

South Australia

Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999

under the *Road Traffic Act 1961*

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Schedule 1—Areas on which wheeled recreational devices and toys prohibited

Legislative history

1—Citation

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*.

3—Interpretation

In these regulations—

the Act means the *Road Traffic Act 1961*;

crossing for pedestrians means a marked foot crossing, pedestrian crossing or scramble crossing;

medical practitioner has the same meaning as in rule 267 (Exemptions from wearing seatbelts);

the Rules means the *Australian Road Rules*;

scramble crossing means an intersection with traffic lights and a pedestrians may cross diagonally sign.

4—References to rules

In these regulations, a reference to a specified rule is a reference to the provision so specified of the Rules.

5—Words and expressions have same meanings as in Rules

Words and expressions used in the Rules and in these regulations have the same respective meanings as in the Rules, except to the extent that the context or subject matter otherwise requires.

6—Prescribed provisions for purposes of sections 35, 174A, 174B, 174C and 174D of Act

- (1) For the purposes of the following provisions of the Act:
 - (a) section 35 (Appointment of authorised officers);
 - (b) section 174A (Liability of vehicle owners and expiation of certain offences);
 - (c) section 174B (Further offence for continued parking contravention);
 - (d) section 174D (Proceedings for certain offences may only be taken by certain officers or with certain approvals),

the provisions of Part 12 of the Rules (Restrictions on stopping and parking) are prescribed provisions.

- (2) For the purposes of section 174C of the Act (Council may grant exemptions from certain provisions), the following are prescribed provisions:
 - (a) the provisions of Part 8, Division 3 of the Rules (Signs for trucks, buses and other large vehicles);
 - (b) the provisions of Part 12, Division 2 of the Rules (No stopping and no parking signs and road markings);
 - (c) the provisions of Part 12, Division 5 of the Rules (Stopping in zones for particular vehicles);
 - (d) rule 195 (Stopping at or near a bus stop);
 - (e) rule 200 (Stopping on roads—heavy and long vehicles);
 - (f) rule 205 (Parking for longer than indicated);
 - (g) rule 207 (Parking where fees are payable).

7—General power of Minister to grant exemptions

- (1) The Minister may, by notice in writing or notice published in the Gazette, exempt—
 - (a) a person or class of persons; or
 - (b) a vehicle or class of vehicles,from a specified provision of the Rules, unconditionally or subject to specified conditions.
- (2) The Minister may, by notice in writing or notice published in the Gazette, vary or revoke an exemption under this regulation.

8—Special provisions relating to school zones

- (1) For the purposes of rule 23 (Speed limit in a school zone), if the words "WHEN CHILDREN PRESENT" are displayed on or with a school zone sign, the words are to be taken to mean that the speed limit displayed on the sign applies when a child is present in the school zone.
- (2) In proceedings for an offence against rule 20 (Obeying the speed limit) relating to a school zone, if it is proved that a person was present in the school zone area and evidence is given that the person appeared to the witness to be a child, it will be presumed that person was a child in the absence of proof to the contrary.
- (3) In this regulation—

child means a person under the age of 18 years, and includes a student of any age in school uniform.

8A—Special provisions relating to no U-turn signs

- (1) For the purposes of rule 39 (Making a U-turn contrary to a no U-turn sign), if the words "MAINTENANCE VEHICLES EXCEPTED" are displayed on or with a no U-turn sign, the words are to be taken to mean that the no U-turn sign does not apply to the driver of—
 - (a) a towtruck or vehicle breakdown service vehicle while it is being driven for the purpose of providing towing or repair services to a disabled or other vehicle; or
 - (b) a vehicle engaged in roadworks or being driven to or from the site of roadworks for the purpose of engaging in roadworks,if in the circumstances—
 - (c) the driver is taking reasonable care; and
 - (d) it is reasonable that the no U-turn sign should not apply.

- (2) In this regulation—

disabled or other vehicle means—

- (a) a vehicle at the scene of a crash;
- (b) a disabled vehicle;
- (c) a vehicle unsafely or unlawfully parked that the driver of the towtruck or vehicle breakdown service vehicle is authorised to tow away under a law of this jurisdiction referred to in regulation 35(a) or (b);

roadworks has the same meaning as in rule 310 (Exemption for road workers etc).

9—Road trains

For the purposes of rule 127(2) (Keeping a minimum distance between long vehicles), a combination that is a road train as defined in the *Road Traffic (Miscellaneous) Regulations 1999* is a road train for the Rules.

9A—Speed limits applying to driving of road trains

- (1) Despite anything in Part 3 of the Rules (Speed limits), a driver must not drive a road train on any length of road at a speed exceeding the prescribed speed limit (road trains) for that length of road.
Maximum penalty: \$5 000.
- (2) Despite anything in Part 3 of the Rules (Speed limits), a driver must not drive a road train at a speed exceeding 40 kilometres per hour on a length of road in a built-up area in Orroroo, Peterborough, Port Augusta or Whyalla.
Maximum penalty: \$5 000.
- (3) Nothing in this regulation authorises the driving of a vehicle on a length of road at a speed exceeding any lower speed limit applying to the driver of the vehicle on that length of road by virtue of the Rules or another law of the State.
- (3a) For the purposes of subregulation (1), the *prescribed speed limit (road trains)* is as follows:
 - (a) the prescribed speed limit (road trains) for a length of road comprising any part of the Eyre Highway that is generally west of Port Augusta and that has a speed limit applying to drivers of vehicles other than road trains of 100 kilometres per hour or more is 100 kilometres per hour;
 - (b) the prescribed speed limit (road trains) for a length of road comprising any part of the Stuart Highway that is generally north of Port Augusta and that has a speed limit applying to drivers of vehicles other than road trains of 100 kilometres per hour or more is 100 kilometres per hour;
 - (c) the prescribed speed limit (road trains) for any other length of road is 90 kilometres per hour.
- (4) In this regulation—

road train means a road train as defined in the *Road Traffic (Miscellaneous) Regulations 1999* that, including its load (if any), is over 19 metres long.

10—Vehicles permitted in bus lanes

For the purposes of rule 158(2) (Exceptions to driving in special purpose lanes etc)—

- (a) the driver of a taxi is permitted to drive in a bus lane; and
- (b) the rider of a bicycle is permitted to ride in a bus lane,

other than a bus lane or portion of a bus lane referred to in regulation 10A.

10A—Vehicles not permitted in lanes marked "bus only"

Despite anything in Part 11 (Keeping left, overtaking and other driving rules) or Part 12 (Restrictions on stopping and parking) of the Rules, a driver (except the driver of a public bus or emergency vehicle) must not drive or stop in a bus lane or other marked lane (or portion of such a lane) the road surface of which is painted red and marked with the words "bus only" in white letters.

Maximum penalty: \$2 500.

11—Exemption from requirements relating to passing or proceeding past tram stopped at tram stop

Where—

- (a) a driver—
 - (i) is driving behind or alongside, or is overtaking, a tram travelling in the same direction as the driver and the tram stops at a tram stop, except at the far left side of the road; or
 - (ii) is stopped beside a tram stop and a tram stops at the tram stop, except at the far left side of the road; and
- (b) there is no safety zone, dividing strip or traffic island between the tram and the part of the road where the driver is driving,

the driver is exempt from compliance with rules 163 (Driving past the rear of a stopped tram at a tram stop), 164 (Stopping beside a stopped tram at a tram stop) and 164A (Staying stopped if a tram comes from behind a stopped driver and stops) if—

- (c) the doors of the tram facing the part of the road where the driver is driving are closed; and
- (d) there is a safety zone, dividing strip, traffic island, pedestrian refuge or similar structure on the area of road between the tram and the far right side of the road; and
- (e) access to the structure from the far left side of the road is provided by 1 or more crossings for pedestrians.

12—Taxi not permitted to stop on clearways

For the purposes of rule 176(3) (Stopping on a clearway), the driver of a taxi is prohibited from stopping on a length of road to which a clearway sign applies.

13—Vehicles (other than public buses or trucks) permitted to stop in loading zone

- (1) For the purposes of rule 179(1) (Stopping in a loading zone)—
 - (a) a commercial vehicle that is dropping off, or picking up, goods is permitted to stop in a loading zone; and
 - (b) a vehicle, other than a commercial vehicle, is permitted to stop in a loading zone if the vehicle is dropping off, or picking up, goods that are difficult to handle because of their weight or size; and
 - (c) a taxi that is dropping off, or (having been hailed or summoned for the purpose) picking up, passengers is permitted to stop in a loading zone provided that the driver does not leave the taxi unattended; and
 - (d) a vehicle to which an alcohol interlock is fitted is permitted to stop in a loading zone to enable the driver to take action to comply with alcohol interlock scheme conditions to which the driver's licence of the driver is subject, provided that the vehicle stops for no longer than is necessary in the circumstances.

- (2) In this regulation—
commercial vehicle means a motor vehicle constructed solely or mainly for the carriage of goods (including a vehicle of the kind commonly called a utility, but excluding a vehicle of the kind commonly called a station wagon or station sedan).
- (3) For the purposes of this regulation, a driver leaves a taxi *unattended* if the driver leaves the taxi so the driver is over 3 metres from the closest point of the taxi.
- (4) In this regulation, *alcohol interlock* and *alcohol interlock scheme conditions* have the same respective meanings as in the *Motor Vehicles Act 1959*.

14—Permits for permit zones

- (1) This regulation applies for the purposes of rule 185 (Stopping in a permit zone) if a council has installed, or determined that it will install, permit zone signs to establish a permit zone in its area.
- (2) The council may determine—
- (a) the class of permits required for vehicles to stop in the permit zone; and
 - (b) the persons entitled to such permits; and
 - (c) any fees to be paid for such permits; and
 - (d) the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles),
- and may vary any such determination.
- (3) The council may issue permits in respect of the permit zone to persons entitled to them, on payment of the fee (if any), and subject to the conditions, determined by the council.
- (4) A permit issued by the council and in force in respect of the permit zone permits a vehicle to stop in the permit zone subject to the conditions of the permit.

15—Vehicles permitted to stop on paths, dividing strips and nature strips

- (1) For the purposes of rule 197(1) (Stopping on a path, dividing strip or nature strip), the following drivers are permitted to stop on a path, dividing strip or nature strip:
- (b) the driver of a motorised wheelchair;
 - (c) the rider of a motor bike delivering postal articles in the course of duties as a postal worker.
- (2) For the purposes of rule 197(1), a driver is permitted to stop on a footpath if the driver is crossing the path to enter a road-related area or adjacent land and is required to open a gate or take some other action to enter the area or land.

16—Structures declared to be public post boxes

For the purposes of rule 199 (Stopping near a post box), post boxes maintained by Australia Post on road-related areas are public post boxes.

17—Display of parking permit for people with disabilities

For the purposes of Part 12 (Restrictions on stopping and parking) of the Rules, a vehicle displays a parking permit for people with disabilities if the permit is displayed in accordance with the requirements of the *Motor Vehicles Act 1959* for the display of a disabled person's parking permit under that Act.

19—Parking and parking ticket-vending machines or parking meters

- (1) For the purposes of rule 207(1) (Parking where fees are payable), if the word "TICKET" is displayed on a permissive parking sign, the word is to be taken to indicate that a fee is payable by buying a ticket through the operation of a parking ticket-vending machine.
- (2) For the purposes of rule 207(2), if a council has installed, or determined that it will install, permissive parking signs to apply to a length of road or an area, the council may determine fees that will be payable for parking in the length of road or the area by the operation of parking ticket-vending machines or parking meters installed or to be installed in or near the length of road or area, and may vary such fees.
- (3) For the purposes of rule 207(2), the driver does not pay the fee payable for parking on the length of road, or in the area, in accordance with that rule unless the driver, on first stopping the vehicle—
 - (a) if the fee is to be paid by buying a ticket—promptly proceeds to a parking ticket-vending machine in the length of road or the area, obtains the ticket and deals with the ticket in accordance with the instructions on or with the ticket-vending machine; or
 - (b) if the fee is to be paid by putting money into a parking meter—promptly proceeds to the parking meter for the place where the vehicle is parked and puts money into the meter in accordance with the instructions on or with the meter.

20—Exemption from requirements relating to making motor vehicles secure

Drivers in South Australia are exempt from rule 213 (Making a motor vehicle secure).

21—Lights to be fitted to vehicles

For the purposes of rule 215(4) (Using lights when driving at night or in hazardous weather conditions) and rule 220(3) (Using lights on vehicles that are stopped), the lights required to be fitted to a vehicle are—

- (a) in the case of a heavy vehicle—those required to be fitted to the vehicle under the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)*; or
- (b) in the case of a light vehicle—those required to be fitted to the vehicle under the *Road Traffic (Light Vehicle Standards) Rules 2013*.

22—Dangerous goods and placard loads and towing of vehicles at night etc

For the purposes of rule 216 (Towing a vehicle at night or in hazardous weather conditions), *dangerous goods* and *placard load* have the respective meanings given to those terms by the *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*.

23—Operation of hazard warning lights if children being dropped off or picked up

For the purposes of rule 221 (Using hazard warning lights), a driver is permitted to operate hazard warning lights on a bus carrying children when the vehicle stops to drop off or pick up a child.

23A—Restrictions on crossing to or from tram stop other than at crossing for pedestrians

- (1) Despite anything in rule 233 (Crossing a road to or from a tram) or 234 (Crossing a road on or near a crossing for pedestrians), where, at a tram stop—
 - (a) the place at which a tram will stop is not at the far left side of a road; and
 - (b) the tram stop consists of 2 sets of tram tracks (1 set each for trams travelling in opposite directions along the road) divided by a safety zone, dividing strip, traffic island, pedestrian refuge or similar structure (with no such structure between either set of tracks and the side of the road nearest to those tracks); and
 - (c) access to the structure from each side of the road is provided by 1 or more crossings for pedestrians,

a pedestrian must not cross an area of road that lies between the structure and a side of the road—

- (d) within 20 metres of such a crossing; or
- (e) while a tram is stopped (on either set of tracks) at the tram stop.

Maximum penalty: \$2 500.

- (2) Subregulation (1) does not apply to a pedestrian who crosses the area of road at a crossing for pedestrians in accordance with the Rules.
- (3) In this regulation—

road does not include a road-related area, but does include the shoulder of a road;

tram includes a bus travelling along tram tracks.

24—Areas on which wheeled recreational devices and toys prohibited

- (1) For the purposes of rule 240(2) and (3) (Wheeled recreational devices and toys not to be used on certain roads), wheeled recreational devices and wheeled toys are prohibited on an area specified in Schedule 1.
- (2) For the purposes of rule 240(2), wheeled recreational devices are prohibited on a length of footpath to which a no wheeled recreational devices sign applies.
- (3) A no wheeled recreational devices sign applies to a length of footpath beginning at the sign and ending at the nearer of the following:
 - (a) an end no wheeled recreational devices sign;
 - (b) the end of the footpath.

- (4) Part 20 of the Rules applies in relation to a sign referred to in subregulation (1) or (2) as if this regulation (including the diagrams below) formed part of the Rules.

No wheeled recreational devices sign



End no wheeled recreational devices sign



- (5) For the purposes of rule 240(2), wheeled recreational devices are prohibited on all roads in hazardous weather conditions causing reduced visibility.
- (6) For the purposes of rule 240(3), wheeled toys are prohibited on all roads at night or in hazardous weather conditions causing reduced visibility.

24A—Prohibition of use of motorised scooters

For the purposes of rule 244C (Motorised scooters not to be used), the use of motorised scooters on a road or road-related area is prohibited.

24AB—Entering a bicycle storage area

Despite anything in rule 247A, a rider of a bicycle approaching a bicycle storage area at an intersection that has traffic lights or traffic arrows showing a red traffic light or red traffic arrow may enter the bicycle storage area other than from a bicycle lane if there is no bicycle lane from which the bicycle storage area can be entered.

24B—Exemption for riders with disabilities

- (1) A rider of a bicycle who—
- (a) is carrying a certificate; and
 - (b) is complying with any conditions stated in the certificate,
- is exempt from complying with rule 248 (No riding across a road on a crossing), rule 250 (Riding on a footpath or shared path), or both, as indicated by the certificate.
- (2) In this regulation—
- certificate** means a certificate that—
- (a) is signed by a medical practitioner; and
 - (b) identifies the rider; and
 - (c) states that, in the opinion of the medical practitioner, the rider should be permitted—
 - (i) to ride a bicycle on a footpath; or
 - (ii) to ride a bicycle across a pedestrian, children's or marked foot crossing; or
 - (iii) to do both of the above,

on the ground of a physical disability or on any medical ground; and

(d) displays no expiry date or, if it does display an expiry date, has not expired, and includes such a certificate issued before the commencement of this regulation.

25—Riders 12 years old or older not to ride on footpath unless accompanying child

For the purposes of rule 250(1) (Riding on a footpath or shared path), the rider of a bicycle who is 12 years old or older must not ride on a footpath unless he or she—

- (a) is 18 years old or older; and
- (b) is accompanying a rider of a bicycle who is under 12 years old.

26—Sikhs exempt from wearing bicycle helmets

For the purposes of rule 256(1) and (2) (Bicycle helmets), a person of the Sikh religion who is wearing a turban is exempt from wearing a bicycle helmet.

27—Approved booster seats, child restraints and child safety harnesses

For the purposes of rule 266 (Wearing of seatbelts by passengers under 16 years old), booster seats, child restraints and child safety harnesses are approved if approved under the *Road Traffic (Miscellaneous) Regulations 1999*.

28—Exemptions from wearing seatbelts

- (1) For the purposes of rule 267(1) (Exemptions from wearing seatbelts), a person is exempt from wearing a seatbelt if the vehicle is a historic vehicle as defined in regulation 15 of the *Motor Vehicles Regulations 2010* that is—
 - (a) registered under section 25 of the *Motor Vehicles Act 1959*; and
 - (b) being driven in accordance with the conditions of that registration.
- (2) For the purposes of rule 267(3), a certificate stating that a specified person is not required to wear a seatbelt, indefinitely or for a specified period, may be issued—
 - (a) by the Minister on any ground the Minister considers appropriate; or
 - (b) by a medical practitioner on the ground of physical disability or any medical ground.

29—Approved motor bike helmets

For the purposes of rule 270 (Wearing motor bike helmets), helmets are approved motor bike helmets if approved for motor bike riders under the *Road Traffic (Miscellaneous) Regulations 1999*.

30—Certain crashes required to be reported to police

For the purposes of rule 287(3) (Duties of a driver involved in a crash), a crash is required to be reported to a police officer by a driver involved in the crash if real or personal property (other than an animal) is destroyed or damaged except where—

- (a) the only property destroyed or damaged is property owned by the driver; or
- (b) a fair estimate of the cost of making good the damage to property is not more than \$3 000.

30A—Crashes may also be reported to certain persons authorised by Commissioner of Police

For the purposes of rule 287(3) (Duties of a driver involved in a crash), *police officer* includes—

- (a) an employee of the South Australian Police Department; or
- (b) a contractor of the Department; or
- (c) a member of the staff of a contractor of the Department,

authorised by the Commissioner of Police as a person to whom required particulars of a driver involved in a crash may be given.

31—Information required to be reported to police about crashes

For the purposes of rule 287(4) (Duties of a driver involved in a crash) the information required to be given to a police officer about a crash includes—

- (a) the day, the time and the place of the crash; and
- (b) details of other drivers and vehicles involved in the crash; and
- (c) details of injuries and damage resulting from the crash; and
- (d) except where the driver objects to providing the information on the ground that it might incriminate him or her of an offence, details of vehicle speeds and positions before and at the time of impact.

32—Exemptions for operators of traffic speed analysers or photographic detection devices

- (1) A person engaged in the setting up, preparation, operation, testing, maintenance or relocation of a traffic speed analyser or photographic detection device for or on behalf of the South Australian Police Department—
 - (a) is, for the purposes of rule 288 (Driving on a path), permitted to drive on a path; and
 - (b) is, for the purposes of rule 289(1) (Driving on a nature strip), permitted to drive on a nature strip; and
 - (c) is, for the purposes of rule 307(2) (Stopping and parking exemption for police and emergency vehicles and authorised persons) and the definition of *authorised person* in the dictionary at the end of the Rules, an authorised person for rule 307(2).
- (2) In this regulation—

photographic detection device and *traffic speed analyser* have the same meaning as in the Act.

33—Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc

- (1) Despite anything in rule 300 (Use of mobile phones), a driver of a vehicle (except an emergency vehicle or police vehicle) who is a learner or P1 driver must not use a mobile phone while the vehicle is moving or is stationary but not parked.
Maximum penalty: \$2 500.

(2) In this regulation—

corresponding permit or licence means—

- (a) a learner licence, provisional licence or probationary licence issued under the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory; or
- (b) a learner licence or provisional licence issued under the *Road Transport Act 2013* of New South Wales; or
- (c) a learner licence or licence that is provisional issued under the *Motor Vehicles Act* of the Northern Territory; or
- (d) a learner licence, provisional licence or probationary licence issued under the *Transport Operations (Road Use Management) Act 1995* of Queensland; or
- (e) a learner licence or provisional licence issued under the *Vehicle and Traffic Act 1999* of Tasmania; or
- (f) a learner permit or probationary driver licence issued under the *Road Safety Act 1986* of Victoria; or
- (g) a learner's permit or provisional licence issued under the *Road Traffic Act 1974* of Western Australia;

learner or P1 driver, in relation to a vehicle, means a driver—

- (a) who is the holder of a learner's permit or P1 licence within the meaning of the *Motor Vehicles Act 1959* that authorises him or her to drive a vehicle of that class on a road; or
- (b) who—
 - (i) is the holder of a corresponding permit or licence issued under a law of another State or a Territory of the Commonwealth that authorises him or her to drive a vehicle of that class on a road; and
 - (ii) is prohibited by the law of that State or Territory from driving a vehicle of that class on a road in that State or Territory without displaying an "L" plate or a red "P" plate (as the case may be) on the vehicle;

"L" plate means a plate or sign displaying the letter "L" in black lettering on a yellow background;

mobile phone has the same meaning as in rule 300;

red "P" plate means a plate or sign displaying the letter "P" in red lettering on a white background or in white lettering on a red background;

use has the same meaning as in rule 300.

34—Exemptions for certain tests and work

For the purposes of rule 310(3) and (4) (Exemption for road workers etc.), the Minister may, by notice in writing or notice published in the Gazette, authorise speed zoning tests, or installation or maintenance work or traffic surveys, subject to specified conditions.

35—Vehicles that may be towed away etc

Rule 312 (Exemption for tow truck drivers) applies to (in addition to the vehicles referred to in rule 312(3)(a) and (b))—

- (a) a vehicle that the driver is authorised to move or remove under—
 - (i) section 40M or 40N of the Act; or
 - (ii) section 237 of the *Local Government Act 1999*; or
 - (iia) section 22 of the *Heavy Vehicle National Law (South Australia) Act 2013*; or
 - (iib) section 518 or 519 of the *Heavy Vehicle National Law (South Australia)*; or
 - (iii) section 27 of the *South Australian Motor Sport Act 1984*; or
 - (iv) section 79B of the *Summary Offences Act 1953*; and
- (b) a vehicle unsafely or unlawfully parked that the driver is authorised to move or remove under any other Act.

36—Exemptions for postal vehicles

For the purposes of rule 313 (Exemptions for postal vehicles), the rules mentioned in rule 313(2) do not apply to drivers of postal vehicles engaged in dropping off, or picking up, postal articles.

36A—Exemption for breakdown vehicles

- (1) For the purposes of rule 313B (Exemption for breakdown vehicles), a provision of the Rules specified in subregulation (2) does not apply to the driver of a breakdown vehicle if—
 - (a) the driver is engaged in repairing a disabled vehicle, or is assisting a person to gain access to a vehicle in which the person has locked his or her vehicle access key; and
 - (b) the driver is unable to comply with the provision; and
 - (c) the breakdown vehicle is displaying a flashing light; and
 - (d) the driver is acting safely.
- (2) For the purposes of subregulation (1), the following provisions of the Rules are specified:
 - (a) rule 137 (Keeping off a dividing strip);
 - (b) rule 138 (Keeping off a painted island);
 - (c) rule 147 (Moving from one marked lane to another marked lane across a continuous line separating the lanes);
 - (d) rule 288(1) (Driving on a path);
 - (e) rule 289 (Driving on a nature strip);
 - (f) rule 290 (Driving on a traffic island).

(3) Despite anything in rule 313B (Exemption for breakdown vehicles), the provisions of Part 12 of the Rules (Restrictions on stopping or parking) also do not apply to the driver of a breakdown vehicle in the circumstances referred to in subregulation (1).

(4) In this regulation—

breakdown vehicle means any vehicle driven by a person who is—

- (a) a breakdown worker; and
- (b) driving the vehicle in the course of his or her duties as a breakdown worker.

(5) For the purposes of this regulation and rule 313B (Exemption for breakdown vehicles)—

breakdown worker means a person who is engaged in the provision of assistance to disabled vehicles on behalf of an organisation that provides such a service for disabled vehicles.

37—Approved bicycle helmets

For the purposes of the Rules and the definition of **approved bicycle helmet** in the dictionary at the end of the Rules, helmets are approved bicycle helmets if approved for bicycle riders under the *Road Traffic (Miscellaneous) Regulations 1999*.

37A—Approved seatbelts

(1) For the purposes of the Rules and the definition of **approved seatbelt** in the dictionary at the end of the Rules, a seatbelt is an approved seatbelt if it complies with, and is fitted to a vehicle in compliance with, the vehicle standards applicable to the vehicle in which it is fitted.

(2) In this regulation—

vehicle standards, in relation to a vehicle, means the requirements specified in—

- (a) regulation 36 of the *Road Traffic (Miscellaneous) Regulations 1999*; or
- (b) the *Road Traffic (Light Vehicle Standards) Rules 2013*; or
- (c) the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)*,

that apply to the vehicle.

38—Authorised persons

For the purposes of the Rules and the definition of **authorised person** in the dictionary at the end of the Rules, authorised officers are authorised persons.

38A—Bicycle storage area

For the purposes of the Rules and the definition of **bicycle storage area** in the dictionary at the end of the Rules—

bicycle storage area means an area of road before an intersection with traffic lights—

- (a) that has painted on it 1 or more bicycle symbols; and
- (b) that is between 2 parallel stop lines, regardless of whether the lines are of equal length,

but does not include any stop line.

39—Emergency workers

For the purposes of the Rules and the definition of *emergency worker* in the dictionary at the end of the Rules, the following are emergency workers:

- (a) members of an emergency services organisation within the meaning of the *Fire and Emergency Services Act 2005*;
- (b) authorised officers under the *Emergency Management Act 2004*;
- (c) persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—
 - (i) SA Ambulance Service Inc; or
 - (ii) St Johns Ambulance Australia South Australia Incorporated;
- (ca) until 1 July 2009, persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—
 - (i) Booleroo Centre and District Ambulance Service Incorporated; or
 - (ii) Jamestown and District Ambulance Incorporated; or
 - (iii) Peterborough & District Ambulance Incorporated;
- (d) any other persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008*;
- (e) members of the Australian Federal Police or Australian Customs Service;
- (f) members of the armed forces of the Commonwealth engaged in police, fire fighting or ambulance duties or duties in connection with the urgent disposal of explosives or any emergency;
- (g) employees of Airservices Australia engaged in fire fighting duties or duties in connection with any emergency.

40—Hazard warning lights

For the purposes of the Rules and the definition of *hazard warning lights* in the dictionary at the end of the Rules, the lights referred to in the definition are—

- (a) in the case of a heavy vehicle—lights of a kind referred to in the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)*;
- (b) in the case of a light vehicle—lights of a kind referred to in the *Road Traffic (Light Vehicle Standards) Rules 2013*.

41—Mechanical signalling devices

For the purposes of the Rules and the definition of *mechanical signalling device* in the dictionary at the end of the Rules—

- (a) in the case of a heavy vehicle—mechanical signalling devices conforming to the requirements of the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)* are mechanical signalling devices;
- (b) in the case of a light vehicle—mechanical signalling devices conforming to the requirements of the *Road Traffic (Light Vehicle Standards) Rules 2013* are mechanical signalling devices.

42—Oversize vehicles

For the purposes of the Rules and the definition of *oversize vehicle* in the dictionary at the end of the Rules, vehicles are oversize vehicles if oversize and travelling under a mass or dimension exemption within the meaning of the *Heavy Vehicle National Law (South Australia)*.

43—Parking permits for people with disabilities

For the purposes of the Rules and the definition of *parking permit for people with disabilities* in the dictionary at the end of the Rules, permits issued under Part 3D of the *Motor Vehicles Act 1959* are parking permits for people with disabilities.

44—Police officers

For the purposes of the Rules and the definition of *police officer* in the dictionary at the end of the Rules, members of South Australia Police are police officers.

45—Portable warning triangles

For the purposes of the Rules and the definition of *portable warning triangle* in the dictionary at the end of the Rules, portable warning devices that comply with Australian Standard AS 3790: *Portable warning triangles for motor vehicles*, as amended from time to time, are approved as portable warning triangles.

46—Postal workers

For the purposes of the Rules and the definition of *postal worker* in the dictionary at the end of the Rules, persons employed by Australia Post are postal workers.

47—Public buses

For the purposes of the Rules and the definition of *public bus* in the dictionary at the end of the Rules, buses engaged in regular passenger services under the *Passenger Transport Act 1994* are public buses.

48—Public holidays

For the purposes of the Rules and the definition of *public holiday* in the dictionary at the end of the Rules, a day that is a public holiday under the *Holidays Act 1910* is a public holiday.

48A—Stop line

- (1) Despite the definition of *stop line* in the dictionary at the end of the Rules, a stop line does not for the purposes of the Rules or that definition include a stub line.

- (2) In this regulation—

stub line has the same meaning as in the *Road Traffic (Miscellaneous) Regulations 1999*.

49—Taxis

For the purposes of the Rules and the definition of *taxi* in the dictionary at the end of the Rules, vehicles licensed, or exempted from the requirement to be licensed, under Part 6 of the *Passenger Transport Act 1994* are taxis.

50—Penalties for offences against Rules

A person who is guilty of an offence against a provision of the Rules is liable to a penalty not exceeding—

- (a) in the case of an offence against a provision of Part 3 (Speed limits)—\$5 000;
- (b) in the case of an offence against a provision of Part 12 (Restrictions on stopping and parking)—\$1 250;
- (c) in any other case—\$2 500.

51—Evidentiary provisions

(1) In proceedings for offences against the Rules, an allegation in a complaint that—

- (a) a specified speed limit applied to a specified length of road; or
- (b) a specified length of road was, or was not, in a school zone or shared zone; or
- (c) a specified length of road was, or was not, in a built-up area; or
- (d) a specified form of crossing was at a specified place; or
- (e) a specified vehicle lawfully displayed a do not overtake turning vehicle sign or a give way to buses sign; or
- (f) a specified fee was not paid for parking a specified vehicle in a specified place; or
- (g) a specified ticket was not displayed in a specified part of a specified vehicle; or
- (h) specified information was on or with a specified traffic control device; or
- (i) a specified traffic control device applied to a specified length of road, portion of road or area; or
- (j) a specified traffic control device applied to a specified person in a specified place,

is proof of the matters so alleged in the absence of proof to the contrary.

(2) In proceedings for an offence against rule 287 (Duties of driver involved in a crash), an apparently genuine document produced by the prosecution purporting to be signed by the Commissioner of Police and to certify that the required particulars for a specified person had not been given to a police officer before a specified day and time in relation to a specified crash (whether the crash is specified by reference to the approximate time and place of the crash or to the person or persons involved, or otherwise so as to reasonably identify it) is proof of the matters so certified in the absence of proof to the contrary.

52—Transitional provisions

(1) A resolution relating to a permit zone made by a council under the *Local Government (Parking) Regulations 1991* and in force immediately before the commencement of these regulations continues in force as a determination made by the council under regulation 14, subject to variation under that regulation.

- (2) A permit for parking in a permit zone issued by a council and in force immediately before the commencement of these regulations continues in force as a permit issued by the council under regulation 14, subject to the conditions (if any) of the permit.
- (3) A resolution relating to fees for parking payable by the operation of parking ticket-vending machines or parking meters, being a resolution made by a council under the *Local Government (Parking) Regulations 1991* and in force immediately before the commencement of these regulations, continues in force as a determination made by the council under regulation 19, subject to variation under that regulation.

Schedule 1—Areas on which wheeled recreational devices and toys prohibited

(Regulation 24)

- 1 (1) The bicycle path adjacent to the Southern Expressway that commences at Darlington Street at Bedford Park and proceeds generally southerly on the eastern side of the carriageway of the Expressway to a point approximately 250 metres north of the intersection of the Expressway, South Road and Panalatinga Road at Trott Park, then generally southerly on the western side of the carriageway of the Expressway to the intersection of Panalatinga Road and Old South Road at Old Reynella.
- (2) In subclause (1)—

Southern Expressway means Road Number 6780 Southern Expressway between—

 - (a) its intersection with Road Number 6726 Panalatinga Road and Road Number 6203 Main South Road at Trott Park; and
 - (b) its junction with Road Number 6203 Main South Road at Bedford Park.

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999* were revoked by Sch 2 cl 2 of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014* on 1.9.2014.

Principal regulations and variations

Year	No	Reference	Commencement
1999	218	<i>Gazette 11.11.1999 p1631</i>	1.12.1999: r 2
2000	182	<i>Gazette 3.8.2000 p425</i>	3.8.2000: r 2
2001	170	<i>Gazette 5.7.2001 p2572</i>	9.7.2001: r 2
2001	232	<i>Gazette 11.10.2001 p4475</i>	11.10.2001: r 2
2002	151	<i>Gazette 8.8.2002 p3023</i>	8.8.2002: r 2
2003	11	<i>Gazette 30.1.2003 p405</i>	1.3.2003: r 2
2003	236	<i>Gazette 27.11.2003 p4277</i>	8.12.2003: r 2
2004	233	<i>Gazette 4.11.2004 p4230</i>	4.11.2004: r 2
2005	197	<i>Gazette 8.9.2005 p3288</i>	8.9.2005: r 2
2006	33	<i>Gazette 16.2.2006 p610</i>	16.2.2006: r 2
2007	48	<i>Gazette 26.4.2007 p1401</i>	30.4.2007: r 2
2007	208	<i>Gazette 9.8.2007 p3314</i>	9.8.2007: r 2
2007	313	<i>Gazette 13.12.2007 p4881</i>	13.12.2007: r 2
2008	6	<i>Gazette 31.1.2008 p356</i>	1.3.2008: r 2
2008	191	<i>Gazette 26.6.2008 p2711</i>	1.7.2008: r 2
2008	263	<i>Gazette 25.9.2008 p4596</i>	29.9.2008 except rr 4—8—25.1.2009: r 2
2009	37	<i>Gazette 9.4.2009 p1373</i>	1.5.2009: r 2
2009	203	<i>Gazette 16.7.2009 p3203</i>	31.8.2009: r 2
2010	34	<i>Gazette 20.5.2010 p1998</i>	1.7.2010: r 2
2010	231	<i>Gazette 25.11.2010 p5408</i>	25.11.2010 except r 5—1.3.2011: r 2
2011	3	<i>Gazette 27.1.2011 p298</i>	27.5.2011: r 2
2011	170	<i>Gazette 30.6.2011 p2877</i>	30.6.2011: r 2
2011	171	<i>Gazette 30.6.2011 p2879</i>	1.7.2011: r 2

2011	183	<i>Gazette 14.7.2011 p3074</i>	1.8.2011: r 2
2012	156	<i>Gazette 7.6.2012 p2717</i>	1.9.2012: r 2
2013	302	<i>Gazette 19.12.2013 p5119</i>	10.2.2014: r 2
2013	311	<i>Gazette 19.12.2013 p5146</i>	1.1.2014: r 2
2014	13	<i>Gazette 16.1.2014 p187</i>	16.1.2014: r 2
2014	52	<i>Gazette 13.2.2014 p928</i>	2.3.2014: r 2

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	8.9.2005
r 3		
crossing for pedestrians	inserted by 3/2011 r 4(1)	27.5.2011
medical practitioner	inserted by 263/2008 r 4	25.1.2009
	substituted by 34/2010 r 4	1.7.2010
scramble crossing	inserted by 3/2011 r 4(2)	27.5.2011
r 6		
r 6(1)	varied by 48/2007 r 4	30.4.2007
	varied by 302/2013 r 4	10.2.2014
r 8A	inserted by 182/2000 r 3	3.8.2000
r 9	substituted by 170/2001 r 3	9.7.2001
	varied by 302/2013 r 5	10.2.2014
r 9A	inserted by 170/2001 r 3	9.7.2001
r 9A(1)	varied by 48/2007 r 5(1)	30.4.2007
	substituted by 183/2011 r 4(1)	1.8.2011
	varied by 156/2012 r 4(1)	1.9.2012
r 9A(2)	varied by 151/2002 r 3	8.8.2002
	varied by 48/2007 r 5(2)	30.4.2007
	varied by 156/2012 r 4(2)	1.9.2012
r 9A(3a)	inserted by 183/2011 r 4(2)	1.8.2011
r 9A(4)		
road train	varied by 302/2013 r 6	10.2.2014
<i>r 9B</i>	<i>inserted by 11/2003 r 4</i>	<i>1.3.2003</i>
	<i>deleted by 233/2004 r 4</i>	<i>4.11.2004</i>
r 10	substituted by 236/2003 r 4	8.12.2003
	substituted by 263/2008 r 5	25.1.2009
<i>r 10A before substitution by 263/2008</i>	<i>inserted by 236/2003 r 4</i>	<i>8.12.2003</i>
<i>r 10A(1)</i>	<i>varied by 48/2007 r 6</i>	<i>30.4.2007</i>
r 10A	substituted by 263/2008 r 5	25.1.2009

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r 11	substituted by 3/2011 r 5	27.5.2011
	substituted by 52/2014 r 4	2.3.2014
r 12A	<i>inserted by 232/2001 r 3</i>	8.12.2003
	<i>deleted by 208/2007 r 4</i>	9.8.2007
r 13		
r 13(1)	varied by 232/2001 r 4	8.12.2003
	varied by 37/2009 r 4(1)	1.5.2009
r 13(4)	inserted by 37/2009 r 4(2)	1.5.2009
r 15		
r 15(1)	(a) deleted by 197/2005 r 4	8.9.2005
r 17	deleted by 233/2004 r 5	4.11.2004
	inserted by 231/2010 r 4	25.11.2010
r 18	<i>deleted by 231/2010 r 5</i>	1.3.2011
r 21	substituted by 302/2013 r 7	10.2.2014
r 22	varied by 170/2011 r 4	30.6.2011
r 23A	inserted by 232/2001 r 5	8.12.2003
	deleted by 263/2008 r 6	25.1.2009
	inserted by 3/2011 r 6	27.5.2011
r 23B	<i>inserted by 232/2001 r 5</i>	8.12.2003
	<i>deleted by 263/2008 r 6</i>	25.1.2009
r 24		
r 24(5)	substituted by 263/2008 r 7	25.1.2009
r 24(6)	inserted by 263/2008 r 7	25.1.2009
r 24A	inserted by 263/2008 r 8	25.1.2009
r 24AB	inserted by 13/2014 r 4	16.1.2014
r 24B	inserted by 263/2008 r 8	25.1.2009
r 25	varied by 13/2014 r 5	16.1.2014
r 26A	<i>inserted by 6/2008 r 4</i>	1.3.2008
	<i>deleted by 34/2010 r 5</i>	1.7.2010
r 27	varied by 34/2010 r 6	1.7.2010
r 28		
r 28(1)	varied by 263/2008 r 9(1)	29.9.2008
	(b), (c) deleted by 34/2010 r 7(1)	1.7.2010
	substituted by 170/2011 r 5	30.6.2011
r 28(3)	inserted by 263/2008 r 9(2)	29.9.2008
	deleted by 34/2010 r 7(2)	1.7.2010
r 30	varied by 233/2004 r 6	4.11.2004
	varied by 171/2011 r 4	1.7.2011
r 30A	inserted by 151/2002 r 4	8.8.2002
r 32	substituted by 197/2005 r 5	8.9.2005
r 33	deleted by 197/2005 r 5	8.9.2005
	inserted by 203/2009 r 4	31.8.2009
r 33(2)		

corresponding permit or licence	varied by 302/2013 r 8	10.2.2014
r 35	varied by 48/2007 r 7	30.4.2007
	varied by 302/2013 r 9(1)—(3)	10.2.2014
r 36A	inserted by 52/2014 r 5	2.3.2014
r 37A	inserted by 52/2014 r 6	2.3.2014
r 38	varied by 48/2007 r 8	30.4.2007
r 38A	inserted by 13/2014 r 6	16.1.2014
r 39	varied by 151/2002 r 5	8.8.2002
	varied by 33/2006 r 4	16.2.2006
	varied by 48/2007 r 9	30.4.2007
	(h), (i) deleted by 48/2007 r 9	30.4.2007
	varied by 191/2008 r 4(1)	1.7.2008
rr 40—42	substituted by 302/2013 r 10	10.2.2014
r 45	varied by 33/2006 r 5	16.2.2006
r 48A	inserted by 311/2013 r 4	1.1.2014
<i>r 50 before substitution by 156/2012</i>		
<i>r 50(1)</i>	<i>varied by 48/2007 r 10</i>	<i>30.4.2007</i>
<i>r 50(2)</i>	<i>varied by 313/2007 r 4</i>	<i>13.12.2007</i>
r 50	substituted by 156/2012 r 5	1.9.2012

Historical versions

Reprint No 1—3.8.2000

Reprint No 2—9.7.2001

Reprint No 3—11.10.2001

Reprint No 4—8.8.2002

Reprint No 5—1.3.2003

Reprint No 6—8.12.2003

4.11.2004

8.9.2005

16.2.2006

30.4.2007

9.8.2007

13.12.2007

1.3.2008

1.7.2008

29.9.2008

25.1.2009

1.5.2009

31.8.2009

1.7.2010

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25.11.2010

1.3.2011

27.5.2011

30.6.2011 (electronic only)

1.7.2011

1.8.2011

1.9.2012

1.1.2014

16.1.2014

10.2.2014