

Western Australia

Road Traffic Code 1975

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Road Traffic Code 1975

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Notes

Western Australia

ROAD TRAFFIC ACT 1974

Road Traffic Code 1975

Part I — Preliminary

101. Citation

These regulations may be cited as the *Road Traffic Code 1975*¹.

[102. *Repealed in Gazette 6 January 1998 p.33.*]

103. Definitions

(1) In these regulations, unless the context requires otherwise —

“accredited pilot” means a person who has successfully completed a training course in the pilotage of over-dimensional vehicles, being a course which is —

- (a) provided by a person registered by the Training Accreditation Council as a training provider under section 27 (1) (a) of the *Vocational Education and Training Act 1996*; and
- (b) accredited by that Council under section 27 (1) (b) of that Act;

“aggregate mass” in relation to a vehicle has the same meaning as that term has in the *Road Traffic (Vehicle Standards) Regulations 1977*;

“articulated vehicle” means a motor vehicle having at its rear a portion on wheels that is pivoted to, and part of which is superimposed on and supported by, the front portion of the vehicle;

“bicycle” means —

- (a) any 2 or 3 wheeled vehicle that is designed to be propelled solely by human power; or
- (b) a 2-wheeled or 3-wheeled vehicle that is a power assisted pedal cycle;

“built-up area” means the territory contiguous to and including any road —

- (a) on which there is provision for lighting by means of street lamps; or
- (b) which is built up with structures devoted to business, industry or dwelling houses at intervals of less than 100 metres for a distance of one half kilometre or more; or
- (c) beyond a sign indicating “BUILT-UP AREA” erected at the roadside to face drivers approaching a development consisting of dwelling houses, or business or industrial structures;

“bus embayment” means an embayment at the side of a carriageway, designed so that an omnibus can be driven into it, for the purpose of allowing passengers to alight or enter, without impeding the flow of traffic on that carriageway, but does not include a bus lane;

“bus lane”, “bus-taxi lane” means a marked lane of a carriageway bounded on each side by a yellow line, or on one side by a yellow line and on the other by the pavement edge or kerb and designated as such —

- (a) in the case of a bus lane, by signs erected adjacent to the lane or the word “BUS” marked along the pavement within the lane; and
- (b) in the case of a bus-taxi lane, by the words “BUS-TAXI” marked along the pavement within the lane;

“carriageway” means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the standing or parking of vehicles; and, where a road has 2 or more of those portions divided by a median strip, the expression means each of those portions, separately;

“centre”, in relation to a carriageway, means a line or a series of lines, marks, or other indications placed at, or near, the middle of the carriageway or, in the absence of any such lines, marks or other indications, the middle of the main, travelled portion of the carriageway;

“children’s crossing” means a portion of a carriageway between 2 parallel broken or unbroken lines, each approximately 150 millimetres wide and not more than 5 metres apart marked across, or partly across the carriageway and near which a fluorescent red-orange flag or sign bearing the words, “CHILDREN CROSSING — STOP”, in black letters, is displayed and, where the lines are so marked partly across a carriageway, includes the portion of the carriageway between the prolongations of those lines;

“competent authority” means any government department, government instrumentality, statutory authority or municipality;

“de-restriction sign” means a sign that is substantially rectangular in shape and —

- (a) is erected near the boundary of a carriageway; and
- (b) consists of a black circle crossed by a black diagonal bar set upon a white background;

“dipped” in relation to the main beam of light projected by the headlamp of a motor vehicle, means directed downwards, as prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time;

“dipping device” means a device by which the driver of a motor vehicle, while retaining his normal driving position, can cause the main beam or beams of light from the headlamp or headlamps of his vehicle to be dipped;

“dual use path” means a footway or length thereof at both ends of which are traffic signs indicating that persons may ride bicycles on the footway or length thereof between those traffic signs;

“emergency vehicle” means a motor vehicle —

- (a) conveying a member of the police force on urgent official duty;
- (aa) that has conveyed a member of the police force on urgent official duty and is stationary at any place where the urgent official duty is being carried out;
- (b) of a fire brigade travelling to, or on duty at, any place, in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger;
- (c) being an ambulance, answering an urgent call or conveying to hospital any injured or sick person urgently requiring treatment;
- (d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorized to carry a siren or bell for use as a warning instrument; or
- (e) duly authorized as an emergency vehicle for the purposes of these regulations, by the Director General;

“end local traffic area sign” means a sign, erected near the boundary of a carriageway to face approaching drivers, that is substantially rectangular in shape and consists of —

- (a) the words “End Local Traffic Area” in black lettering; and
- (b) the symbol of an adult with a child, in black; upon a white background;

“end of school zone sign” means a sign, erected near the boundary of a carriageway to face approaching drivers, that is substantially rectangular in shape and consists of the words “End of School Zone” in black lettering upon a white background;

“exempt motor chair” means a motorized wheel chair that is designed so as to be not capable of a speed exceeding 7 kilometres per hour;

“footway” includes every footpath, lane or other place —

- (a) intended for the use of pedestrians only or, in the case of a dual use path, for the use of pedestrians and bicyclists only; or
- (b) habitually used by pedestrians and not by vehicles or, in the case of a dual use path, by pedestrians and bicyclists and not by vehicles other than bicycles;

“freeway” means a road or portion of a road that is designated as a freeway by signs erected thereon or adjacent thereto;

“gross combination mass” in relation to a vehicle has the same meaning as that term has in the *Road Traffic (Vehicle Standards) Regulations 1977*;

“hours of darkness” means the hours falling between sunset, on one day, and sunrise, on the succeeding day;

“intersection” means the area contained within the prolongation or connection of the lateral boundaries of 2 carriageways that meet one another at, or approximately at, right angles, or the area within which vehicles, travelling by, on or from different carriageways that meet at any other angle, may come into conflict;

“laden mass” in relation to a vehicle has the same meaning as that term has in the *Road Traffic (Vehicle Standards) Regulations 1977*;

“laned carriageway” means a carriageway divided by lines into two or more marked lanes for vehicular traffic;

“local traffic area” means a carriageway or length of carriageway —

- (a) defined at its beginning by means of a local traffic area sign and at its end by means of an end local traffic area sign; or

- (b) that forms part of a network of 2 or more carriageways defined by means of —
 - (i) local traffic area signs erected near the boundary of each carriageway that provides access to the network, so that a driver can only lawfully enter the network on a carriageway by passing a local traffic area sign; and
 - (ii) end local traffic area signs erected near the boundary of each carriageway that provides an exit from the area, so that a driver can only lawfully exit the network on a carriageway by passing an end local traffic area sign;

“local traffic area sign” means a sign or combination of signs, erected near the boundary of a carriageway to face approaching drivers, that consists of —

- (a) the number “40” in black set within a red circle;
- (b) the words “Local Traffic Area” in black lettering; and
- (c) the symbol of an adult with a child, in black, upon a white background;

“marked cross-walk” means a portion of a carriageway between 2 parallel broken or unbroken lines marked across, or partly across, the carriageway and, where the lines are so marked partly across the carriageway, includes the portion of the carriageway between the prolongations of the lines;

“median strip” means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate 2 one-way carriageways for vehicles proceeding in opposing directions;

“motor cycle” means a motor vehicle that has 2 wheels or, where a sidecar is attached thereto, has 3 wheels;

“No Parking Area” means a portion of a carriageway that lies —

- (a) between 2 consecutive white signs inscribed with the words, “No Parking”, in red lettering, and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign, inscribed with the words “No Parking”, in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

“No Standing Area” means a portion of a carriageway —

- (a) between two consecutive white signs inscribed with the words, “No Standing”, in red lettering, and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words, “No Standing”, in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

“one-way carriageway” means a carriageway on which vehicles are permitted to travel in one direction, only;

“over-dimensional vehicle” means a vehicle which exceeds the maximum dimensions permitted under regulation 1108 of the *Road Traffic (Vehicle Standards) Regulations 1977* (by the application of the Australian Design Rules);

“park” means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with the provisions of any law or of immediately taking up or setting down persons or goods;

“parking area” means a portion of a carriageway —

- (a) between two consecutive white signs inscribed with the word, “Parking”, in green lettering, and each with an arrow pointing generally towards the other of them; or
- (b) extending, from a white sign inscribed with the word, “Parking”, in green lettering, in the general direction indicated by an arrow inscribed on the sign to any other sign inscribed with the words, “No Parking”, or, “No Standing”, in red lettering, or to a dead end or an area in which the parking or standing of vehicles is prohibited;

“pedestrian” means any person on foot or on or in a toy vehicle or in a perambulator, or a physically disabled person in an unmotorized wheel chair or in an exempt motor chair, and includes —

- (a) a person pushing a perambulator or wheel chair; and
- (b) a person wheeling a bicycle, if the person is completely dismounted from the bicycle;

“pedestrian mall” means any road or portion of a road that is designated as a pedestrian mall by signs erected thereon or adjacent thereto;

“pedestrian crossing” means a portion of a carriageway —

- (a) defined —
 - (i) by alternate black and white stripes; or
 - (ii) by white or yellow stripes (according to the colour of the carriageway) and the portions of the carriageway lying between those stripes, in such a manner that each stripe is approximately parallel to the centre of the carriageway; and
- (b) near each end of which may be erected, on each side of the carriageway, so as to be clearly visible to an approaching driver, a pedestrian crossing (walking

legs) sign, as specified in Australian Standard No. E.36-1960, R.12, of the Standards Association of Australia;

“property line” means a lateral boundary of a road;

“regulation” means one of these regulations;

“restriction sign” means a sign, other than a local traffic area sign, a school zone sign or a heavy vehicle speed zone sign, that is substantially rectangular in shape and —

- (a) is erected near the boundary of a carriageway; and
- (b) consists of black numerals set within a red circle upon a white background;

“roundabout” means an intersection that is laid out for the movement of vehicular traffic, in one direction, around a traffic island;

“school zone” means a carriageway or length of carriageway defined at its beginning by means of a school zone sign and at its end by means of an end of school zone sign;

“school zone periods” means the days, and the periods during those days, that the speed limit indicated on a school zone sign has effect;

“school zone sign” means a sign or combination of signs, erected near the boundary of a carriageway to face approaching drivers, that consists of —

- (a) a number in black numerals set within a red circle;
- (b) the words “School Zone” in black lettering; and
- (c) the school zone periods in black numerals and black lettering,

upon a white background;

“service vehicle” means a vehicle used or intended to be used for the purpose of picking up or setting down goods or merchandising in a pedestrian mall;

“special purpose vehicle” means a public utility service truck, a tow truck, a vehicle being used for official duties by a

member of the Police Force, a motor break-down service vehicle or a vehicle being used by a governmental or local authority in connection with its functions, but does not include an emergency vehicle;

“speed zone” means a length of carriageway defined at its beginning by means of a restriction sign and at its end by means of —

- (a) a de-restriction sign;
- (b) another restriction sign; or
- (c) the termination of the carriageway at an intersection where the carriageway meets another road but does not continue through and beyond that road;

“stand”, in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law;

“stop line” means a line marked across, or partly across, a carriageway near a traffic-control signal, stop sign, children’s crossing or railway level crossing flashing light signals;

“stop sign” means an octagonal sign inscribed with the word “Stop”;

“taxi” means a taxi within the meaning of the *Taxi Act 1994* or a taxi-car within the meaning of section 47Z of the *Transport Co-ordination Act 1966*;

“the Act” means the *Road Traffic Act 1974*;

“tow truck” has the same meaning as is given to that expression in the *Tow Truck Regulations 1975*;

“traffic-control signal” means any device, however operated, for the control or regulation of traffic by the use of a word or words, a symbol or symbols, a coloured light or coloured lights or any combination of those things;

“traffic island” means any physical provision, other than lines marked on a carriageway, made at or near an intersection, to guide vehicular traffic;

“traffic sign” means a sign, mark, structure or device placed, or erected, on or near a road, for the purpose of regulating, guiding or directing traffic;

“trailer” means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side-car;

“train” means a railway locomotive or rolling stock;

“two-way carriageway” means any carriageway that is not a one-way carriageway;

“U turn” means a turn by which a vehicle, facing or travelling on a carriageway in one direction, is made to face or travel in the opposite, or substantially in the opposite, direction, whether on the same or on another carriageway; and

“vehicle” has the same meaning as that term has in the Act, and, in Parts IV to XI, inclusive and in Part XVIII of these regulations, includes an animal driven or ridden.

- (2) Without limiting the operation of section 7 or 110 of the Act, any reference in regulation 202, regulation 205 or regulation 1620 to a member of the Police Force shall be construed as including a reference to any person who —
- (a) has been appointed to be a Warden under section 7 of the Act;
 - (b) is authorized by the *Road Traffic (Licensing) Regulations 1975*, as in force from time to time under the Act to perform the duties of controlling vehicles and pedestrians at children’s crossings and pedestrian crossings; and
 - (c) is at the relevant time performing any of the duties referred to in paragraph (b) of this subregulation.

- (3) For the purposes of these regulations a lane or portion of a lane of a carriageway is a “contra flow bus lane” during any period for which it is set apart under regulation 307 for the purpose of allowing omnibuses, emergency vehicles, and special purpose vehicles —
- (a) to travel in that lane to the exclusion of all other classes of vehicle; and
 - (b) to travel along that lane in a direction opposite to the direction ordinarily travelled by traffic along that carriageway.

[Regulation 103 amended in Gazette 31 October 1975 p.4030; 18 February 1977 p.488; 1 April 1977 p.922; 10 November 1977 p.4135; 14 April 1978 p.1111; 23 November 1979 p.3647; 15 January 1981 p.99; 1 May 1981 p.1374; 4 September 1981 p.3833; 2 February 1982 pp.398-9; 8 October 1982 p.4025; 1 March 1985 p.791; 25 July 1986 p.2460; 19 December 1986 p.4875; 11 December 1987 p.4379; 13 May 1988 p.1598; 21 July 1989 p.2221; 28 September 1990 p.5072; 24 December 1991 p.6468; 3 March 1992 p.1093; 31 December 1992 pp.6393-4; 18 March 1994 p.1199; 10 January 1995 p.64; 1 November 1996 p.5796; 31 January 1997 pp.661-2 and 677; 30 May 1997 p.2500.]

104. Delineation of parking areas, etc.

A reference in regulation 103 to a portion of a carriageway between 2 traffic signs, or between a sign and a dead end, is a reference to the space extending towards its centre, marked on the adjacent carriageway; or, where a space is not so marked, if the sign is, or the signs are —

- (a) erected at or near the boundary of a carriageway and not inscribed with the words, “angle parking”, the reference is limited to the area of the carriageway that is within 3 metres of its boundary; and

cl. 105

- (b) erected at or near the boundary of a carriageway and inscribed with the words “angle parking”, the reference is limited to the area of the carriageway within 5 metres of its boundary.

105. Direction of arrows on signs

For the purposes of the application of the definitions “No Parking Area”, “No Standing Area”, and “Parking Area” in regulation 103 an arrow inscribed on a traffic sign erected at an angle to the boundary of a carriageway is deemed to be pointing in the direction in which it would point, if the sign were turned through an angle of less than 90 degrees, until parallel to the boundary.

Part II — Scope and effect of regulations

201. Scope of regulations

Unless the context requires otherwise, these regulations apply to persons, vehicles and things on roads, only, and where a provision of these regulations requires, or prohibits, the doing of any act or thing, that requirement or prohibition relates to the doing of that act or thing, on a road.

202. Obedience to patrolmen or firemen

- (1) Every pedestrian and driver shall obey the signal by hand or the reasonable oral direction given by —
 - (a) a member of the Police Force;
 - (b) a uniformed fireman, if the signal or direction given by him is given for the purpose of facilitating the movement of a fire engine or emergency vehicle;
 - (c) an ambulance officer, if the signal given by him is given for the purpose of facilitating the movement of an ambulance that is an emergency vehicle; or
 - (d) an accredited pilot, if the signal or direction given by the pilot is given —
 - (i) for the purpose of facilitating the movement of an overdimensional vehicle being escorted by the pilot; and
 - (ii) while the pilot is wearing a reflective vest of a type approved by the Commissioner of Police by notice published in the *Gazette*,

notwithstanding that the signal or oral direction given by any of them appears to require the pedestrian or driver to act in contravention of these regulations.

- (2) It is a defence to any complaint of a breach of these regulations that the defendant was, at the time of the alleged offence, acting

cl. 203

in conformity with a signal or direction given under subregulation (1) of this regulation.

[Regulation 202 amended in Gazette 1 May 1981 p.1374; 2 February 1982 p.399; 30 May 1997 p.2500.]

203. Certain workers exempt from regulations

Except for regulations 202 and 605 these regulations shall not apply to a person employed by or through a competent authority —

- (a) in work relating to the construction and maintenance of roads;
- (b) in ancillary services relating to road maintenance including road sweeping;
- (c) in an activity authorized under these regulations; or
- (d) in an activity necessary to give effect to these regulations,

in the course of that person's duties, while acting in a safe and expedient manner.

[Regulation 203 inserted in Gazette 14 August 1987 p.3166.]

203A. Accredited pilots and drivers of escorted over-dimensional vehicles exempt from certain regulations

- (1) When an over-dimensional vehicle is being escorted by an accredited pilot —
 - (a) regulations 501, 506 and 508 do not apply to the accredited pilot; and
 - (b) the pilot may, notwithstanding anything to the contrary in these regulations, stop, stand or park a vehicle being driven by him to escort the over-dimensional vehicle, at any place and at any time,

if the pilot is acting in a safe and expedient manner.

- (2) When an over-dimensional vehicle is being escorted by an accredited pilot —
- (a) regulations 501, 506 and 508 do not apply to the driver of the over-dimensional vehicle; and
 - (b) the driver of the over-dimensional vehicle may, notwithstanding anything to the contrary in these regulations, stop, stand or park that vehicle at any place and at any time,

if he is acting in accordance with a direction given by the accredited pilot and in a safe and expedient manner.

[Regulation 203A inserted in Gazette 30 May 1997 pp.2500-01.]

204. Exemptions for emergency vehicles and certain special purpose vehicles

- (1) Notwithstanding anything to the contrary in these regulations the driver of an emergency vehicle may, in the course of his duties and when it is expedient and safe to do so or where he honestly and reasonably believes that it is expedient and safe to do so —
- (a) on reducing speed and sounding a warning device, proceed past a traffic-control signal displaying a red or amber signal or past a stop sign, without stopping or proceed contrary to the directions of a traffic sign;
 - (b) on sounding a warning device, drive in any direction on any part of a road or overtake or pass on either side of another vehicle;
 - (c) stop, stand or park the vehicle, at any place, at any time; or
 - (d) exceed the speeds prescribed by Part X of these regulations.

cl. 205.

- (2) Notwithstanding anything to the contrary in these regulations, the driver of a special purpose vehicle may, in the course of his duties and when it is expedient and safe to do so —
- (a) stop, stand or park the vehicle at any place, at any time; or
 - (b) exceed the speeds prescribed by Part X of these regulations whilst engaged in speed zoning activities authorized by the Minister.

[Regulation 204 amended in Gazette 9 March 1990 p.1386.]

205.⁵ No obstruction of patrolmen

A person shall not obstruct any member of the Police Force who is exercising any of the powers vested in him, or performing any of the duties imposed upon him, under the provisions of the Act or these regulations, or of any by-laws under the Act.

[Regulation 205 amended in Gazette 2 February 1982 p.399.]

Part III — Erection and operation of traffic-control signals and traffic signs

301. Power to erect traffic-control signals and traffic signs

- (1) The Commissioner of Main Roads may erect, establish or display, and may alter or take down any traffic sign or traffic-control signal.
- (2) The Commissioner of Main Roads may authorize the Council of any municipality to erect, establish, display, alter or take down any particular traffic sign or traffic control-signal or of traffic signs or traffic-control signals of a class or type of classes or types specified in his instrument of authorization.
- (3) A person shall not, without the consent of the Commissioner of Main Roads, remove, take down, damage, deface or interfere with any traffic sign or traffic-control signal.
- (4) A person shall not erect, establish, place, maintain or display, on a road, or in the view of any person on a road, anything that —
 - (a) is a false representation of, or a colourable imitation of, a traffic sign or traffic-control signal;
 - (b) interferes with the effectiveness of, or of any part of, a traffic sign or traffic-control signal;
 - (c) prevents an approaching driver from clearly distinguishing the whole, or part, of a traffic sign or traffic-control signal;
 - (d) distracts his attention from a traffic sign or traffic-control signal; or
 - (e) not being a traffic sign, displays a word or direction ordinarily associated with a traffic sign.
- (5) Notwithstanding any other provision of these regulations, a traffic sign or traffic-control signal that was erected prior to the coming into operation of these regulations, shall be a valid and

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effective traffic sign or traffic-control signal for the purposes of these regulations.

- (6) The provisions of this regulation do not apply to the erection of road direction signs by any duly incorporated association or union of motorists approved by the Minister.
- (7) Notwithstanding the foregoing provisions of this regulation, where, for the purpose of temporarily controlling traffic it is expedient to do so, a member of the Police Force or Warden, may erect or cause to be erected, signs regulating the parking or standing of vehicles and any sign so erected shall be a valid and effective traffic sign for the purposes of these regulations.

[Regulation 301 amended in Gazette 31 December 1975 p.4705; 2 February 1982 p.399.]

302. Limits on operation of signs

- (1) Traffic signs associated with a No Parking Area, No Standing Area, Parking Area or a sign of a kind referred to in regulation 402, is limited in its operation and effect in respect of days, periods of the day, classes of persons, classes of vehicles or circumstances, to the extent, if any, shown on the sign.
- (2) The first 3 letters of any day of the week, when used on a traffic sign, indicate that day of the week.

303. All traffic-control signals and traffic signs to be operative

- (1) Where a traffic sign or traffic-control signal of a kind referred to in these regulations is in existence on a road, it takes effect and operates as a traffic sign or traffic-control signal duly established for the purposes of these regulations.
- (2) A traffic sign or traffic-control signal marked, erected, established or displayed on or near a road is, in the absence of evidence to the contrary, presumed to be a traffic sign or traffic-control signal marked, erected, established or displayed under the authority of these regulations.

304. Inscriptions on signs to have effect according to their tenor

An inscription on a traffic sign operates and has effect according to its tenor and a person who contravenes the directions of the inscription on a traffic sign commits an offence.

305. Operation of signs on holidays

Where a traffic sign of a type referred to in these regulations indicates that an instruction applies on any particular day or days of the week, then that instruction does not apply on a day appointed to be observed as a public holiday in the district in which the sign is erected, unless the sign specifically indicates that it applies on public holidays.

306.⁶ Display of dazzling lights, etc.

307. Temporary closure of or restriction on the use of roads

Where, for the more effective control of traffic, it appears to the Commissioner of Main Roads to be necessary or expedient to close a road or portion of a road or to set apart a road or portion of a road for traffic travelling in one direction or for traffic of a particular class, the Commissioner may, with the authority of the Minister and after giving such notice as the Minister may direct, do any of those things by means of traffic signs.

Part IV — Obedience to traffic-control signals and signs

401. Obedience to traffic-control signals

- (1) Every person shall comply with the directions of a traffic-control signal that is applicable to him.
- (2) A traffic-control signal facing a driver and displaying —
 - (a) a circular green signal is a direction that he may proceed straight ahead or, subject to subregulation (1) of regulation 402 and subregulations (1) and (2) of regulation 603, turn right or turn left;
 - (b) a steady circular amber signal or an amber arrow, is a direction that he may not proceed beyond the stop line associated with the signal or the stop line of the lane associated with the signal or in the absence of a stop line, at a point adjacent to the nearest appropriate traffic signal, unless his vehicle is so close to the stop line, or traffic signal, when the circular amber signal or amber arrow first appears, that he cannot safely stop his vehicle before passing over the stop line;
 - (c) a flashing amber signal is a direction that he may proceed beyond the stop line associated with the signal, or in the absence of a stop line at a point adjacent to the nearest signals, if he —
 - (i) does not conflict or interfere with pedestrians crossing the roadway;
 - (ii) complies with the provisions of subregulation (1) of regulation 402, regulation 602 and subregulation (1) of regulation 603; and
 - (iii) complies with the provisions of subregulation (1) of regulation 1620 where a member of the Police Force is in attendance regulating traffic;

- (d) a circular red signal, alone, is a direction that, subject to subregulation (2a), he may not proceed beyond the stop line associated with the signal, or in the absence of a stop line at a point adjacent to the nearest appropriate traffic signal and a red arrow signal is a direction that he may not proceed beyond the associated stop line or traffic signal, as the case may be, in the direction indicated by the arrow;
 - (da) the letter “B” coloured white on a black background is an instruction, where the driver is the driver of an omnibus, that he may proceed straight ahead or, subject to subregulation (1) of regulation 402 and subregulations (1) and (2) of regulation 603, turn right or turn left;
 - (e) a green arrow, in conjunction with a circular red or amber signal, is an indication that oncoming traffic has been required to come to a halt and is a direction that he may proceed, but only in the direction indicated by the arrow.
- (2a) Notwithstanding subregulation (2) (d), a driver may turn left at an intersection —
- (a) at which there is a traffic-control signal facing the driver and displaying a circular red signal, alone; and
 - (b) at or near which there is a traffic sign erected to face the driver that is inscribed with the words “LEFT TURN ON RED PERMITTED AFTER STOPPING”,
- if —
- (c) before starting to make the turn, the driver —
 - (i) stops his vehicle as near as possible to, but without passing over, the stop line associated with the traffic-control signal; or
 - (ii) in the absence of a stop line, stops his vehicle, without entering the intersection, at a point

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adjacent to the nearest appropriate traffic-control signal; and

- (d) the driver can make the turn with safety.
- (3) The display of a green arrow on a traffic-control signal is a direction to a driver facing it that opposing traffic has been stopped to enable him to proceed, or that traffic does not conflict with his proceeding, in the direction indicated by the arrow; and, where the arrow has not come into operation, the display of a circular green signal, alone, is a direction to a driver facing it that he may make the turn that would otherwise be indicated by the arrow, but only if the movement can be made with safety, in the face of oncoming traffic.
- (4) Where separate traffic-control signals are erected over each lane of a laned carriageway, then, irrespective of the location of the centre of the carriageway with respect to lane markings, a driver shall drive only in those lanes over which a green signal is displayed, and shall not drive in any lane over which a red signal is displayed.
- (5) A traffic-control signal facing a pedestrian and displaying —
 - (a) the word “WALK” in green or white lettering or a symbol similar to the illustration in the following diagram and coloured green is a direction that he may proceed across the carriageway, irrespective of other signals displayed;



- (b) a circular green signal unaccompanied by —
 - (i) the words “DONT WALK” in red lettering; or

- (ii) a symbol similar to the illustration in the diagram following paragraph (c) of this subregulation and coloured red,

is a direction that he may proceed across the carriageway;

- (c) the words “DONT WALK” in red lettering or a symbol similar to the illustration in the following diagram and coloured red, whether flashing or steady, is a direction that he may not enter upon the carriageway, irrespective of other signals displayed and, if the words or symbol appear while he is on the carriageway, that he is to proceed, at once, to the nearest footway;



- (d) a red or an amber circular signal, unaccompanied by —
- (i) the word “WALK” in green or white lettering; or
 - (ii) a symbol similar to the illustration in the diagram following paragraph (a) of this subregulation and coloured green,

is a direction that he shall not enter upon the carriageway and that, if he is already on the carriageway, he is to quit it with reasonable despatch.

[Regulation 401 amended in Gazette 31 October 1975 p.4030; 14 November 1975 p.4184; (Erratum in Gazette 21 April 1978 p.1220); amended in Gazette 10 October 1980 p.3462; 31 December 1980 p.4428; 1 May 1981 p.1375; 2 February 1982 p.399; 29 April 1983 p.1299; 11 April 1997 p.1858.]

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402. Obedience to traffic signs

- (1) A driver shall not turn his vehicle at an intersection contrary to the instruction on a traffic sign or a traffic-control signal erected to face an approaching driver, at or near the intersection, and inscribed with the words, “No Turns”, “No Left Turn”, “No Right Turn” or “No U Turn”.
- (2) A person shall not drive a vehicle on a road which has been lawfully set apart for traffic to move in one specified direction, except in the direction specified.
- (3) Where a traffic sign inscribed with the words, “No Entry”, is erected over or adjacent to a carriageway, to face an approaching driver, the driver shall not proceed on that carriageway beyond the sign.
- (4) Where a marked lane at an approach to an intersection —
 - (a) has the words, “Right Turn Only”, or, “Left Turn Only”, marked on a traffic sign by the side of, or over, the lane; or
 - (b) has an arrow or arrows marked on the surface of the lane,a driver entering the intersection from that lane shall drive only in the direction indicated by the words, arrow or arrows.
- (5) Where a traffic sign inscribed with the words, “No Overtaking or Passing”, is erected to face an approaching driver, the driver shall not —
 - (a) pass the sign while any vehicle travelling in the opposite direction is between the sign and a similar sign facing in the opposite direction; or
 - (b) while between the sign and a similar sign facing in the opposite direction, overtake or pass a vehicle travelling in the same direction.
- (6) Where a traffic sign is erected near a bridge to face an approaching driver, then —

- (a) if the sign is inscribed with the words, “No Overtaking on Bridge”, the driver shall not overtake a vehicle, while between the sign and the far end of the bridge;
 - (b) if the sign is inscribed with the words “Bridge Load Limitt Gross” together with numerals before the letter “t”, the driver shall not drive his vehicle upon the bridge if the laden mass of the vehicle plus the laden mass of any attached trailer exceeds the mass in tonnes indicated on the sign;
 - (c) if the sign is inscribed with the words, “Speed Limit on Bridge”, followed by numerals and the letters “km/h” the driver shall not exceed the speed in kilometres per hour indicated by the sign, while he is between it and the far end of the bridge.
- (7) Where a traffic sign, erected to face an approaching driver is inscribed either with the words, “Keep Left”, or with the words, “Keep Right”, a driver shall pass to the left or to the right of that sign, as the case may require.
- (8) Where a stop sign is erected to face a driver approaching an intersection, such a driver shall stop his vehicle as nearly as possible to, but without passing over, the stop line associated with the sign or, in the absence of a stop line, shall stop his vehicle, without entering the intersection, at the point nearest to it from which he has a clear view of traffic approaching on the intersecting road; and in proceeding therefrom shall give way to every vehicle travelling along, or, turning from, the intersecting road.
- (9) Where a traffic sign inscribed with the words “Give Way”⁷, is erected to face a driver approaching an intersection, the driver shall give way to every vehicle travelling along, or turning from, the intersecting road.
- (10) Where a traffic sign inscribed with the words, “No U Turn”, is erected adjacent to a carriageway to face an approaching driver, the driver shall not make a U turn while he is between the sign

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and the far side of the first intersection beyond the sign; and a driver who enters the carriageway between the sign and the intersection and travels towards the intersection shall not make a U turn, before he has passed over the intersection.

[Regulation 402 amended in Gazette 19 September 1975 p.3603; 31 October 1975 p.4030; 31 December 1975 p.4705; 20 February 1976 p.463; 10 November 1977 p.4135.]

403. Driving in bus-taxi lane

A person shall not drive a vehicle along or into a bus lane or a bus-taxi lane except for the shortest distance necessary for the purpose of —

- (a) entering or leaving the carriageway in which the bus lane or bus-taxi lane is situated; or
- (b) changing from one lane on the carriageway on which the bus lane or bus-taxi lane is situated to another lane on that carriageway,

unless the vehicle is —

- (c) in the case of a bus lane, an omnibus, an emergency vehicle or a special purpose vehicle, or being used to transport a prisoner (as defined in the *Prisons Act 1981*, s.3) or a detainee (as defined in the *Young Offenders Act 1994*, s.3); or
- (d) in the case of a bus-taxi lane, a taxi, an omnibus, an emergency vehicle or a special purpose vehicle, or being used to transport a prisoner (as defined in the *Prisons Act 1981*, s.3) or a detainee (as defined in the *Young Offenders Act 1994*, s.3).

[Regulation 403 inserted in Gazette 1 March 1985 p.791; amended in Gazette 17 November 2000 pp.6292-3.]

404. Driving in contra flow bus lane

A person shall not drive a vehicle along or into a contra flow bus lane unless the vehicle is an omnibus, an emergency vehicle

or a special purpose vehicle, or is being used to transport a prisoner (as defined in the *Prisons Act 1981*, s.3) or a detainee (as defined in the *Young Offenders Act 1994*, s.3).

[Regulation 404 inserted in Gazette 19 December 1986 p.4875; amended in Gazette 17 November 2000 p.6293.]

Part V — Driving on the left and overtaking

501. Keeping as far left as practicable

Except where these regulations provide otherwise, a driver shall keep his vehicle as close as practicable to the left boundary of the carriageway, except where 2 or more lanes marked on the carriageway are available exclusively for vehicles travelling in the same direction.

502. Overtaking

- (1) When overtaking a moving vehicle, a driver shall, except as provided in subregulations (2) and (3) of this regulation, pass to the right of that vehicle, at a safe distance.
- (2) Where a carriageway is a one-way carriageway, or has 2 or more marked lanes for vehicles travelling in the same direction, a driver may overtake and pass to the left of another vehicle, if conditions permit him to do so with safety.
- (3) A driver overtaking a vehicle making, or apparently about to make, a right turn shall pass to the left of it and of any vehicle that may be stationary behind it.
- (4) After overtaking a vehicle, a driver shall not drive in front of it, until his vehicle is safely clear.
- (5) When a driver overtakes a vehicle on a two-way carriageway, he shall not drive to the right of the centre of the carriageway, unless the right side of the carriageway is free of oncoming traffic sufficiently far ahead to permit the overtaking movement to be completed with safety.
- (6) The driver of a vehicle on a road shall not race with, or endeavour, by unnecessarily fast driving, to pass any other vehicle.

503. Restriction on use of right lane

- (1) In this regulation —

“available lane” means a lane that is not congested.

“marked lane” does not include —

- (a) a lane set aside exclusively for vehicles making a left or right turn;
- (b) a lane designated under these regulations as a peak lane;
- (c) a bus lane;
- (d) a bus-taxi lane;
- (e) a contra-flow bus lane; or
- (f) any other lane that is not for the use of general traffic on the carriageway;

“right lane”, in relation to 2 or more marked lanes that are available exclusively for vehicles travelling in the same direction, means the marked lane that is further or furthest to the right side of the carriageway.

- (2) A driver of a vehicle that is being driven on a carriageway that has 2 or more marked lanes available exclusively for vehicles travelling in the same direction shall not drive the vehicle in the right lane except if there is a good reason for doing so.
- (3) Good reasons for driving a vehicle in the right lane include the reasons that —
 - (a) the driver wishes to drive at a speed at which it is lawful to drive and is prevented by slower traffic from doing so in another marked lane; or
 - (b) because of traffic congestion it would be inconvenient to drive in another marked lane.
- (4) Good reasons for driving a vehicle in the right lane do not include the reason that, in order to drive in another available lane, the driver would be required to manoeuvre the vehicle to fall in with other vehicles in that lane.
- (5) The Director General may, by notice published in the *Gazette*—

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- (a) declare that this regulation does not apply to the driving of a vehicle on a carriageway described in the notice;
- (b) vary or revoke a previous notice under this subregulation.

[Regulation 503 inserted in Gazette 19 January 1996 pp.251-2; amended in Gazette 31 January 1997 pp.677-8.]

504. Passing vehicles

A driver passing a vehicle travelling in the opposite direction shall keep to his left of that vehicle.

505. Moving to left for overtaking vehicles

- (1) Except where overtaking on the left is permitted, the driver of a vehicle being overtaken shall move to the left in favour of the overtaking vehicle, and shall not increase the speed of his vehicle, until it has been completely passed by the overtaking vehicle.
- (2) A driver shall not drive a vehicle on a road in such a manner as to prevent another vehicle from overtaking and passing him.

506. Driving in lanes on carriageways

- (1) A driver shall drive his vehicle as nearly as practicable entirely within a single marked lane or in a single line of traffic and shall not move laterally from any such lane or line of traffic until he can do so with safety.
- (2) Where, on the approach side of an intersection, a portion of the road is divided longitudinally by single, continuous lines, into 2 or more lanes, a person shall not drive a vehicle across any of those lines.
- (3) The provisions of subregulation (2) of this regulation do not apply to a driver intending to make a left turn, if his vehicle is more than 8 metres, in length.

507. Driving through roundabouts

A driver passing through a traffic roundabout shall drive to the left of the central traffic island.

508. Keeping left of double lines

Where a carriageway is marked with a double longitudinal line comprising —

- (a) 2 continuous lines; or
- (b) a continuous line on the left of a broken or dotted line,

a driver shall not permit any portion of his vehicle to travel on, over, or to the right of, the double longitudinal line —

- (c) except for the purpose of making a right turn or a U turn, where permissible; or
- (d) unless the driver is driving a vehicle of a class referred to in regulation 404 into or along a contra flow bus lane.

509. Following too closely

- (1) In this regulation, “**long vehicle**” means a vehicle of more than 8 metres in length, inclusive of any projection and of its load, or a vehicle with dual wheels on any axle or a vehicle towing another vehicle.
- (2) Except when overtaking and passing, the driver of a long vehicle when following another long vehicle shall, wherever conditions permit, keep his vehicle not less than 60 metres behind the other vehicle.
- (3) This regulation does not apply to a long vehicle in a built-up area or to a long vehicle on a carriageway provided with 2 or more marked lanes available exclusively for vehicles travelling in the same direction as that in which the long vehicle is travelling.
- (4) Except when overtaking and passing, the driver of any vehicle shall, when following another vehicle, keep such distance

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behind it, as will enable him to stop his vehicle in an emergency with safety and without running into the vehicle in front of him.

[Regulation 509 amended in Gazette 25 September 1981 p.4097.]

510. Driving on divided road

Where a road is divided by a median strip, a driver shall not drive his vehicle upon the carriageway on his right unless the driver is driving a vehicle of a class referred to in regulation 404 along a contra flow bus lane.

[Regulation 510 amended in Gazette 19 December 1986 p.4876.]

511. Passing when road ahead is obscured

Except where these regulations otherwise provide, a driver on a two-way carriageway shall not permit any portion of his vehicle to travel on or over or to the right of the centre of the carriageway when —

- (a) approaching a crest of a gradient; or
- (b) approaching, or upon, a curve,

unless he can see ahead for a distance sufficient to enable him to do so with safety or without interfering with the progress of any oncoming vehicle.

512. Driving in contra flow bus lane

Where a vehicle is permitted to be driven in a contra flow bus lane, the driver of that vehicle shall drive within that lane and shall not permit any portion of the vehicle to protrude or travel over the lines, warning cones or devices marking the boundary of the contra flow bus lane.

[Regulation 512 inserted in Gazette 19 December 1986 p.4876.]

Part VI — Right of way and giving way

601. Requirement of giving way

Where any of these regulations require a driver to give way to a person or vehicle, the requirement takes effect when there is a reasonable possibility that, if he proceeded, his vehicle would collide or come into conflict with, or create any other dangerous situation with regard to, that person or vehicle; and, in that event, he is obliged to slow down to such an extent, or, as the circumstances may require, stop and remain stationary for such time, as may be necessary to allow the person or vehicle to continue on his or its course.

602. Right of way at intersections

Subject to subregulations (8) and (9) of regulation 402 and to regulations 603, 609 and 610 the driver of a vehicle that is approaching, or has arrived at, an intersection shall give way to a vehicle on his right that is approaching, or has arrived at, that intersection, by or from another road.

[Regulation 602 amended in Gazette 14 August 1987 p.3167.]

603. Right of way during turns

- (1) Subject to subregulations (8) and (9) of regulation 402 and to regulation 608, a driver who intends to turn, is turning or has turned at an intersection shall, if turning to the right, give way to any other vehicle that has entered, or is approaching, the intersection, from the opposite direction.
- (2) A driver turning to the right or left at an intersection shall give way to all pedestrians.
- (3) A driver making a U turn shall give way to all other vehicles and to all pedestrians.
- (4) Except as provided by this regulation, the provisions of regulation 602 apply to turning vehicles.

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604. Movements to or from parked position

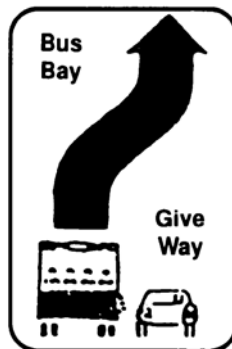
- (1) Subject to regulation 604A, a driver who is about to drive, or is driving, a vehicle into, or out from, a parking area or the boundary of a carriageway shall give way to all other vehicles and to all pedestrians.
- (2) A driver shall not drive a vehicle in reverse out of a parking area established across the centre of a carriageway, if the carriageway or parking area in front of his vehicle is free from obstruction.

*[Regulation 604 amended in Gazette 11 December 1987
p.4379.]*

604A. Priority for omnibus

Regulation 604 (1) does not apply to a driver of an omnibus who is about to drive it, or is driving it, out from a bus embayment where —

- (a) the driver of the omnibus is giving and has given the appropriate signal as prescribed by regulation 803;
- (b) the omnibus has affixed on the rear at the off-side a sign, having a minimum area of 0.125 square metres, in or similar to the illustration in the following diagram;



- (c) the speed limit applicable, pursuant to regulation 1001, to the portion of the carriageway on which the bus embayment is situated is not more than 70 kilometres per hour; and
- (d) in driving the omnibus out from the bus embayment, the driver of the omnibus will not cause the omnibus to cross any line marking a lane on the carriageway.

[Regulation 604A inserted in Gazette 11 December 1987 pp.4379-80.]

604B. Driver to give way

- (1) Subject to subregulation (2) where a vehicle being driven upon a carriageway is approaching an omnibus that is about to be driven, or is being driven out, from a bus embayment, the driver of the approaching vehicle shall give way to the omnibus if —
 - (a) the driver of the omnibus is displaying the appropriate signal as prescribed by regulation 803;
 - (b) the omnibus has affixed on the rear at the off-side a sign, having a minimum area of 0.125 square metres, in or similar to the diagram illustrated in regulation 604A; and
 - (c) the speed limit applicable, pursuant to regulation 1001 to the portion of the carriageway on which the bus embayment is situated, is not more than 70 kilometres per hour.
- (2) Where a bus embayment is situated on a laned carriageway, subregulation (1) shall only apply to the driver of a vehicle travelling in the lane adjacent to the left-hand boundary of the carriageway.

[Regulation 604B inserted in Gazette 11 December 1987 p.4380.]

605. Action on approach of emergency vehicles

A driver or person specified in regulation 203 shall give way to, and make every reasonable effort to give a clear and

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uninterrupted passage to, every emergency vehicle sounding or flashing a warning device.

[Regulation 605 amended in Gazette 14 August 1987 p.3166.]

606. Entering or leaving a road or carriageway

- (1) A driver entering a road or carriageway from land abutting the road or carriageway shall give way to —
 - (a) all vehicles travelling in either direction along the carriageway; and
 - (b) all vehicles turning or intending to turn preparatory to leaving the carriageway at the point that the driver is entering that carriageway,

unless instructed to the contrary by a traffic-control signal.

- (2) A driver turning or intending to turn preparatory to leaving a carriageway shall give way to all vehicles travelling in the opposite direction along that carriageway.
- (3) A driver entering or leaving a road or carriageway shall give way to all pedestrians and bicyclists, unless instructed to the contrary by a traffic-control signal.

[Regulation 606 amended in Gazette 15 January 1981 p.99.]

607. No entry to choked intersection

- (1) A driver shall not enter upon, or attempt to cross, an intersection, whether or not it is controlled by a traffic-control signal, if the intersection or the carriageway beyond it is blocked by vehicles.
- (2) The provisions of subregulation (1) of this regulation apply notwithstanding the instruction of a traffic-control signal to proceed.

608. Right of way in roundabouts

The driver of a vehicle entering a roundabout shall give way to a vehicle that is within the roundabout.

609. Right of way at three-way intersections

- (1) This regulation applies to any intersection at which one road (in this regulation referred to as “**the terminating road**”) meets another road (in this regulation referred to as “**the continuing road**”) but does not continue through and beyond that other road.
- (2) Subject to subregulations (8) and (9) of regulation 402 the driver of a vehicle that is approaching, or has arrived at, an intersection to which this regulation applies by or from the terminating road shall give way to —
 - (a) all vehicles travelling in either direction along the continuing road; and
 - (b) all vehicles turning or intending to turn preparatory to leaving the continuing road to enter the terminating road.

610. Right of way leaving an unsealed road

- (1) This regulation applies to any intersection at which a sealed road meets an unsealed road.
- (2) Subject to regulation 402 (8) and (9) and to regulations 603 and 609 the driver of a vehicle that is approaching, or has arrived at, an intersection to which this regulation applies by or from an unsealed road shall give way to —
 - (a) all vehicles travelling in either direction along the sealed road; and
 - (b) all vehicles turning or intending to turn preparatory to leaving the sealed road to enter the unsealed road.

[Regulation 610 inserted in Gazette 14 August 1987 p.3166.]

Part VII — Pedestrians and pedestrian crossings

701. Pedestrian crossings

- (1) A driver shall give way to a pedestrian who is on a pedestrian crossing.
- (2) A driver shall not permit any portion of his vehicle to enter upon a pedestrian crossing if a vehicle headed in the same direction is stopped on the approach side of, or upon, the pedestrian crossing, apparently for the purpose of complying with subregulation (1) of this regulation.

701A. Dual use paths

A bicyclist who is on a dual use path shall give way to a pedestrian who is on, or is crossing, the dual use path.

[Regulation 701A inserted in Gazette 15 January 1981 p.99.]

702. Duties of pedestrians on footways and crossings

- (1) A pedestrian shall keep to the left side, when on a footway, marked cross-walk or pedestrian crossing.
- (2) When a pedestrian crosses a carriageway or portion of a carriageway, he shall —
 - (a) keep left of pedestrians crossing in the opposite direction;
 - (b) cross as nearly as practicable by the shortest and most direct route to the carriageway boundary, except where there is a marked crosswalk, in which case he shall keep within the boundaries of that marked crosswalk; and
 - (c) where provided, cross at a traffic-control signal in operation, a pedestrian crossing or a children's crossing.

[Regulation 702 amended in Gazette 8 September 1978 p.3302.]

703. Restriction of pedestrians on carriageways and crossings

A person shall not —

- (a) impede or prevent the free passage of any other pedestrian or a vehicle upon a footway or carriageway;
- (b) proceed from a footway towards a vehicle for the purpose of boarding it, until it has stopped;
- (c) alight from, or board, a moving vehicle; or
- (d) remain on a pedestrian crossing, children's crossing or marked cross-walk longer than is necessary for the purpose of passing over the carriageway with reasonable despatch.

704. Pedestrians on carriageways

- (1) A pedestrian shall not proceed along a carriageway where a footway exists on the road and is in a fit condition for use.
- (2) A pedestrian proceeding along a carriageway shall, where practicable, travel on the carriageway or side of the carriageway used by vehicles travelling in the opposite direction, and shall keep as close as possible to the boundary of the carriageway on his right.
- (3) Notwithstanding the provisions of subregulation (2) of this regulation where a vehicle approaches a pedestrian on a carriageway, on the same side as the pedestrian, then the pedestrian shall, if possible, immediately move off the carriageway, and shall not move back onto the carriageway, until the vehicle has passed him.
- (4) A pedestrian shall not proceed along a carriageway abreast of more than one other pedestrian, except in a procession or parade authorized by the local authority.
- (5) A pedestrian shall not enter upon any portion of a carriageway within 20 metres of —
 - (a) a traffic-control signal in operation;

cl. 705

- (b) a pedestrian crossing; or
- (c) a children's crossing,

except for the purpose of alighting from or boarding an omnibus at an authorized stopping place, or crossing a carriageway or portion of a carriageway in accordance with the provisions of paragraph (b) or (c) of subregulation (2) of regulation 702.

- (6) Nothing in the foregoing provisions of this regulation applies in respect of a carriageway from which vehicles are for the time being excluded.
- (7) Where —
 - (a) an underpass or overpass is provided specifically for the purpose of enabling pedestrians to cross a carriageway; and
 - (b) access to both entrances to the underpass or overpass may be gained from the road of which the carriageway is a portion,

a pedestrian shall not, except by using the underpass or overpass —

- (c) cross any portion of the carriageway; or
- (d) enter any portion of the carriageway for the purpose of crossing the carriageway,

within 120 metres of any entrance to the underpass or overpass.

[Regulation 704 amended in Gazette 8 September 1978 p.3302.]

705. Children's crossings

- (1) A driver shall stop his vehicle before it reaches a children's crossing or a pedestrian crossing, if a fluorescent red-orange flag or sign bearing the legend "CHILDREN CROSSING — STOP", in black lettering, is displayed to face approaching drivers; and shall not permit any portion of his vehicle to enter upon the children's crossing or pedestrian crossing, while any pedestrian is on it or while the sign is displayed.

- (2) Where there is a stop line on the approach side of a children's crossing, any stop made under the provisions of this regulation, shall be made before reaching, and as nearly as practicable to, the stop line.
- (3) A driver shall not permit any portion of his vehicle to enter upon a children's crossing, or to cross any stop line on the approach side of a children's crossing, if any vehicle headed in the same direction is stopped on the approach side of, or upon the children's crossing, apparently for the purpose of complying with the provisions of this regulation.

706.⁵ Obstruction by pedestrians

A person on a footway shall not propel a perambulator or children's stroller abreast of any other vehicle on the footway, while other pedestrians are using the footway.

707. Blind pedestrian

- (1) Every person shall give way to a pedestrian who —
 - (a) displays a walking stick or cane that is predominantly white; or
 - (b) is assisted in his or her movements by a guide dog.
- (2) A person, other than a blind person, who —
 - (a) displays a walking stick or cane that is predominantly white; or
 - (b) subject to subregulation (3), is assisted in his or her movements by a guide dog,commits an offence.
- (3) Subregulation (2) (b) does not apply to a person who in the course of his or her employment is training a guide dog to assist a blind person.

[Regulation 707 inserted in Gazette 16 February 1990 p.1106.]

cl. 708

708. Person in motorized wheel chair to give way

A person in an exempt motor chair on a footway shall give way to another pedestrian who is on, or is crossing, the footway.

[Regulation 708 inserted in Gazette 21 July 1989 p.2221.]

Part VIII — Turning, starting and stopping

801. Left turns

- (1) A driver who is about to make a left turn from a carriageway —
- (a) at an intersection; or
 - (b) to enter land abutting that carriageway,

shall so drive his vehicle that, when it reaches the intersection or other point at which the turn is to be made, it is —

- (c) to the left of any vehicle that is abreast of his own and travelling in the same direction; and
 - (d) as near as practicable to the left hand edge or boundary of the carriageway.
- (2) Notwithstanding the provisions of subregulation (1) of this regulation, a driver who, on a laned carriageway, is immediately to the right of a vehicle that is in a lane set aside exclusively for left-turning vehicles may turn his vehicle to the left, at an intersection, if that movement can be made with safety.

[Regulation 801 amended in Gazette 15 August 1975 p.2966.]

802. Right turns

- (1) Subject to subregulation (1b) of this regulation, a driver who is about to make a right turn at an intersection shall —
- (a) where he is travelling on a two-way carriageway, approach and enter the intersection so that his vehicle is to the left of, parallel with, and as near as practicable to, the centre of the carriageway; and
 - (b) where he is travelling on a one-way carriageway approach and enter the intersection so that his vehicle is parallel with, and as near as practicable to, the right boundary of the carriageway.

cl. 802

- (1a) Subject to subregulation (1b) of this regulation, a driver who is about to make a right turn to enter land abutting a carriageway shall —
- (a) where he is travelling on a two-way carriageway, approach the point at which the turn is to be made so that his vehicle is to the left of, parallel with, and as near as practicable to, the centre of the carriageway;
 - (b) where he is travelling on a one-way carriageway, approach the point at which the turn is to be made so that his vehicle is parallel with and as near as practicable to, the right boundary of the carriageway.
- (1b) Subregulations (1) and (1a) of this regulation do not apply where a vehicle is in a marked lane that has a sign alongside or over it or markings on its surface indicating that a right turn shall, or may be, made by vehicles in that lane.
- (2) A driver making a right turn at an intersection shall make the turn so that, wherever practicable, his vehicle passes to his right of the centre of the intersection, and so that —
- (a) where the carriageway being entered is a two-way carriageway, his vehicle enters it to his left of the centre of the carriageway; and
 - (b) where the carriageway being entered is a one-way carriageway, his vehicle enters it as nearly as practicable to the boundary of the carriageway on his right.
- (3) For the purposes of subregulation (2) of this regulation, a vehicle is deemed to enter a carriageway at the point where the front of the vehicle crosses the prolongation of the edge of the carriageway it is leaving.
- (4) Notwithstanding the foregoing provisions of this regulation, a driver who is about to make, or is making, a right turn at an intersection —

- (a) where markers, marks or signs are so placed as to indicate that a different course from that specified in this regulation is to be travelled, shall not turn his vehicle at the intersection otherwise than as indicated by the markers, marks or signs; and
- (b) where a member of the Police Force is controlling or directing traffic, shall make the turn before reaching the middle of the road into which he is turning by passing either to the front, or to the rear of, the member of the Police Force, as he may be directed.

*[Regulation 802 amended in Gazette 15 August 1975 p.2967;
2 February 1982 p.399.]*

803. Drivers to give signals

- (1) A driver shall not turn right or left, or diverge right or left, or make a U turn, or stop or suddenly decrease speed, without giving warning of his intentions, by a signal as prescribed by this regulation.
- (1a) A driver of an omnibus shall not drive out from a bus embayment without giving warning of his intentions, by a signal as prescribed by this regulation.
- (2) A driver shall give the signal prescribed by this regulation, where he intends —
 - (a) to turn right or left or make a U turn —
 - (i) if his vehicle is travelling — continuously for 30 metres immediately before making the turn; and
 - (ii) if his vehicle is stationary — continuously before making the turn;
 - (b) to diverge to the right or left — continuously for 30 metres immediately before so diverging;
 - (c) to stop or suddenly reduce speed — while his brakes are being applied; and

cl. 803

- (d) to drive an omnibus out from a bus embayment — for sufficient time to permit the driver of an approaching vehicle, with which there would be a danger of collision if the omnibus were to be driven out from the bus embayment, to give way.
- (3) A driver who is required to give a signal of intention to turn, or diverge, right or left, or to make a U turn, or to drive an omnibus out from a bus embayment shall, where the vehicle is equipped with the appropriate flashing lamp signalling device or illuminated indicator in working order, give the signal by means of that flashing lamp signalling device or illuminated indicator.
- (4) A driver who is required to give a signal of intention to turn, or diverge, right, or to make a U turn, shall, where the vehicle is not equipped with an appropriate flashing lamp signalling device or illuminated indicator in working order, give the signal —
 - (a) by means of a hand-shaped signalling device; or
 - (b) by fully extending his right arm and hand horizontally beyond the right side of his vehicle and approximately at right angles to the centre line of the vehicle.
- (4a) A rider of a bicycle or a rider or driver of a moped which is not equipped with an appropriate flashing lamp signalling device or illuminated indicator in working order, who is required to give a signal of intention to turn or diverge left, shall give a signal by fully extending his left arm and hand horizontally beyond the left side of his vehicle and approximately at right angles to the centre line of the vehicle.
- (5) A driver who is required to give a signal of intention to stop or to reduce speed suddenly shall, where the vehicle is equipped with a stop lamp or lamps in working order, give the signal by means of that stop lamp or those lamps.
- (6) A driver who is required to give a signal of intention to stop or to reduce speed suddenly shall, where the vehicle is not

equipped with a stop lamp or lamps in working order, give the signal —

- (a) by means of a hand-shaped signalling device; or
 - (b) by extending his right arm beyond the right side of his vehicle with the upper arm horizontal and the forearm and fingers pointing upwards.
- (7) Nothing in this regulation —
- (a) prevents a driver who complies with subregulation (3) or (5) of this regulation from also giving the arm and hand signal that he would be required to give if his vehicle were not equipped with the appropriate flashing lamp signalling device, illuminated indicator or stop lamp or lamps as the case may be;
 - (b) requires the driver of a vehicle which is not a bicycle or a moped to give a signal of intention to turn or diverge left if his vehicle is not equipped with a flashing lamp signalling device or illuminated indicator capable of being used to give such a signal.

[Regulation 803 amended in Gazette 25 May 1979 pp.1383-4; 11 December 1987 p.4380; (Erratum in Gazette 24 December 1987 p.4533).]

804. Use of signalling devices

- (1) A driver shall not permit a signalling device to be operated, except for the purpose of giving a signal in accordance with the provisions of these regulations.
- (2) A driver shall not permit a signalling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put into operation.

cl. 805

805. U turns

A driver shall not drive his vehicle so as to make a U turn —

- (a) unless the turn can be made with safety or without interfering with the movement of other traffic; or
- (b) within 30 metres of a traffic-control signal.

[Regulation 805 amended in Gazette 1 February 1980 p.300.]

Part IX — Railway level crossings

901. Stopping at level crossings

- (1) A driver approaching a railway level crossing shall stop his vehicle so that the front of it is on the approach side of and safely clear of the nearest rail of the railway, where —
 - (a) he is directed or instructed to stop by a railway employee and he shall not proceed except in accordance with the railway employee's direction;
 - (b) an approaching train is visible or emits an audible signal and there is danger of collision between his vehicle and the train, and he shall not proceed until he has ascertained that in the circumstances it is safe to do so;
 - (c) a stop sign facing the driver is erected at or near the level crossing, and he shall proceed only if it is safe to do so;
 - (d) twin alternating red lights are flashing or a wig-wag signal is moving or a warning bell is ringing at or near the level crossing, and he shall not proceed until the lights, signal or bell have ceased to flash, move or ring unless otherwise directed or instructed by a railway employee;
 - (e) by reason of traffic congestion he is not immediately able to lawfully drive his vehicle over and clear of the level crossing, and he shall not proceed until he can so drive his vehicle over and clear of the level crossing.

- (2) The driver of a vehicle that is carrying any explosive, inflammable, corrosive or poisonous gas, liquid or material of any kind (other than fuel in the fuel tank of the vehicle) shall stop the vehicle before passing over a railway level crossing that is not equipped with twin alternating red lights, a wig-wag signal or gates, booms or other barriers for closing the crossing to road traffic and shall not proceed until he has ascertained that he may do so without danger of conflict with a train.

cl. 901

- (3) A person shall not drive a vehicle through, around or under any gate, boom or barrier at a railway level crossing or enter upon the crossing while the gate, boom or barrier is closed or is being opened or closed to road traffic.

*[Regulation 901 amended in Gazette 30 June 1978 p.2142;
20 October 1978 p.3762.]*

Part X — Speed restrictions

1001. Speed limits

- (1) A person shall not drive a vehicle at a speed exceeding 110 kilometres per hour and shall not drive a vehicle, —
 - (a) in a built-up area, at a speed exceeding 60 kilometres per hour, except within a speed zone in which a higher speed is permitted;
 - (b) in a speed zone, at a speed exceeding, in kilometres per hour, that indicated by the numerals on the restriction sign, at the beginning of the speed zone;
 - (c) in a local traffic area, at a speed exceeding 40 kilometres per hour; or
 - (d) in a school zone —
 - (i) at a speed exceeding, in kilometres per hour, that indicated by the numerals on; and
 - (ii) during the school zone periods indicated on, the school zone sign at the beginning of the school zone.

- (2) Subject to any other provisions of these regulations or of the *Road Traffic (Towed Agricultural Implements) Regulations 1990* prescribing a maximum speed for any vehicle lower than that prescribed by this subregulation, a person shall not —
 - (a) drive a goods vehicle, the total mass of which, taking into account any trailer attached and including the total load carried, is more than 4.5 tonnes, at a speed exceeding 100 kilometres per hour;
 - (b) drive a vehicle to which a trailer or other vehicle is attached at a speed exceeding —
 - (i) where the mass of the trailer or other vehicle including any load is not more than 750 kilograms, 100 kilometres per hour; or

cl. 1001

- (ii) where the mass of the trailer or other vehicle including any load is more than 750 kilograms, 90 kilometres per hour;
 - (c) drive a vehicle licensed or equipped to seat 13 or more adult persons, including the driver, at a speed exceeding 100 kilometres per hour.
- (3) The several speeds prescribed by subregulation (2) of this regulation apply to the respective classes of vehicle therein mentioned, notwithstanding the existence of speed zones that permit higher speeds for other classes of vehicles.
- (4) The provisions of this regulation or 1803A do not justify the driver of a vehicle driving at a speed that —
 - (a) may constitute driving carelessly, recklessly or at a speed, or in a manner, that is dangerous to the public, having regard to all the circumstances; or
 - (b) exceeds any maximum speed applicable to the vehicle and fixed by, or under, the Act or any regulation.
- (5) In this regulation “**goods vehicle**” means any motor vehicle constructed, equipped or fitted, primarily, for the conveyance of goods or merchandise, and includes a tractor that is designed and used for drawing other vehicles, although not constructed or designed for carrying any load independently or for carrying any part of the load of the vehicle that it draws.
- [(6) repealed]*
- (7) Notwithstanding the existence of speed zones that permit higher speeds, a person, being obliged by regulations made under the Act to display, on a motor vehicle driven by him, plates bearing the letter “P”, in red on a white ground, shall not drive any motor vehicle at a speed exceeding 90 kilometres per hour.
- (8) A person permitted to drive a vehicle in the contra flow bus lane of a carriageway under regulation 404 shall not drive that vehicle at a speed that exceeds the speed that would otherwise

be permissible under this Part if the vehicle were travelling in another lane of that carriageway in the opposite direction.

[Regulation 1001 amended in Gazette 31 December 1975 p.4705; 10 November 1977 p.4135; 14 April 1978 p.1111; 29 May 1981 p.1610; 2 February 1982 p.399; 14 January 1983 p.214; 24 May 1985 p.1764; 19 December 1986 p.4876; 6 November 1987 p.4078; 18 December 1987 p.4460; 17 June 1988 p.1951; 15 December 1989 p.4556; 28 September 1990 p.5071; 31 December 1992 p.6394; 18 March 1994 p.1199; 19 January 1996 p.252; 31 January 1997 p.662.]

1002.⁸ Motor cyclist with pillion passenger

1003. Restrictions where road under repair, etc.

Where —

- (a) portion of a road is subject to work being done on, over or under it; or
- (b) a survey is being conducted at any point on a road,

by a competent authority, the driver of a vehicle that is approaching or passing the place at which the work is being done or the survey is being conducted —

- (c) shall comply with a direction given by a person who is apparently a servant of the authority;
- (d) shall not drive a vehicle —
 - (i) over or past any portion of the road that lies between a sign bearing the direction, “Slow — 30 kilometres per hour” and a sign bearing the direction, “End of 30 km/h limit”, at a speed exceeding 30 kilometres per hour; or
 - (ii) over or past any portion of the road that lies between a sign bearing the direction, “Slow — 50 kilometres per hour” and a sign bearing the

cl. 1003

direction, “End of 50 km/h limit”, at a speed
exceeding 50 kilometres per hour.

*[Regulation 1003 inserted in Gazette 18 February 1977 p.488;
amended in Gazette 17 August 1979 p.2488.]*

Part XI — Stopping and parking vehicles

1101. Vehicles not to be left in certain areas

- (1) A person shall not stand a vehicle —
 - (a) in a No Standing Area;
 - (b) in a parking area, except in a manner indicated by the inscription on the sign or signs associated with the parking area;
 - (c) in a parking area contrary to any limitation in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the area; or
 - (d) in a defined area marked, “M/C”, unless it is a motor cycle without —
 - (i) a sidecar; or
 - (ii) a trailer.
- (2) The provisions of paragraph (a) of subregulation (1) of this regulation do not apply to a person in charge of an omnibus who stops or stands the omnibus within eighteen metres of the approach side, or nine metres of the departure side, of a sign inscribed with the words “Bus Stop” or “Hail Bus Here” for the sole purpose of taking up or setting down passengers.
- (3) A person shall not stand a vehicle in a Loading Zone unless it is —
 - (a) a motor wagon engaged in the picking up or setting down of goods; or
 - (b) a motor vehicle taking up or setting down passengers; and then, only, if it does not have a trailer attached.
- (4) A person shall not park a vehicle in a No Parking Area.

cl. 1102

- (5) A person shall not park a vehicle, on any portion of a road —
 - (a) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
 - (b) if the vehicle is exposed for sale.
- (6) A person shall not stand a motor cycle without a side-car in a parking stall unless the traffic sign, “M/C”, is marked on that stall.

[Regulation 1101 amended in Gazette 29 December 1989 p.4683.]

1102. Method of parking vehicles

Subject to the provisions of regulation 1103, a person standing a vehicle on a carriageway shall stand it —

- (a) on a two-way carriageway, so that it is as near as practicable to, and parallel with, the left boundary of the carriageway;
- (b) on a one-way carriageway, so that it is as near as practicable to, and parallel with, either boundary of the carriageway;
- (c) so that it is not less than 1.2 metres from any other vehicle, except a motor cycle without a trailer parked in accordance with these regulations;
- (d) so that at least 3 metres of the width of the carriageway, between the vehicle and the farther boundary of the carriageway, or between it and a vehicle standing on the far side of the carriageway, is available for the passage of other vehicles;
- (e) so that it does not cause undue obstruction on the carriageway; and

- (f) so that it is entirely within the confines of any parking bay marked on the carriageway.

[Regulation 1102 amended in Gazette 29 December 1989 p.4683.]

1103. Method of parking in parking areas

- (1) A person shall not stand a vehicle partly within and partly outside a parking area.
- (2) Where the traffic sign or signs associated with a parking area not inscribed with the words, “Angle Parking”, then —
 - (a) where the parking area is adjacent to the boundary of a carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to, and parallel with, that boundary; and
 - (b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway, unless a sign associated with the parking area, indicates or marks on the carriageway indicate, that vehicles are to stand in a different position.
- (3) Where a traffic sign associated with a parking area is inscribed with the words “Angle Parking”, a person standing a vehicle in the parking area, shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway, unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.
- (4) Subregulation (3) of this regulation does not apply to a person standing a motor cycle without a trailer in a parking area.

[Regulation 1103 amended in Gazette 29 December 1989 p.4684.]

cl. 1104

1104. Prohibited standing places

- (1) A person shall not stand a vehicle so that any portion of the vehicle is —
- (a) between any other standing vehicle and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - (c) in front of a right-of-way, passage or private drive or so close thereto as to deny vehicles reasonable access to, or egress from, the right-of-way, passage or private drive;
 - (d) in front of a footway constructed across a reservation;
 - (e) alongside, or opposite, any excavation in, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;
 - (f) on, or within nine metres of, any portion of a carriageway bounded on one or both sides of a traffic island;
 - (g) on any footway or pedestrian crossing;
 - (h) upon a bridge or other elevated structure or within a tunnel or underpass;
 - (i) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of the carriageway nearer to the continuous line, unless there is a distance of at least three metres clear between the vehicle and the double longitudinal line; or
 - (j) upon an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.
- (2) The provisions of paragraph (c), (f) and (h) of subregulation (1) of this regulation do not apply to a motor vehicle that stands in a

bus stand marked on the carriageway, for the purpose of setting down or taking up passengers.

- (2a) Subregulations (1) (g) and (h) do not apply to, or in relation to, a special purpose vehicle being used by a member of the Police Force for the purpose of patrolling an area.
- (3) A person shall not stand a vehicle so that any portion of the vehicle is —
 - (a) within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or
 - (b) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the pillar box.
- (4) A person shall not stand a vehicle so that any portion of the vehicle is within 6 metres of the nearer property line of any road intersecting the road on the side on which the vehicle is standing.
- (5) A person shall not stand a vehicle so that any portion of the vehicle is within 9 metres of the departure side of —
 - (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here”, unless the vehicle is an omnibus stopped to take up or set down passengers; or
 - (b) a children’s crossing established on a two-way carriageway.
- (6) A person shall not stand a vehicle so that any portion of the vehicle is within eighteen metres of —
 - (a) the approach side of a sign inscribed with the words “Bus Stop” or “Hail Bus Here”, unless the vehicle is an omnibus stopped to take up or set down passengers;
 - (b) the approach side of a pedestrian crossing or children’s crossing; or
 - (c) the nearest rail of a railway level crossing.

cl. 1105

- (7) The provisions of paragraph (c) of subregulation (6) of this regulation do not apply to a person engaged on the installation or maintenance of warning devices at a railway level crossing, where the standing of the vehicle is necessary for that purpose.
- (8) For the purposes of subregulations (5) (a) and (6) (a) a trailer attached to an omnibus referred to in regulation 1612 (6b) shall be deemed to be an omnibus.

[Regulation 1104 amended in Gazette 21 November 1986 p.4271; 7 February 1992 p.742.]

1105. Intentional obstruction of carriageway

A person shall not, with intent to hinder or obstruct the passage of any vehicle or vehicles on a carriageway, park or stand a vehicle on the carriageway in such a manner as to cause the passage of any other vehicle on the carriageway to be obstructed or hindered.

[Regulation 1105 inserted in Gazette 20 December 1991 p.6372.]

1106. Restriction on parking of long vehicles

- (1) A person shall not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is more than 8 metres in length —
 - (a) on a carriageway in a built-up area, for any period exceeding one hour; or
 - (b) on a carriageway outside a built-up area, except in a truck bay or other area set aside for the parking of goods vehicles.
- (2) Nothing in this regulation mitigates the limitations or conditions imposed by any other regulation or by any by-law or traffic sign relating to the parking or standing of vehicles.

[Regulation 1106 amended in Gazette 14 April 1978 p.1111.]

1107.⁵ Restriction on standing vehicle on crests, curves, etc.

A person shall not stand a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of fifty metres, within a built-up area, and from a distance of 150 metres, outside a built-up area.

[Regulation 1107 amended in Gazette 14 April 1978 p.1111.]

1108. Offence against by-law not offence against this Code

Where, in any particular case, the parking or standing of a vehicle constitutes an offence against by-laws in force in a municipal district under the provisions of section 231 of the *Local Government Act 1960*, the parking or standing of that vehicle shall not constitute an offence against the provisions of this Code, other than regulation 1105.

[Regulation 1108 amended in Gazette 20 December 1991 p.6372.]

Part XII — Lighting, warning signs, equipment, etc.

1201. Lights on moving motor vehicles

A person shall not drive a motor vehicle or a combination of a motor vehicle and trailer, during the hours of darkness, unless it is equipped with such lamps and reflectors as are prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977* or the *Road Traffic (Towed Agricultural Implements) Regulations 1990* as those to be carried by that vehicle or combination, and the lamps are alight.

[Regulation 1201 amended in Gazette 10 November 1977 p.4135; 28 September 1990 pp.50712.]

1202. Dipping of headlamps

- (1) The driver of a motor vehicle equipped with a dipping device shall cause the main beams of light projected by the headlamps of the motor vehicle to be dipped where the motor vehicle is approached by any other vehicle travelling in the opposite direction —
 - (a) when the other vehicle reaches a point 200 metres from the motor vehicle; or
 - (b) immediately the main beams of light projected by the headlamps of the other vehicle are dipped,whichever is the sooner, and shall cause the beams of his vehicle to remain dipped until the other vehicle has passed.
- (2) A person shall not drive a motor vehicle that is not equipped with a dipping device, during the hours of darkness, unless the main beams of light projected by the headlamps are adjusted to the dipped position and, then only, at a speed not exceeding 60 kilometres per hour.

1202A. Lights on vehicles in contra flow bus lane

A person permitted to drive a vehicle in a contra flow bus lane under regulation 404 shall not drive that vehicle in that lane, whether during the hours of daylight or otherwise, unless —

- (a) there are fitted to the vehicle such lamps and reflectors as are prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*;
- (b) the head lamps so fitted are alight; and
- (c) the main beams of light projected by the headlamps are dipped.

[Regulation 1202A inserted in Gazette 19 December 1986 p.4876; amended in Gazette 28 September 1990 p.5072.]

1203. Lights on stationary motor vehicles

- (1) Subject to the provisions of regulations 1209 and 1210, a person shall not leave a lamp, having a power exceeding 7 watts and showing to the front, lighted on a vehicle that is stationary on a carriageway, unless —
 - (a) the vehicle is stationary for the purpose of —
 - (i) avoiding conflict with other traffic;
 - (ii) complying with the provisions of any law; or
 - (iii) taking up or setting down passengers; or
 - (b) the vehicle is an emergency vehicle.
- (2) A person shall not stand a motor vehicle or a trailer, on, or partly on, a carriageway, during the hours of darkness, unless there are fitted to the motor vehicle or the trailer such lamps and reflectors as are prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time, and the lamps so fitted are alight.

cl. 1204

- (3) Subregulation (2) of this regulation does not apply in respect of the lighting of lamps —
- (a) where the street lighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of 200 metres; or
 - (b) on a motor cycle not connected to a side-car, forecar or trailer, standing as near as practicable to, and parallel with, the boundary of the carriageway.

[Regulation 1203 amended in Gazette 10 November 1977 p.4135; 23 November 1979 p.3648; 28 September 1990 p.5072.]

1204. Portable warning signs for disabled heavy vehicles

- (1) In this regulation “**heavy vehicle**” means a vehicle of which the mass, together with any attached trailer and the total load carried (if any), exceeds 4 tonnes.
- (2) A person shall not drive a heavy vehicle on a road outside a built-up area, or cause or permit a heavy vehicle to be so driven, unless there are carried on the vehicle three portable warning signs complying with the standard specification for portable warning signs set out in Australian Standard No. E.38-1962 of the Standards Association of Australia and the signs are in good order.
- (3) Whenever a disabled heavy vehicle is stationary on a carriageway, outside a built-up area, during the hours of darkness, the driver or person in charge of the vehicle shall immediately place, and leave, on the carriageway 3 portable warning signs such as are mentioned in subregulation (2) of this regulation, one in advance of the vehicle, one to the rear of it and one beside it, on the side nearer to the centre of the carriageway.
- (4) The portable warning signs placed on the carriageway in compliance with subregulation (3) of this regulation shall be placed so as to give reasonable warning to an approaching

driver and, wherever practicable, so that at least one sign is visible to such a driver, at a distance of not less than 200 metres.

- (5) The signs placed in advance and to the rear of the vehicle, in compliance with subregulation (3) of this regulation, shall be placed at a distance, of between 50 metres and 150 metres, from the vehicle.
- (6) Nothing in this regulation affects —
 - (a) any duty imposed by these regulations to display lighted lamps on stationary vehicles;
 - (b) motor omnibuses of the Metropolitan (Perth) Passenger Transport Trust; or
 - (c) fire brigade vehicles.

[Regulation 1204 amended in Gazette 10 November 1977 p.4135; 14 April 1978 p.1111.]

1205. Lights and other equipment on bicycles

- (1) A person shall not ride or push a bicycle, during the hours of darkness, unless it is fitted with the lamps, and where required, a reflector, as prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time, and the lamps are alight.
- (2) A person shall not ride a bicycle, unless it is equipped with a brake and a bell, as prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time.

[Regulation 1205 amended in Gazette 10 November 1977 p.1435; 28 September 1990 p.5072.]

1206. Lights on animal-drawn vehicles

A person shall not drive an animal-drawn vehicle, or permit it or any trailer drawn by it to be, upon a carriageway, during the hours of darkness, unless the vehicle or trailer is equipped with appropriate lamps and reflectors as prescribed by the *Road*

cl. 1207

Traffic (Vehicle Standards) Regulations 1977, as amended from time to time, and the lamps are alight.

[Regulation 1206 amended in Gazette 10 November 1977 p.4135; 28 September 1990 p.5072.]

1207. Fog lamps

- (1) In fog or mist or under other abnormal atmospheric conditions restricting visibility, the display of light from a fog lamp or fog lamps is sufficient compliance with any obligation to display a light from a head lamp or head lamps under regulation 1201.
- (2) A person shall not drive a motor vehicle, other than a motor cycle, displaying light from a single fog lamp, unless 2 lighted lamps, complying with the requirements of the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time, are fitted to the front of the vehicle.
- (3) A person shall not drive a motor vehicle displaying light from a fog lamp or fog lamps, if any other lamp of a power exceeding 7 watts and capable of showing a white light to the front is alight.
- (4) In this regulation “**fog lamp**” means a fog lamp as prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time.

[Regulation 1207 amended in Gazette 10 November 1977 p.4135; 28 September 1990 p.5072.]

1208.¹² Lights on towed vehicles

- (1) A person shall not tow a vehicle, during the hours of darkness, unless it is equipped with the appropriate lights as prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time, and the lamps are alight.
- (2) The driver of a tow truck shall not tow a vehicle unless it is fitted with the equipment referred to in regulation 5 (2) of the *Tow Truck Regulations 1975*, as amended from time to time,

and such equipment is operating correctly in accordance with the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time.

[Regulation 1208 amended in Gazette 10 November 1977 p.4135; 4 September 1981 p.3833; 28 September 1990 p.5072.]

1209. Spot lamps

- (1) A person shall not cause or permit a spot lamp or search lamp fitted or connected to any vehicle to be lighted, unless —
 - (a) the vehicle is stationary and the lamp is used only for the purpose of examining or making adjustments or repairs to a vehicle and the light from the lamp is projected not more than 6 metres from its source; or
 - (b) the vehicle is outside a built-up area and the lamp is lighted and used only for the purpose of reading a road sign.
- (2) The provisions of subregulation (1) of this regulation do not apply to an emergency vehicle or a special purpose vehicle being used in connection with its functions.

[Regulation 1209 amended in Gazette 14 April 1978 p.1111.]

1210. Restrictions on flashing warning lights

- (1) Subject to subregulations (2) and (3), a person shall not use a warning lamp displaying intermittent flashes on a vehicle.
- (2) Subregulation (1) does not extend to —
 - (a) the use of a lamp displaying intermittent flashes of a colour or colours approved by the Director General, upon —
 - (i) a vehicle when conveying a police officer on official duty or when that vehicle is stationary at any place connected with the official duty; or
 - (ii) any other type of vehicle approved by the Director General and used in conformity with

cl. 1210

- any conditions that may be imposed by the Director General;
- (b) the use of a lamp displaying intermittent red flashes (or flashes of another colour or colours approved by the Director General), upon —
- (i) an emergency vehicle of a fire brigade on official duty in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger;
 - (ii) an ambulance, answering an urgent call or conveying any injured or sick person to any place for the provision of urgent treatment;
 - (iii) an emergency vehicle being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorised to carry a siren or bell for use as a warning instrument; or
 - (iv) a vehicle authorised as an “emergency vehicle” for the purposes of these regulations, by the Director General;
- (c) the use of a lamp displaying intermittent amber flashes (or flashes of another colour or colours approved by the Director General), upon —
- (i) an emergency vehicle, or a vehicle conveying a person who is authorised by the Director General under section 49 of the *Transport Co-ordination Act 1966*;
 - (ii) a special purpose vehicle occupying a hazardous position on a road, while stationary or manoeuvring at a speed not exceeding 20 kilometres an hour;
 - (iii) a vehicle engaged in road construction or maintenance within the provisions of regulation

- 103A(3) of the *Road Traffic (Vehicle Standards) Regulations 1977*;
- (iv) a disabled motor vehicle that is stationary on the main travelled portion of the carriageway and is displaying the flashes from both sides of the front and of the rear of the vehicle by means of a flashing lamp turn signalling device fitted in compliance with the *Road Traffic (Vehicle Standards) Regulations 1977*;
 - (v) a pilot or escort vehicle travelling in front of or behind a vehicle or convoy of vehicles that exceed the maximum height, width, length or mass limitations under the *Road Traffic (Vehicle Standards) Regulation 1977* while that vehicle, or those vehicles, are subject to a permit issued under those regulations;
 - (vi) a pilot or escort vehicle when travelling in front of or behind a self-propelled agricultural implement, a towed agricultural implement or a convoy of such implements;
 - (vii) a vehicle owned by the King's Park Board being used for official duties in King's Park as defined in regulation 1806(1);
 - (viii) a self-propelled agricultural implement that does not conform to the *Road Traffic (Vehicle Standards) Regulations 1977*, but where the signalling devices comply with the equipment described in regulation 404 of those regulations and the vehicle is travelling on a road;
 - (ix) a vehicle towing an agricultural implement, and that agricultural implement, when that implement does not conform to the *Road Traffic (Vehicle Standards) Regulations 1977*, but the signalling devices comply with the equipment described in

cl. 1210

- regulation 404 of those regulations and the vehicle is travelling on a road;
- (x) a vehicle that is being used to drive stock along or across a road, where the flashing lamps comply with the equipment described in regulation 404 of the *Road Traffic (Vehicle Standards) Regulations 1977*;
 - (xi) a fire control vehicle (other than that of a fire brigade) which is used to control or extinguish fires, when that vehicle does not conform to the *Road Traffic (Vehicle Standards) Regulations 1977* in relation to lighting equipment, but the signalling devices comply with the equipment described in regulation 404 of those regulations and the vehicle is travelling to or from a fire or a fire control exercise;
 - (xii) a motor vehicle that is used solely or principally for the carriage of children to and from school, equipped to carry more than 8 adult persons (including the driver), when in the process of picking up or setting down school children;
 - (xiii) a vehicle or vehicle combination that exceeds the maximum height, width, length or mass limitations under the *Road Traffic (Vehicle Standards) Regulations 1977*, while that vehicle is subject to a condition of a permit issued under those regulations, requiring such lamps;
- (d) the use of flashing white lamps fitted within the illuminated sign of a taxi, upon a taxi, for the purpose of indicating that the driver is under attack or otherwise in distress; or
 - (e) the use of a flashing light upon a bicycle, in compliance with, or as permitted under, regulation 3007 of the *Road Traffic (Vehicle Standards) Regulations 1977*.

- (3) Subregulation (1) does not prohibit the use of flashing lamp signalling devices —
- (a) in accordance with regulation 804;
 - (b) that are a part of an alarm system; or
 - (c) on military vehicles operated by the Defence Forces of the Commonwealth.

[Regulation 1210 inserted in Gazette 22 September 2000 pp.5435-8.]

1211.⁵ Fallen loadings from heavy vehicles

- (1) In this regulation the expression “**heavy vehicle**”, has the same meaning as it has in regulation 1204.
- (2) Where the load or any portion of the load that has fallen from a heavy vehicle is lying upon a carriageway, during the hours of darkness, the driver shall, if unable to comply with the provisions of subregulation (4) of regulation 1609, forthwith place, and leave, on the carriageway 3 portable warning signs such as are mentioned in subregulation (2) of regulation 1204, in such positions as to give reasonable warning to drivers approaching from either direction, and so that, where practicable, at least one sign, is visible to any such driver, at a distance of 200 metres.
- (3) Subregulation (2) does not apply where the load of a heavy vehicle consists of rolls or bales of straw or hay, and straws of hay or similar light material may have blown, or dislodged, from the vehicle.
- (3) A driver is not required to place the signs referred to in subregulation (2) of this regulation, where street lighting in the vicinity renders the fallen object clearly visible to a driver approaching in either direction, at a distance of 200 metres.

[Regulation 1211 amended in Gazette 31 October 1995 p.5152; 23 December 1997 p.7458 (Disallowed in Gazette 23 June 1998 p.3329).]

cl. 1212.

1212.¹² Mascots or toys prohibited on vehicles

A person shall not drive or stand a vehicle —

- (a) having a mascot, toy or similar article attached to the windshield, or to the rear or other window of the vehicle; or
- (b) having a mascot, toy or similar article attached to the interior of the vehicle in such a position as to obstruct or be likely to obstruct the vision, or to distract or to be likely to distract the attention, of a person while driving the vehicle.

Part XIII — Bicycles, toy vehicles and animals

1301. Riding bicycles

- (1) Subject to subregulation (2), a person —
 - (a) riding a bicycle shall not ride otherwise than astride a permanent and regular seat attached to it;
 - (b) shall not use a bicycle to carry, at any one time, more persons than the number for which it is designed and equipped.
- (2) In addition to the number of persons which a bicycle is designed to carry, one child, under the age of 6 years, may be carried in a child carrying seat attached thereto where the seat complies with the *Road Traffic (Vehicle Standards) Regulation 1977*.
- (3) A person shall not ride a bicycle without having at least one hand on the handle-bars.
- (4) Wherever a separate carriageway or a separate portion of a carriageway is provided exclusively for the use of cyclists and is in a reasonable condition for use, a rider of a bicycle shall use that carriageway or portion of a carriageway and no other.
- (5) A person shall not ride a bicycle within 2 metres of the rear of a motor vehicle, over a distance of more than 200 metres.
- (6) A person shall not leave a bicycle in or upon a road so as to become an obstruction.
- (7) A child shall not be carried in a child carrying seat on a bicycle unless the rider —
 - (a) is at least 16 years of age;
 - (b) has an uninterrupted view to the front of the bicycle from a normal seated position; and
 - (c) has unhindered access to all equipment, required by the *Road Traffic (Vehicle Standards) Regulations 1977* to be fitted to the bicycle.

cl. 1301A

- (8) A rider shall not leave a child in a child carrying seat on a bicycle when the bicycle is unattended.

[Regulation 1301 amended in Gazette 24 May 1985 p.1764; 13 May 1988 p.1598; 28 September 1990 p.5072.]

1301A. Age limit for riding power assisted pedal cycles

A person under the age of 16 years shall not ride a power assisted pedal cycle with the power assistance engaged.

[Regulation 1301A inserted in Gazette 24 December 1991 p.6468.]

1302. Towing of bicycles, etc.

- (1) A person riding a bicycle or a toy vehicle shall not attach himself to, or permit himself to be drawn by, any other vehicle.
- (2) The driver of a vehicle shall not permit a person riding a bicycle or a toy vehicle to attach himself to, or be drawn by, the vehicle.

1303. Riding more than two abreast

- (1) Except on a carriageway or a portion of a carriageway set aside exclusively for bicycles and subject to subregulation (1a) of this regulation a person shall not ride a bicycle so that it is travelling abreast of more than one other bicycle.
- (1a) A person shall not ride a bicycle on a dual use path so that the bicycle is travelling abreast of any other bicycle on the dual use path.
- (2) Subregulation (1) of this regulation does not prevent a cyclist from overtaking and passing other persons riding bicycles abreast.
- (3) A bicycle is deemed to be abreast of another bicycle if any part of it is by the side of any part of the other.

[Regulation 1303 amended in Gazette 15 January 1981 p.100.]

1304. Leading animals

- (1) A person riding an animal shall not lead more than one other animal.
- (2) A person shall not lead an animal, while riding in a motor vehicle, or more than 2 animals while riding in any other vehicle.
- (3) A person shall not tie an animal to a moving vehicle for the purpose of making it walk or run behind or alongside the vehicle.

1305.⁵ Games and roller skates

A person shall not —

- (a) play any game; or
- (b) ride on a roller skate or any vehicle that is mounted on small wheels or rollers and not fitted with an efficient mechanism for braking,

on any part of a road.

1306. Proper control of animals and bicycles

A person shall not on any road or place to which the public is permitted, whether on payment of a fee or otherwise, to have access —

- (a) drive or ride an animal or bicycle while under the influence of alcohol, drugs or alcohol and drugs to such an extent as to be incapable of having proper control of the animal or bicycle;
- (b) drive or ride an animal or bicycle recklessly or without due care and attention.

1307. Bicycle helmets to be worn

- (1) In this regulation —
“**appointed day**” means 1 July 1992;

cl. 1307

“bicycle” means —

- (a) a 2-wheeled or 3-wheeled vehicle that is designed to be propelled through a mechanism operated solely by human power; or
- (b) a 2-wheeled or 3-wheeled vehicle that is a power assisted pedal cycle;

“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 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 Director General from wearing a protective helmet for medical reasons, and is complying with any terms and conditions of that exemption.
- (4) The Director General 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.

[Regulation 1307 inserted in Gazette 24 December 1991 pp.6465-6; amended in Gazette 3 March 1992 p.1093; 31 January 1997 pp.677-8.]

Part XIV⁹ — PASSING SAFETY ZONES

Part XV — Seat belts³

[Heading inserted in Gazette 13 December 1994 p.6750.]

Division 1 — Preliminary

[Heading inserted in Gazette 13 December 1994 p.6750.]

1501. Interpretation and application

(1) In this Part —

“child restraint” means a device that is fitted to a motor vehicle and complies with the requirements of Australian Standard AS:1754-1991 (“Child restraint systems for use in motor vehicles”) published jointly by the Standards Association of Australia and the Standards Association of New Zealand, and includes any device in that standard that utilises as part of its design, a seat belt;

“goods vehicle” means a motor vehicle constructed, equipped or fitted principally for the conveyance of goods or merchandise;

“omnibus” means a motor vehicle equipped to seat more than eight persons (including the driver) used for the carriage of passengers for hire or reward;

“passenger car” means a motor vehicle, other than a motor cycle or omnibus, constructed, or used, principally for the conveyance of persons, and includes a motor carrier other than a motorized wheel chair;

“passenger car derivative” means a motor vehicle of the same make as a factory produced passenger car and in which the forward part of the body form and the greater part of the mechanical equipment are the same as those in the passenger car;

“motor vehicle” means —

- (a) a passenger car;
- (b) a passenger car derivative; or

(c) a goods vehicle,
but does not include an omnibus;

“relevant time”, in relation to an alleged offence, means the time at which the offence is alleged to have been committed;

“seat belt” means a belt or similar device that is fitted to a motor vehicle and designed to restrain or limit the movement of a person who is seated in the vehicle and wearing the belt or device, if the vehicle suddenly accelerates or decelerates, but does not include —

- (a) a child restraint;
- (b) a belt or similar device which is damaged, or which is defective and is not capable of being worn or of being properly adjusted or securely fastened.

(2) This Part does not apply to —

- (i) a police officer when the driving is in the course of his or her duty and in urgent circumstances;
- (ii) passengers of a police officer when, in the officer’s opinion, the wearing of a seat belt would be inappropriate (for example, when the passenger is in lawful custody, or when the safety of the officer may be compromised);
- (iii) the drivers and passengers of fire fighting vehicles when engaged in fire fighting activity.

*[Regulation 1501 inserted in Gazette 13 December 1994
pp.6750-1.]*

1502. Medical certificate

- (1) In this regulation, **“medical practitioner”** has the same meaning as in section 3 of the *Medical Act 1894*.

- (2) A medical certificate referred to in regulation 1503, 1504, 1505, 1506, 1507, 1508 or 1509 must —
- (a) be signed by a medical practitioner;
 - (b) certify that —
 - (i) the person is unable for medical reasons to wear a seat belt; or
 - (ii) because of the person's size, build or other characteristic, it would be unreasonable to require the person to wear a seat belt, while driving or travelling in a motor vehicle;
- and
- (c) be current at the time of the alleged offence.
- (3) A medical certificate is current for the purposes of subregulation (2) (c) if, at the relevant time —
- (a) it is specified to have effect only for a specified period and that period has not expired;
 - (b) it is endorsed with the words "permanent disability"; or
 - (c) in any other case, a period of not more than 2 years has expired from the day of its issue.
- (4) A person must produce a medical certificate on demand to a police officer or, within a reasonable time after demand, to the Director General or to the officer in charge of any police station.

[Regulation 1502 inserted in Gazette 13 December 1994 p.6751; amended in Gazette 31 January 1997 pp.677-8.]

Division 2 — Driver's duties

[Heading inserted in Gazette 13 December 1994 p.6752.]

1503. Driver to wear seat belt

- (1) A person shall not, while occupying a seat position in a motor vehicle to which a seat belt has been fitted for that position,

drive upon a road unless the person is wearing the seat belt, and it is properly adjusted and securely fastened.

- (2) It is a defence in proceedings for an offence against subregulation (1) for the person charged to prove that —
- (a) the motor vehicle was travelling backwards at the relevant time;
 - (b) the person had a medical certificate under regulation 1502 at the relevant time and, if required to do so, the person produced the medical certificate in accordance with regulation 1502 (4);
 - (c) at the relevant time, the person —
 - (i) was engaged in work that required the person to alight from and re-enter the motor vehicle at frequent intervals; and
 - (ii) was not driving the motor vehicle at a speed exceeding 25 kilometres per hour; or
 - (d) the alleged offence took place during the hours of darkness and, at the relevant time, the person was driving a taxi that was carrying one or more passengers for reward.

[Regulation 1503 inserted in Gazette 13 December 1994 p.6752.]

1504. Driver to ensure that child aged between one and 14 years wears seat belt

- (1) If a person or persons (in this regulation referred to as “**the passenger**” or “**the passengers**”) of or over the age of one year and under the age of 14 years are occupying a seat position in a motor vehicle for which a seat belt has been fitted for that position, the driver of that motor vehicle shall not drive upon a road unless the passengers are wearing a seat belt and it is properly adjusted and securely fastened.

- (2) It is a defence in proceedings for an offence against subregulation (1) for the person charged to prove that —
- (a) the passenger was under the age of 8 years at the relevant time and was wearing a child restraint which was properly adjusted and securely fastened; or
 - (b) the passenger had a medical certificate under regulation 1502 at the relevant time and, if required to do so, the medical certificate was produced in accordance with regulation 1502 (4).

[Regulation 1504 inserted in Gazette 13 December 1994 p.6752.]

1505. Driver to ensure that child aged between one and 14 years occupies position with seat belt

- (1) If a person or persons (in this regulation referred to as “**the passenger**” or “**the passengers**”) of or over the age of one year and under the age of 14 years are travelling upon a road as passengers in a motor vehicle fitted with one or more seat belts, the driver of the motor vehicle shall not cause or permit the passengers to occupy a position which is not fitted with a seat belt unless every seat position for which a seat belt is fitted is occupied by another person.
- (2) It is a defence in proceedings for an offence against subregulation (1) for the person charged to prove that —
- (a) at the relevant time, the passenger was under the age of 8 years and was wearing a child restraint which was properly adjusted and securely fastened; or
 - (b) the passenger had a medical certificate under regulation 1502 at the relevant time and, if required to do so, the medical certificate was produced in accordance with regulation 1502 (4).

[Regulation 1505 inserted in Gazette 13 December 1994 pp.6752-3.]

1506. Driver to ensure that child under the age of one year wears a child restraint

- (1) If a person or persons (in this regulation referred to as “**the passenger**” or “**the passengers**”) under the age of one year are in a motor vehicle, the driver shall not drive the motor vehicle on a road unless the passengers are wearing child restraints and they are properly adjusted and securely fastened.
- (2) It is a defence in proceedings for an offence against subregulation (1) for the person charged to prove that —
 - (a) the motor vehicle was a passenger car manufactured on or before 1 July 1976 or any other vehicle was not required to be fitted with child restraint anchor points;
 - (b) the motor vehicle was a taxi or a special purpose vehicle;
 - (c) at the relevant time the driver —
 - (i) was only licensed as a driver under the laws of another State or a Territory of Australia; and
 - (ii) was not obliged to ensure that a passenger under one year is wearing a child restraint under the laws of that State or Territory;
 - (d) the passenger had a medical certificate under regulation 1502 at the relevant time and, if required to do so, the medical certificate was produced by the driver in accordance with regulation 1502 (4); or
 - (e) at the relevant time, the passenger was not wearing a child restraint because of exceptional circumstances, such as a medical emergency.

[Regulation 1506 inserted in Gazette 13 December 1994 p.6753.]

1507. Driver of passenger car derivative not to permit persons to travel in back of the vehicle if seat belt positions are unoccupied

- (1) The driver of a passenger car derivative, or a goods vehicle shall not cause or permit a person or persons (in this regulation referred to as “**the passenger**” or “**the passengers**”) to travel in or on the back of that vehicle unless each seat position for which a seat belt is fitted is occupied by another person.
- (2) It is a defence in proceedings for an offence against subregulation (1) for the driver to prove that —
 - (a) the passenger had a medical certificate under regulation 1502 at the relevant time and, if required to do so, produced the medical certificate in accordance with regulation 1502 (4);
 - (b) at the relevant time the driver was an officer of a detention centre (as defined in section 4 (1) of the *Child Welfare Act 1947*), an officer of a prison, and the passenger was lawfully detained;
 - (c) at the relevant time one or more of the passengers was undergoing or giving *bona fide* medical treatment; or
 - (d) at the relevant time —
 - (i) the passenger was engaged in work that required the passenger to alight from and re-enter the vehicle at frequent intervals; and
 - (ii) the vehicle was being driven at a speed not exceeding 25 kilometres per hour.

[Regulation 1507 inserted in Gazette 13 December 1994 pp.6753-4.]

Division 3 — Duties of passenger

[Heading inserted in Gazette 13 December 1994 p.6754.]

1508. Passenger to wear seat belt

- (1) A person shall not, while occupying a seat position in a passenger car to which a seat belt has been fitted for that position, travel upon a road as a passenger unless the person is wearing the seat belt, and it is properly adjusted and securely fastened.
- (2) It is a defence in proceedings for an offence against subregulation (1) for the person charged to prove that —
 - (a) the person was under the age of 14 years at the relevant time;
 - (b) the person had a medical certificate under regulation 1502 at the relevant time and, if required to do so, produced the medical certificate in accordance with regulation 1502 (4); or
 - (c) at the relevant time —
 - (i) the person was engaged in work that required the person to alight from and re-enter the passenger car at frequent intervals; and
 - (ii) the passenger car was being driven at a speed not exceeding 25 kilometres per hour.

[Regulation 1508 inserted in Gazette 13 December 1994 p.6754.]

1509. Passenger to occupy position with seat belt

- (1) A person who is travelling upon a road as a passenger in a passenger car fitted with one or more seat belts shall not occupy a position which is not fitted with a seat belt unless every seat position for which a seat belt is fitted is occupied by another person.

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cl. 1509

- (2) It is a defence in proceedings for an offence against subregulation (1) for the person charged to prove that —
- (a) at the relevant time, the person was under the age of 14 years;
 - (b) the person had a medical certificate under regulation 1502 at the relevant time and, if required to do so, produced the medical certificate in accordance with regulation 1502 (4); or
 - (c) at the relevant time —
 - (i) the person was engaged in work that required the person to alight from and re-enter the vehicle at frequent intervals; and
 - (ii) the vehicle was being driven at a speed not exceeding 25 kilometres per hour.

[Regulation 1509 inserted in Gazette 13 December 1994 pp.6754- 5.]

Part XVI — Miscellaneous

1601. Leaving motor vehicles unattended

- (1) A driver of a motor vehicle shall not permit it to stand unattended without first —
 - (a) stopping the engine;
 - (b) locking the ignition, if any;
 - (c) removing the ignition key, if any;
 - (d) effectively applying the brake; and
 - (e) when the motor vehicle is standing upon a grade, turning the front wheels to the kerb or the side of the carriageway nearer to the motor vehicle, in such a manner as would prevent the vehicle rolling downhill.

- (2) A person having the control of, or being in charge of, a vehicle to which is fitted any appliance capable of being raised or lowered shall not permit the vehicle to stand unattended unless —
 - (a) the appliance has been placed in its lowest practicable position; and
 - (b) every precaution has been taken to prevent injury to persons or damage to property arising from the inherent nature of the appliance and the fact of the vehicle being unattended.

- (3) For the purposes of subregulation (2) of this regulation, **“appliance”** includes a fork lift, loader, push-bar, scraper, blade, jib or similar device.

1602. Driving backwards

A person shall not drive a motor vehicle in reverse —

- (a) unless he can do so with safety; or
- (b) for a greater distance than is reasonable, having regard to the circumstances.

cl. 1603

1603. Driving on footways and median strips

- (1) A person shall not drive a vehicle on a footway.
- (1a) Subregulation (1) does not apply to —
 - (a) a physically disabled person in an unmotorized wheel chair or in an exempt motor chair;
 - (b) a person pushing a perambulator or wheel chair;
 - (c) a person wheeling a bicycle, if the person is completely dismounted from the bicycle;
 - (d) a person riding a bicycle, if the footway is a dual use path;
 - (e) a person driving a vehicle across the footway by the shortest route to enter or leave a driveway or lane;
 - (f) an employee of the Australian Postal Corporation who in the course of his or her employment is riding a bicycle or motorcycle while engaged in the delivery of postal articles, if —
 - [(i) *deleted*]
 - (ii) the footway is not more than 100 metres from the next delivery point;
 - (iii) the employee takes adequate precautions to avoid colliding with, endangering or obstructing any person or vehicle on the footway; and
 - (iv) the employee is riding the bicycle or motorcycle at a speed not exceeding 10 kilometres per hour; or
 - (g) a member of the Police Force driving a special purpose vehicle in the course of patrolling an area.

- (2) A person shall not drive a vehicle on a median strip, except at a place designed and constructed or improved for use by vehicular traffic.

*[Regulation 1603 amended in Gazette 2 April 1976 p.1049;
15 January 1981 p.100; 21 July 1989 p.2221;
14 December 1990 p.6177; 7 February 1992 pp.742-3;
5 February 1999 p.407.]*

1604. Positions of drivers and passengers

- (1) A person shall not drive a vehicle, unless —
- (a) he is in such a position behind the steering wheel that he has full control over the vehicle;
 - (b) he can obtain a full and uninterrupted view of the road and any traffic ahead and on each side of him; and
 - (c) he can obtain, in a rear-vision mirror or mirrors attached to the vehicle, a clear reflected view of every overtaking vehicle.
- (2) A person shall not act in any manner or occupy such a position on a moving vehicle as will occasion him —
- (a) to interfere with or impede the driver in controlling the vehicle; or
 - (b) to prevent the driver and his signals from being clearly seen by the drivers of vehicles, or by pedestrians, in the immediate vicinity.

1605. Body or limbs protruding from vehicles

- (1) A person while driving, or travelling in or on, a motor vehicle other than a motor cycle, shall not permit any part of his body or limbs —
- (a) to be upon or in contact with any external part of the vehicle;
 - (b) to extend or protrude beyond or through any external door, window or other opening of the vehicle; or

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- (c) to extend or protrude beyond or hang over any side or the front, rear or any other external portion of the vehicle.
- (2) This regulation does not prevent a driver from giving any signal authorized or prescribed by these regulations.

1606.¹¹ Pillion riding on motor cycles

- (1) A motor cycle shall not be used upon a road for the carriage of more than one person in addition to the driver.
- (2) A motor cycle shall not be used upon a road for the carriage of a passenger, unless —
 - (a) the motor cycle is provided with foot-rests and a seat, as prescribed by the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time, for use by the passenger; and
 - (b) the passenger is sitting upon the prescribed seat, astride the motor cycle, facing forward and using the prescribed foot-rests.

[Regulation 1606 amended in Gazette 10 November 1977 p.4135; 28 September 1990 p.5072.]

1607. Drivers and pillion passengers upon motor cycles to wear protective helmets

- (1) A person shall not drive a motor cycle unless —
 - (a) he is wearing securely on his head a protective helmet of a type and standard prescribed in subregulation (2) of this regulation; and
 - (b) where any other person of or over the age of 6 years is riding or being carried on the motor cycle, that other person is wearing securely on his head a protective helmet of a type and standard prescribed in subregulation (2) of this regulation.

- (2) For the purposes of subregulation (1) of this regulation a protective helmet shall —
- (a) be of a type and standard specified in Australian Standard E33-1968 (Protective Helmets for Motor Cyclists) published and reprinted in 1968 by the Standards Association of Australia as amended by Amendment No. 1 so published by the Standards Association of Australia in November, 1968;
 - (b) be of a type and standard specified in Australian Standard E43-1968 (Protective Helmets for Racing Motor Cyclists) published in 1968 by the Standards Association of Australia as amended by Amendment No. 1 so published by the Standards Association of Australia in November, 1968; or
 - (c) be of a type and standard specified in AS1698-1974 Australian Standard Specification for Protective Helmets for Vehicle Users published in 1974 by the Standards Association of Australia; and
 - (d) where fitted with an eye shield, the eye shield shall comply with Australian Standard 1609-1974 (Automotive Eye Protection).
- [(3) deleted]*
- (4) The provisions of subregulation (1) of this regulation do not apply so as to require the wearing of a protective helmet by a person who has for reasons relating to his medical condition or for any other reason which the Director General considers sufficient; been exempted in writing by the Director General from that requirement.

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- (5) The Director General may at any time, by notice in writing to the person, amend or revoke an exemption given to a person under subregulation (4).

[Regulation 1607 amended in Gazette 31 December 1975 p.4705; 30 January 1976 p.231; 18 February 1977 p.488; 19 May 1978 p.1547; 2 February 1982 p.399; 24 December 1996 p.7147; 31 January 1997 pp.677-8.]

1607A. Riding motor cycles “No hands”

A person shall not drive a motor cycle without having at least one hand on the handle-bars.

[Regulation 1607A inserted in Gazette 4 March 1983 p.771.]

1608. Opening doors and alighting from vehicles

- (1) A person shall not —
- (a) open, or leave open, a door of a vehicle; or
 - (b) alight from a vehicle onto a carriageway,
- so as to endanger other persons using the road or impede the passage of traffic.
- (2) A person shall not alight from an omnibus standing in a contra flow bus lane except under the supervision of a member of the police force or where a case of emergency requires that person to so alight.

[Regulation 1608 amended in Gazette 19 December 1986 p.4876.]

1609. Putting glass, etc. on roads

- (1) A person shall not throw, drop, place or leave or cause or allow to be thrown, dropped, placed or left upon a road any bottle, glass, nail, tack, wire, can, destructive or injurious material or any substance or thing likely to endanger any person, animal or vehicle.

- (2) A person who throws, drops, places or leaves anything, or who causes or allows anything to be thrown, dropped, placed or left upon a road, in contravention of subregulation (1) of this regulation, shall, as soon as practicable thereafter, remove it or cause it to be removed.
- (3) A person removing a wrecked or damaged vehicle from a road shall remove any glass or other destructive, injurious or dangerous substance or thing that has fallen upon the road from that vehicle.
- (4)¹³ Where the load or any portion of the load of a vehicle falls from the vehicle to the carriageway, the driver of that vehicle shall immediately —
 - (a) reload the fallen object on the vehicle; or
 - (b) remove the fallen object from the carriageway to such a position on the side of the road as will, as far as possible, reduce the danger to vehicles and pedestrians.
- (5) Subregulation (4) does not apply to straws of hay or similar light material which may blow, or dislodge, from a vehicle loaded with rolls or bales of hay or straw, if that material does not cause a danger or hazard to any person or property.

*[Regulation 1609 amended in Gazette 31 October 1995
p.5152.]*

1610. Securing of loads

- (1) A person shall not drive a vehicle carrying a load, unless the load is so arranged, contained, fastened or covered that the load or any part of it cannot fall or otherwise escape from the vehicle.
 - (1a) Notwithstanding subregulation (1), a person driving a vehicle carrying rolls or bales of straw or hay does not commit an offence if the load is not covered, or if straws of hay or similar light material is blown, or dislodged, from the load and that

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material does not cause a danger or hazard to any person or property.

- (2) A person shall not drive a vehicle carrying a load comprising grain unless that grain is fully covered or enclosed.

[Regulation 1610 inserted in Gazette 18 February 1977 p.489; amended in Gazette 31 October 1995 p.5153; 23 December 1997 p.7458 (Disallowed in Gazette 23 June 1998 p.3329).]

[Regulation 1610A inserted in Gazette 23 December 1997 pp.7458-9 (Disallowed in Gazette 23 June 1998 p.3329).]

1611.¹⁴ Obstructing roads

- (1) A person shall not, while on a carriageway or median strip —
- (a) solicit contributions, employment or a ride from an occupant of a vehicle; or
 - (b) offer a newspaper, periodical or magazine for sale, to the occupant of a vehicle.
- (2) A person in a vehicle shall not buy or offer to buy a newspaper, periodical or magazine from a person who is on a carriageway or median strip.

1612.¹⁵ Towed vehicles, trailers, etc.

- (1) Subject to subregulation (2a) of this regulation, a person shall not drive —
- (a) an articulated vehicle to which any other vehicle is attached; or
 - (b) any vehicle to which more than one other vehicle is directly or indirectly attached,

except in conformity with such special or general directions as the Commissioner of Main Roads may from time to time give, either directly or by notice in the *Government Gazette*.

- (2) A person shall not drive a vehicle towing another vehicle if the towed vehicle is of such weight or dimensions as do not comply with the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time, or with any permit issued thereunder.
- (2a) Subregulations (1) and (2) do not apply in relation to —
- (a) the towing of an articulated vehicle in accordance with regulation 13A of the *Tow Truck Regulations 1975*; or
 - (b) the towing of not more than 2 agricultural implements that are normally used in combination and to which the *Road Traffic (Towed Agricultural Implements) Regulations 1990* apply if those regulations are complied with.
- (3) A person shall not drive a vehicle that is towing another vehicle, on a road, unless —
- (a) the space between the 2 vehicles does not exceed 4 metres or, where either vehicle is a motor cycle, 2.5 metres;
 - (b) any rope, chain or wire used for the purposes of the tow has a flag or other suitable object attached to it, so as to render it clearly visible to traffic approaching the tow, laterally; and
 - (c) a competent and qualified person is in charge of the towed vehicle, to control it, while on tow.
- (4) The provisions of subregulation (3) of this regulation do not apply where a vehicle is being towed in such a manner that some of its wheels are not on the ground; and the Director General may, by a permit in writing, waive the requirements of that subregulation, subject to such conditions as it may impose and, in that event, a person shall not cause the vehicle to be towed, except in conformity with those conditions.

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- (5) A person shall not drive a vehicle towing a trailer or a semi-trailer, while a person is in or upon that trailer or semi-trailer.
- (6) A person shall not ride —
 - (a) in or upon a trailer or semi-trailer, while it is being towed; or
 - (b) in a towed vehicle, unless all wheels of that vehicle are on the ground.
- (6a) Subregulations (5) and (6) (a) of this regulation do not apply —
 - (a) to the driver of a vehicle towing a trailer or a person riding on a trailer where the trailer is actually engaged in work at the site of road construction or maintenance;
 - (b) to the driver of a vehicle towing a semi-trailer or a person riding on a semi-trailer where the semi-trailer is being manually steered;
 - (c) to the driver of a vehicle towing a trailer or a person riding on a trailer where the trailer —
 - (i) is equipped with fire fighting appliances;
 - (ii) is being used for the control of fire or for fire management purposes; and
 - (iii) complies with the *Road Traffic (Vehicle Standards) Regulations 1977* in relation to mudguards,and does not exceed 15 km per hour.
- (6b) Subregulation (5) does not apply to the driver of a licensed omnibus towing a trailer that is designed to carry passengers —
 - (a) where the licence relating to that trailer has been endorsed by the Director General to the effect that the trailer is suitable for the carriage of passengers; and
 - (b) where the speed at which the trailer is towed by the omnibus does not exceed 80 km per hour.

- (6c) Subregulation (6) (a) does not apply to a person riding on a trailer being towed by a licensed omnibus where the trailer is designed to carry passengers and the omnibus is apparently being driven in accordance with subregulation (6b).

[Regulation 1612 amended in Gazette 10 November 1977 p.4135; 20 June 1980 p.1810; 25 September 1981 p.4097; 2 February 1982 p.399; 25 May 1984 p.1387; (Erratum in Gazette 1 June 1984 p.1568); amended in Gazette 4 January 1985 p.109; 21 November 1986 p.4271; 29 December 1989 p.4684; 28 September 1990 p.5072; 24 December 1996 p.7147; 31 January 1997 pp.677-8.]

1613. Processions and public meetings

- (1) A person shall not, without the authority in writing of the Commissioner of Police, conduct a procession or parade; and a person shall not take part in a procession or parade that has not been authorized pursuant to this regulation.
- (2) The Commissioner of Police shall authorize the conduct, subject to such lawful conditions and limitations as he sees fit to impose, of a lawful procession or parade unless he is satisfied that the procession or parade will —
 - (a) give rise to an obstruction that is too great or too prolonged, in the circumstances;
 - (b) occasion damage to a road; or
 - (c) create a public nuisance.
- (3) Every person who conducts a procession or parade, or who takes part in a procession or parade that is, to his knowledge, conducted contrary to any condition or limitation imposed pursuant to subregulation (2) of this regulation commits an offence.
- (4) A person shall not hold or address any public meeting upon any roads or address any public meeting assembled on any road, from any public or private place adjacent thereto, unless he has first obtained written permission from the Commissioner of

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Police and except on the date and at the time and place specified in such written permission.

1614. Use of horns, etc.

A person shall not sound the horn or any other warning instrument on a vehicle, except in a case of emergency or for the purpose of preventing injury to a person or property.

1615. Learners to display “L” sign

- (1) A person who is learning to drive a motor vehicle shall not drive it on a road, and the person in charge of a motor vehicle in which a person is learning to drive shall not permit or suffer it to be driven on a road, unless there is conspicuously displayed on the front and the rear of the motor vehicle a plate measuring not less than 150 mm by 150 mm and bearing a black letter “L” clearly marked on a yellow background.
- (2) A person shall not drive a motor vehicle displaying a plate bearing a letter “L” unless he is learning to drive the motor vehicle or unless the person sitting beside him is learning to drive it.

1616.¹⁶ Duties of drivers after accidents

1617.¹⁷ Production of driver’s licence to police

1618. Vehicles, etc. to be wheeled

A person shall not drive or draw a vehicle, tractor, machine, implement or other thing or cause it to be driven or drawn, unless —

- (a) provision is made for its movement on wheels and no part of it, other than the wheels, comes into contact with the road; and

- (b) its wheels, rims or tyres, as the case may be, conform with the requirements of Part 8 of the *Road Traffic (Vehicle Standards) Regulations 1977*, as amended from time to time.

[Regulation 1618 amended in Gazette 10 November 1977 p.4135; 28 September 1990 p.5072.]

1619. Creating excessive noise

A person shall not drive a vehicle in a built-up area, residential area, or past a hospital, in such a manner as to create or cause any undue or excessive noise.

[Regulation 1619 amended in Gazette 14 April 1978 p.1111.]

1620. Directions of member of Police Force

- (1) Where a member of the Police Force regulating traffic gives a signal to stop, then —
 - (a) a driver approaching the person giving the signal, from the direction towards which the palm of that person's hand is facing, shall stop his vehicle at a stop line, or the edge of the intersection, or at a reasonable distance from that person, and shall not drive forward, until given the signal to proceed; and
 - (b) a pedestrian shall not cross the carriageway —
 - (i) at an intersection, except in the direction in which vehicular traffic is then permitted to proceed; or
 - (ii) at a place, other than at an intersection, until given the signal, or otherwise directed, to proceed.

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- (2) For the purposes of this regulation —
- (a) a signal to stop may be given with either hand, with the upper arm horizontal, the forearm and fingers pointing upwards, and the open palm of the hand facing the traffic that is required to stop; and
 - (b) a signal to proceed may be given by extending the arm and fingers horizontally to the body, and then moving the forearm in the direction, with the palm facing towards the direction in which the traffic is required to proceed.
- (3) Notwithstanding the provisions of subregulation (1) of this regulation, a driver approaching a member of the Police Force from that person's front or rear shall, where no signal is given, stop his vehicle and not drive forward, until given the signal to proceed.

[Regulation 1620 amended in Gazette 2 February 1982 p.399.]

[1621. Repealed in Gazette 13 December 1994 p.6755.]

**Part XVII⁴— Unattended and unauthorized vehicles
and stock on roads**

[Heading amended in Gazette 11 May 1979 p.1221.]

1701. Removal of unattended vehicles

- (1) A member of the Police Force may remove an unattended vehicle or cause it to be removed, from a road to a police station, or any other place where it may conveniently be detained, if —
 - (a) he has reasonable cause to believe it is an unlicensed vehicle, or is fitted with an identification tablet or plate that was not issued by the licensing authority for the vehicle;
 - (b) it is not fitted with an identification tablet or plate;
 - (c) it is apparently abandoned;
 - (d) it is so parked as to cause an obstruction, or to constitute a danger to traffic; or
 - (e) he has reasonable cause to believe it has been involved in an accident, on the road.
- (2) Where a vehicle is moved under the provisions of this regulation, the cost of removing the vehicle may be recovered from the owner on complaint, in a Court of Petty Sessions.

[Regulation 1701 amended in Gazette 20 October 1978 p.3762; 2 February 1982 p.399.]

1702. Unattended stock on roads

- (1) A person in charge of stock shall not —
 - (a) allow it to stray onto a road; or
 - (b) having taken stock onto a road, allow it to remain there unattended, or inadequately attended.
- (2) It is a defence to a complaint under subregulation (1) of this regulation, of allowing stock to stray onto a road, that all

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reasonable precautions were taken to prevent the stock from straying onto the road.

- (3) Any stock that is straying on, unattended on or obstructing any portion of, a road, may be seized by a member of the Police Force or an officer of the local authority of the district and placed in a public pound.

[Regulation 1702 inserted in Gazette 11 May 1979 p.1221; amended in Gazette 6 November 1981 p.4529; 2 February 1982 p.399.]

1702A. Restrictions on driving of stock

A person shall not drive stock along or across a road unless he —

- (a) takes all reasonable precautions to warn approaching traffic of the presence of the stock; and
- (b) arranges the driving of the stock at such times, and in such numbers, and establishes such control of the stock on the road, as is likely to prevent it causing unreasonable delay to the passage of other traffic.

[Regulation 1702A inserted in Gazette 6 November 1981 p.4529.]

1703. Permit for driving of stock

- (1) A person shall not drive a herd of cattle or a flock of sheep into, or along, a road or public place within a town without first having obtained the permission in writing therefor, from the Director General.
- (2) The Director General may, when granting permission for the purposes of this regulation, restrict the operation of the permit to such times and places as it thinks fit.
- (3) A person shall not drive animals in respect of which a permit has been issued under this regulation, except in accordance with the terms and conditions of the permit.

*[Regulation 1703 amended in Gazette 2 February 1982 p.399;
31 January 1997 pp.677-8.]*

Part XVIII⁴— Special regulations applying to specific localities

1801. Restrictions on reversing in City Block

- (1) A person shall not, between the hours of 8 a.m. and 12.30 p.m. on Saturdays, and between the hours of 8 a.m. and 6 p.m. on any other day of the week, except Sunday, drive a vehicle in reverse into, or out of, any road or any private lane, driveway, right of way or premises —
 - (a) situated within the City Block, Perth; or
 - (b) giving access to any road situated between St. George's Terrace and the Swan River.
- (2) This regulation does not apply to the driving of a vehicle in reverse into, or out of, a road or any private lane, driveway, right of way or premises where —
 - (a) the Minister has by notice in writing directed that the provisions of subregulation (1) of this regulation do not apply to the road, private lane, driveway, right of way or premises during specified hours; and
 - (b) a traffic sign is erected, established or displayed thereat specifying the hours during which the exemption applies.
- (3) For the purposes of this regulation "**City Block, Perth**" means all that portion of the municipal district of the City of Perth contained within and bounded by the furthestmost property lines of —
 - (a) Wellington Street between George Street and Lord Street;
 - (b) Lord Street between Wellington Street and Victoria Square;
 - (c) that portion of Victoria Square west of the eastern property lines of Lord Street and Victoria Avenue;

- (d) Victoria Avenue between Victoria Square and St. George's Terrace;
- (e) St. George's Terrace between Victoria Avenue and St. George's Place; and
- (f) St. George's Place and George Street between St. George's Terrace and Wellington Street.

[Regulation 1801 amended by 2 April 1976 p.1049.]

[1802.] *Repealed in Gazette 15 January 1981 p.100.]*

1803. Restrictions on driving on freeways

A person shall not on any portion of a freeway —

[(a) deleted]

- (b) drive a vehicle, while being the holder of a learner's permit;

[(c) deleted]

- (d) drive a tractor, other than the prime mover type, unless the vehicle is used by a government department or a municipality for maintenance and construction work on that road;
- (e) drive or ride a moped or an animal; or
- (f) ride a bicycle, except on a dual use path.

[(2) repealed]

[Regulation 1803 amended in Gazette 15 August 1975 p.2967; 17 August 1979 p.2488; 15 January 1981 p.100; 27 February 1981 p.806; 2 February 1982 p.399; 23 September 1983 p.3816; 18 December 1987 p.4460; 7 December 1999 p.5997.]

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1803A. Minimum speeds on freeways

- (1a) In a freeway speed zone in which the maximum speed permitted is 100 kilometres per hour a person shall not drive a vehicle at less than 80 kilometres per hour unless —
- (a) traffic congestion prevents the person from driving the vehicle at 80 kilometres per hour; or
 - (b) for any other reason, it is unsafe or imprudent for the person to drive the vehicle at 80 kilometres per hour.
- (1) In a freeway speed zone in which the maximum speed permitted is 90 kilometres per hour a person shall not drive a vehicle at less than 70 kilometres per hour unless —
- (a) traffic congestion prevents the person from driving the vehicle at 70 kilometres per hour; or
 - (b) for any other reason, it is unsafe or imprudent for the person to drive the vehicle at 70 kilometres per hour.
- (2) In a freeway speed zone in which the maximum speed permitted is 80 kilometres per hour a person shall not drive a vehicle at less than 60 kilometres per hour unless —
- (a) traffic congestion prevents the person from driving the vehicle at 60 kilometres per hour; or
 - (b) for any other reason it is unsafe or imprudent for the person to drive the vehicle at 60 kilometres per hour.

[Regulation 1803A inserted in Gazette 18 December 1987 p.4460; amended in Gazette 18 March 1994 p.1199.]

1804. Restrictions on standing etc., on freeways

- (1) Except in the event of an emergency or breakdown, or to assist a person apparently in need of assistance, a person shall not —
- (a) stand a vehicle on, or on any approach road to, or on the median strip or any consolidated shoulder of, a freeway, or on any other part of a freeway enclosure; or

- (b) walk within the enclosure of a freeway except on a dual use path.
- (2) This regulation does not apply to a person employed by a competent authority who is carrying out —
 - (a) an inspection;
 - (b) maintenance work;
 - (c) duties in relation to a contra flow bus lane,authorized by the competent authority.
- (3) Subregulation (1) does not apply to a tow truck driver who is authorized by the Commissioner for Main Roads to stand a tow truck on, or on any approach road to, or on the median strip or any consolidated shoulder of, a freeway, or on any other part of a freeway enclosure in anticipation of an emergency or breakdown, if the tow truck driver acts within the authority and any limitations or conditions imposed by that authority.

[Regulation 1804 amended in Gazette 25 July 1986 p.2460; 19 December 1986 p.4876; 7 December 1999 pp.5997-8.]

1804A. Restrictions on standing of vehicles on the Roe or Tonkin highway

Except in the event of an emergency or breakdown, or to assist a person apparently in need of assistance, a person shall not stand a vehicle —

- (a) on the carriageway; or
- (b) otherwise within the property lines,

of the Roe highway or the Tonkin highway.

[Regulation 1804A inserted in Gazette 2 November 1990 p.5486; (Erratum in Gazette 9 November 1990 p.5587).]

1805. Restrictions on traffic in pedestrian mall

- (1) A person shall not drive a vehicle in a pedestrian mall unless that vehicle is —

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- (a) an omnibus;
 - (b) an emergency vehicle;
 - (c) a special purpose vehicle;
 - (d) being used by a medical practitioner in the practice of his profession;
 - (e) a taxi conveying a lodger to or from premises to which access is ordinarily gained from the pedestrian mall and in respect of which a hotel licence is in force under the *Liquor Licensing Act 1988*;
 - (f) a service vehicle which is being driven during a period when such service vehicles are permitted to enter the pedestrian mall as designated by signs erected at the entrance thereto; or
 - (g) a vehicle in respect of which the Director General has issued approval in writing, authorizing the use of the vehicle in the pedestrian mall.
- (2) A person shall not drive a vehicle in a pedestrian mall at a speed in excess of 10 kilometres per hour.

[Regulation 1805 amended in Gazette 2 February 1982 p.399; 24 December 1996 p.7147; 31 January 1997 p.677.]

1806. Restrictions on driving in King's Park

- (1) In this regulation —
- “King's Park”** means all the land set apart as Reserve No. A 1720 under the *Land Act 1933*.
- (2) Notwithstanding any other provision in these regulations, a person shall not, in King's Park —
- (a) drive a vehicle at a speed in excess of 40 kilometres per hour; or
 - (b) except with the approval of the King's Park Board, drive a goods vehicle with an unladen mass in excess of 1 524 kg or a tractor.

*[Regulation 1806 amended in Gazette 10 November 1977
p.4135.]*

1807. Restriction on driving on Koolan Island

Notwithstanding any other regulation, a person shall not drive a vehicle at a speed in excess of 25 kilometres per hour on Koolan Island.

[Regulation 1807 inserted in Gazette 22 May 1987 p.2170.]

1808. Heavy vehicles on Greenmount Hill

(1) A person shall not drive a heavy vehicle in a heavy vehicle speed zone at a speed exceeding 40 kilometres per hour.

(2) In this regulation —

“end of heavy vehicle speed zone sign” means a sign, erected near the boundary of a carriageway to face approaching drivers, that is substantially rectangular in shape and consists of the message “END OF HEAVY VEHICLE SPEED ZONE” in black lettering upon a white background;

“heavy vehicle” means a vehicle, other than an omnibus, that has, or together with any attached trailer has, a gross combination mass, an aggregate mass, or a laden mass, that is 22.5 tonnes or more;

“heavy vehicle speed zone” means a length of carriageway, defined at its beginning by means of a heavy vehicle speed zone sign and at its end by means of an end of heavy vehicle speed zone sign;

“heavy vehicle speed zone sign” means a sign, erected near the boundary of a carriageway to face approaching drivers, that is substantially rectangular in shape and consists of —

- (a) the numerals “40” in black set within a red circle; and
- (b) the message “ALL VEHICLES 22.5 tonnes or more” in black lettering,

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upon a white background.

*[Regulation 1808 inserted in Gazette 1 November 1996 p.5796;
amended in Gazette 30 November 1999 p.5954.]*

Part XIX⁴— Penalties

1901. Penalties

- (1) A person who contravenes or fails to comply with any of the provisions of these regulations, commits an offence.
- (2) A person who commits an offence against these regulations is liable to a penalty not exceeding sixteen penalty units (16 PU) and, for a subsequent offence, to a penalty not exceeding thirty-two penalty units (32 PU).
- (3) For the purposes of subregulation (2) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations, against the *Road Traffic Code 1965*, as amended at any time or against the *Road Traffic Code 1974*, as amended at any time.

*[Regulation 1901 amended in Gazette 2 November 1981
p.4520; 14 January 1983 p.214; 23 December 1997 pp.7440-1.]*

[Schedule. Deleted in Gazette 14 April 1978 p.1111.]

Notes

- ^{1.} This is a compilation of the *Road Traffic Code 1975* and includes the amendments in the reprint of 26 July 1995 and amendments effected by the other regulations referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Road Traffic Code 1975</i>	29 May 1975 pp.1443-72	29 May 1975
<i>Road Traffic Code Amendment Regulations (No. 3) 1995</i>	31 Oct 1995 pp.5152-3	31 Oct 1995
<i>Road Traffic Code Amendment Regulations (No. 5) 1995</i>	19 Jan 1996 pp.251-2	1 Feb 1996 (see regulation 2)
<i>Road Traffic Regulations Amendment (Greenmount Hill Speed Restriction) Regulations 1996</i>	1 Nov 1996 p.5795-6	1 Nov 1996
<i>Road Traffic Code Amendment Regulations (No. 3) 1996</i>	24 Dec 1996 p.7147	24 Dec 1996
<i>Road Traffic Code Amendment Regulations (No. 6) 1996</i>	31 Jan 1997 pp.661-2	31 Jan 1997
<i>Road Traffic Code Amendment Regulations 1997</i>	31 Jan 1997 pp.677-8	1 Feb 1997 (see regulation 2 and <i>Gazette</i> 31 Jan 1997 p.613)
<i>Road Traffic Code Amendment Regulations (No. 2) 1997</i>	23 Dec 1997 pp.7457-9 (Disallowed on 18 June 1998 see <i>Gazette</i> 23 June 1998 p.3329)	23 Dec 1997
<i>Road Traffic Code Amendment Regulations (No. 4) 1997</i>	11 Apr 1997 p.1858	11 Apr 1997
<i>Road Traffic Code Amendment Regulations (No. 5) 1997</i>	23 Dec 1997 pp.7440-1	1 Jan 1998 (see regulation 2 and <i>Gazette</i> 23 Dec 1997 p.7400)
<i>Road Traffic Regulations Amendment (Pilots of Over-dimensional Vehicles) Regulations 1997</i>	30 May 1997 pp.2499-501	1 Jul 1997 (see regulation 2)

Citation	Gazettal	Commencement
<i>Miscellaneous Amendments Regulations 1997</i>	6 Jan 1998 p.33	6 Jan 1998
<i>Road Traffic Code Amendment Regulations 1999</i>	5 Feb 1999 p.407	5 Feb 1999
<i>Road Traffic Code Amendment Regulations (No. 3) 1999</i>	30 Nov 1999 p.5954	30 Nov 1999
<i>Road Traffic Code Amendment Regulations (No. 5) 1999</i>	7 Dec 1999 pp.5997-8	7 Dec 1999 (see regulation 2 and <i>Gazette</i> 7 Dec 1999 p.5998)
<i>Road Traffic Code Amendment Regulations 2000</i>	22 Sep 2000 pp.5435-8	22 Sep 2000
<i>Road Traffic Code Amendment Regulations (No. 3) 2000</i>	17 Nov 2000 pp.6292-3	17 Nov 2000

- ³ Part XV of the draft *National Road Traffic Code* concerning careless and dangerous driving and driving under the influence of liquor or drugs is contained in the *Road Traffic Act 1974*, ss.61-64.
- ⁴ Parts XVII, XVIII and XIX are additional to the provisions of the draft *National Road Traffic Code*.
- ⁵ The provisions of this regulation are not included in the draft *National Road Traffic Code*.
- ⁶ The provisions of regulation 306 of the draft *National Road Traffic Code* concerning the display of dazzling lights are contained in section 87 of the *Road Traffic Act 1974*.
- ⁷ For the meaning of giving way, see regulation 601.
- ⁸ Regulation 1002 of the draft *National Road Traffic Code* relates to the speed of motor cycles carrying a pillion passenger and is not applicable in this State. The draft *National Road Traffic Code* does not contain the provisions here inserted as regulation 1003.
- ⁹ The provisions of Part XIV of the *National Road Traffic Code* relating to tram-cars and safety zones are not applicable in this State.
- ¹¹ The provisions of this regulation are not included in the draft *National Road Traffic Code*. See note to regulation 1612.

- ¹² For the towing of vehicles, generally, see regulation 1612.
- ¹³ As to dealing with loads falling from heavy vehicles see regulation 1211.
- ¹⁴ The matters covered by this regulation in the draft *National Road Traffic Code* are those that fail to be dealt with in by-laws under the *Local Government Act 1960*.
- ¹⁵ This regulation appears in the draft *National Road Traffic Code* as regulation 1606.
- ¹⁶ Provisions similar to those of regulation 1614 of the *National Road Traffic Code* are contained in sections 54 and 55 of the *Road Traffic Act 1974*.
- ¹⁷ Provisions similar to those of regulation 1615 of the *National Road Traffic Code* are contained in section 53 (2) of the *Road Traffic Act 1974*.