3) if the road positioning offence is committed within 100 m of —

- (a) speed measuring and recording equipment; or

- (b) the detection points, as defined in the *Road Traffic (Administration) Act 2008* section 117B(1), for an average speed detection system.

R. NEILSON, Clerk of the Executive Council.

---