

PE302

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC CODE AMENDMENT REGULATIONS 1991

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic Code Amendment Regulations 1991*.

Commencement

2. These regulations shall come into operation on 1 January 1992.

Regulation 1307 inserted

3. After regulation 1306 of the *Road Traffic Code 1975** the following regulation is inserted —

Bicycle helmets to be worn

- “ 1307. (1) In this regulation —

“appointed day” means 1 July 1992;

"protective helmet" means a helmet that is, or is of a standard or type that is, approved by the Board, for the purposes of this regulation, by notice in the *Government Gazette*.

(2) Except as provided in this regulation, a person shall not, on or after the appointed day, ride a bicycle on a road or a dual use path unless —

- (a) that person is wearing a protective helmet securely fastened on his or her head; and
- (b) where any other person is being carried on that bicycle, that other person is wearing a protective helmet securely fastened on his or her head.

(3) Subregulation (2) does not apply to a person who —

- (a) is a member of a religious or cultural group and who is wearing a headdress customarily worn by members of that group if the wearing of that headdress makes it impractical for a person to wear a protective helmet; or
- (b) has been exempted in writing by the Board from wearing a protective helmet for medical reasons, and is complying with any terms and conditions of that exemption.

(4) The Board may at any time, by notice in writing to the person, amend or revoke an exemption granted under subregulation (3) (b).

(5) Subregulation (2) does not apply to an employee of the Australian Postal Corporation who, in the course of his or her employment, is riding a bicycle while engaged in the delivery of postal articles; but this exception ceases on 31/12/93.

(6) Subregulation (2) does not apply to a person who is riding or being carried on a bicycle which has been hired from a person who is *bona fide* engaged in the business of hiring out bicycles for reward; but this exception ceases on 31/12/92.

[* Reprinted in the *Gazette* of 25 October 1983 at pp.4315-58.
For subsequent amendments to 13 December 1991 see 1990 *Index to Legislation of Western Australia*, pp.350-2.]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.