

ROAD TRAFFIC REGULATIONS 1996

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[New Parts 1, 5 and Appendix]

[New Part 5 and Appendix]

[New Parts 9, 10, Schedules and Appendix]

[Persons who are on Standing Order with Information SA SAMS for these regulations will receive complete replacement Parts incorporating amendments to these regulations as they come into force.]

(Reprint No. 4)

SOUTH AUSTRALIA

ROAD TRAFFIC REGULATIONS 1996

*These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at **1 July 1997**.*

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REGULATIONS UNDER THE ROAD TRAFFIC ACT 1961

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being

No. 201 of 1996: *Gaz.* 29 August 1996, p. 888¹

as varied by

No. 259 of 1996: *Gaz.* 23 December 1996, p. 2262²

No. 24 of 1997: *Gaz.* 27 February 1997, p. 1087³

No. 102 of 1997: *Gaz.* 13 May 1997, p. 1910⁴

No. 141 of 1997: *Gaz.* 29 May 1997, p. 2768⁵

No. 154 of 1997: *Gaz.* 5 June 1997, p. 2947⁴

No. 165 of 1997: *Gaz.* 26 June 1997, p. 3219⁶

¹ Came into operation 1 September 1996: reg. 2.

² Came into operation 3 February 1997: reg. 2.

³ Came into operation 27 February 1997: reg. 2.

⁴ **Came into operation 1 July 1997: reg. 2.**

⁵ Came into operation 29 May 1997: reg. 2.

⁶ **Came into operation 1 July 1997: reg. 2.**

N.B. The following regulations have been revoked:

No. 56 of 1997: *Gaz.* 13 May 1997, p. 1813 revoked by No. 154 of 1997: *Gaz.* 5 June 1997, p. 2947.

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last reprint.*
- *For the legislative history of the regulations see Appendix.*

**PART 1
PRELIMINARY**

1.00 Citation

These regulations may be cited as the *Road Traffic Regulations 1996*.

1.01 Commencement

These regulations will come into operation on 1 September 1996.

1.02 Expiry

These regulations will expire on 1 September 2001.

1.03 Revocation

The *Road Traffic Regulations 1974* (see *Gazette* 20 March 1975 p. 1133), as varied, are revoked.

1.04 Interpretation

In these regulations, unless the contrary intention appears—

"**the Act**" means the *Road Traffic Act 1961*;

"**ADR**" means an Australian Design Rule;

"**alternative headlamp**" means a lamp which is lighted in the place of a headlamp by a dipping device;

"**Australian Design Rules**" means—

- (a) the national standards under the *Motor Vehicle Standards Act 1989* of the Commonwealth entitled "Australian Design Rules for Motor Vehicle Safety, Second Edition"; or
- (b) the national standards under the *Motor Vehicle Standards Act 1989* of the Commonwealth entitled "Australian Design Rules for Motor Vehicles and Trailers, Third Edition",

as in force from time to time;

"**B-double**" means an articulated motor vehicle, where the semi-trailer portion of the vehicle is attached to another semi-trailer by means (other than a pole, drawbar or similar device) whereby the second semi-trailer is pivoted to and superimposed on the first;

"**bike rack**" means a device that—

- (a) is designed or adapted for attachment to the rear of a motor vehicle (other than a motor cycle or motor tricycle); and
- (b) is designed or adapted for the carriage of one or more pedal cycles, motor cycles, wheelchairs or other similar ride-on vehicles (whether self-propelled or propelled by the rider);

"**bus stop**" means a stopping place for buses—

- (a) appointed for that purpose by the Passenger Transport Board under the *Passenger Transport Act 1994*; or
- (b) appointed by the State Transport Authority prior to the commencement of that Act and not since altered or removed by the Passenger Transport Board;

"**car type utilities**" and "**car type panel vans**" means motor vehicles of the kind known as coupe utilities or panel vans 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 said passenger car;

"**Central Inspection Authority**" means the Central Inspection Authority established by Part 4A of the Act;

"**the code**" means the Code of Practice for the Installation of Traffic Control Devices in South Australia published by the Department of Transport (formerly the Department of Road Transport), as amended from time to time, including—

- (a) an Australian Standard published by Standards Australia (Standards Association of Australia); or
- (b) a design guide published by the National Association of Australian State Road Authorities or Austroads Inc.; or
- (c) a manual or guide published by the Department of Transport (formerly the Department of Road Transport); or
- (d) a manual or guide published by the South Australian State Bicycle Committee,

or any part of such standard, manual or guide, as amended from time to time, compliance with which is required by the Code of Practice;

"**compliance plate**" means a plate issued by the Australian Motor Vehicle Certification Board signifying that the vehicle to which it relates complies with the Australian Design Rules;

"**converter dolly**" means a unit comprising a fifth wheel, a drawbar and an axle group, designed to convert a semi-trailer to a trailer;

"**diesel vehicle**" means a motor vehicle propelled by a diesel engine;

"**emergency vehicle**" means—

- (a) any motor vehicle used by the South Australian Metropolitan Fire Service, a fire brigade registered under the *South Australian Metropolitan Fire Service Act 1936* or the Country Fire Service, while it is being driven to any place in answer to a call for the services of a fire brigade or is proceeding to or is in use at a fire; or

- (b) any motor ambulance which is being driven in answer to an urgent call or is conveying an injured or sick person to any place for treatment urgently required; or
- (c) any motor vehicle driven by a member of the police force in the execution of his or her duty; or
- (d) any motor vehicle used by the State Emergency Service while it is being driven to any place in answer to a call for the services of the State Emergency Service or is in use at such a place;

"**fifth wheel**" means the part of a fifth wheel assembly that comprises part of a converter dolly or is fitted to a prime mover or semi-trailer;

"**fifth wheel assembly**" means a device that is designed to facilitate quick coupling and uncoupling of a semi-trailer and to provide for articulation of the semi-trailer and the other vehicle to which the semi-trailer is coupled;

"**headlamp**" means a lamp or lamps exceeding seven watts fitted to the front of a vehicle, including an alternative headlamp, but does not include a foglamp;

"**leave standing**" means—

- (a) to stop a vehicle; or
- (b) to permit a vehicle whether unattended or not to remain stationary otherwise than is necessary to avoid conflict with other traffic or to comply with the directions of a member of the police force or a traffic control sign or signal; and
- (c) any derivative of the verbs "leave" and "stand" have a corresponding meaning;

"**monitor**" means a person authorised by the Minister or by a member of the police force so empowered by the Minister who may give such reasonable directions to pedestrians at a marked cross-walk or a pedestrian crossing as are in the monitor's opinion necessary for the safe and efficient movement of traffic; and who may exhibit at or near a pedestrian crossing a sign bearing the word "STOP" for the purpose of requiring drivers to stop before driving over the pedestrian crossing;

"**pedal cycle trailer**" means a trailer constructed or adapted for being drawn by a pedal cycle;

"**pole-type trailer**" means a trailer which is attached to the towing vehicle by means of a pole or by an attachment fitted to such pole and which is ordinarily used for transporting loads such as logs, pipes, or structural members capable generally of supporting themselves as beams between supporting connections;

"**prescribed**" means prescribed by these regulations;

"**primary signal**" means the traffic light nearest to and facing the oncoming traffic;

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"**road train**" means a combination of vehicles as follows:

- (a) a rigid motor vehicle to which two or more trailers are attached; or
- (b) an articulated motor vehicle to which one or more trailers is attached;

"**semi-trailer**" means a vehicle without motive power and with only one axle group, being an axle group that is placed near the rear portion of the vehicle and that has a means of attachment to a fifth wheel assembly;

"**trailer**" does not include a pedal cycle trailer;

"**U-turn**" means a turn whereby a person causes a vehicle facing or travelling in one direction on a road to face or travel in the opposite or substantially the opposite direction on that road.

PART 2
TRAFFIC CONTROL DEVICES AND ROAD MARKINGS

* * * * *

2.02 Regulatory signs

(1) A traffic control device must comply with the requirements of the code applicable to that device.

(2) A traffic control device shall be deemed to comply with the requirements of the code applicable to that device if it substantially complies with those requirements.

2.03 School signs

(1) A sign bearing the word "SCHOOL" may only be erected on a road abutting a school.

(2) A sign of the type commonly known as a "safety sal" may only be placed on a road abutting on or adjacent to a school.

(3) In this regulation "**school**" means a building (including a church or dwelling-house) regularly used as a school or Sunday school and includes any school grounds abutting on or surrounding any such building.

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2.05 Pedestrian crossings

A pedestrian crossing indicated by twin alternating flashing amber lights is a pedestrian crossing for the purposes of the Act only during the periods when those lights are operating at the crossing.

**PART 3
DUTIES OF DRIVERS AND PEDESTRIANS**

3.01 Duty at traffic lights

(1) Where traffic lights or any signals or signs exhibited with traffic lights are erected and maintained at an intersection, junction or at any other location, the provisions of this regulation shall apply except where any of those provisions by their nature can have no application.

(2) The instructions given by traffic lights or signals or signs exhibited with traffic lights to which drivers or pedestrians are facing shall be as follows:

(a) *Steady Green Circle:*

(i) A driver may, subject to these regulations, proceed straight ahead, turn right, or turn left; a right or left turn may be made even though a traffic light is displaying a red circle in respect of the carriageway the driver is about to enter: Provided that a driver making, or after making, any such turn shall not cross a stop line associated with such last mentioned traffic light until it displays a green circle or ceases to operate. All drivers shall give way to other vehicles and pedestrians lawfully within the intersection or junction. Any driver having lawfully proceeded beyond the stop line, or if none the primary signal, may complete his or her movement notwithstanding a change in the signals.

(ii) A pedestrian may proceed across the carriageway unless a DON'T WALK signal in red or a steady red pedal cycle signal is also showing.

(b) *Steady Amber Circle (Alone or with Steady Green Circle)—An Indication of Impending Change of Signals:*

(i) A driver shall not proceed beyond the stop line or if none the primary signal unless his or her vehicle is so close to the stop line or primary signal when the amber first appears that he or she cannot safely stop the vehicle before passing the stop line or signal.

(ii) A pedestrian shall not enter upon the carriageway for the purpose of crossing, but any pedestrian who has partially completed crossing on a green signal may complete that crossing unless there is a safety zone or safety island between the pedestrian and the opposite side, in which case the pedestrian must not walk beyond the safety zone or safety island.

(c) *Steady Red Circle (Alone or with Steady Amber Circle):*

(i) A driver shall not proceed beyond the stop line, or if there is no stop line, the primary signal.

(ii) A pedestrian shall not enter upon the carriageway unless a WALK signal in green or a steady green pedal cycle signal is also showing.

- (ca) *Two Red Circles Flashing Alternately (Other than on Wigwag Signals or other Warning Devices at or near a Level Crossing):*
- (i) A driver must not proceed beyond the stop line, or if there is no stop line, the primary signal.
 - (ii) A pedestrian must not enter upon the carriageway unless a WALK signal in green or a steady green pedal cycle signal is also showing.
- (d) *Steady White "T":* A driver of a tram car may proceed irrespective of any other instruction indicated by a traffic light or a signal or sign exhibited with a traffic light.
- (e) *Steady Red Circle and Green Arrow(s):*
- (i) A driver may enter the intersection or junction only to make the movement(s) indicated by such arrow(s), but shall give way to vehicles and pedestrians lawfully within the intersection or junction.
 - (ii) A pedestrian facing a green straight through (vertical) arrow may proceed across the carriageway unless a DON'T WALK signal in red is also showing.
 - (iii) A pedestrian facing a green left turn or a green right turn arrow shall not enter upon the carriageway unless a WALK signal in green or a green straight through arrow is also showing.
- (f) *Steady Arrow(s) Indication(s):* The provisions of paragraphs (a), (b) and (c) of this regulation shall be applicable to the movement(s) indicated by the arrow(s). However, a pedestrian facing a green left turn or a green right turn arrow shall not enter upon the carriageway unless a WALK signal in green, or a green circle or a green straight through (vertical) arrow is also showing. A person facing a green straight through (vertical) arrow may proceed across the carriageway unless a DON'T WALK signal in red is also showing.
- (g) *Steady Green WALK signal:* A pedestrian may enter upon the carriageway and proceed in the direction of the signal.
- (h) *Steady Red DON'T WALK signal:* A pedestrian shall not enter upon the carriageway.
- (i) *Flashing Red DON'T WALK signal:* A pedestrian shall not enter upon the carriageway, but any pedestrian who has commenced to cross on the WALK signal shall proceed to the opposite footpath, dividing strip or island where the signal giving the indication is located.
- (j) *General Meaning of Arrows:* Vertical arrow means a movement directly through an intersection or junction, an arrow pointing right means a right turn; and an arrow pointing left means a left turn.
- (k) For the purpose of this regulation a "**WALK signal**" means a signal with the word WALK in green or a symbol indicating a person walking in green and a "**DON'T WALK signal**" means a signal with the words DON'T WALK signal in red or a symbol indicating a person not walking in red.

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- (l) *Steady White "B"*: A driver of a bus in a traffic lane principally intended for use by buses, may proceed irrespective of any other instruction indicated by a traffic light or a signal or sign exhibited with a traffic light.
- (m) *Steady Red "B"*: A driver of a bus in a traffic lane principally intended for use by buses, shall not proceed beyond the stop line, or if there is no stop line, the primary signal, irrespective of any other instruction indicated by a traffic light or a signal or sign exhibited with a traffic light.
- (n) *Steady Green Pedal Cycle Signal*: A pedestrian, or a person riding or wheeling a pedal cycle may enter upon the carriageway and proceed in the direction of the signal.
- (o) *Steady Red Pedal Cycle Signal*: A pedestrian or a person riding or wheeling a pedal cycle shall not enter upon the carriageway.
- (p) *Flashing Red Pedal Cycle Signal*: A pedestrian or a person riding or wheeling a pedal cycle shall not enter upon the carriageway, but any such person who commenced to cross on the steady green pedal cycle signal shall proceed to the opposite footpath, dividing strip or island where the signal giving the indication is located.

3.02 Duty at flashing lights at an intersection or junction

A driver facing a flashing amber light erected at an intersection or junction may proceed through the intersection or junction with necessary caution.

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3.03A Duty of pedestrians and drivers on footpath or bikeway near flashing red lights

Where traffic lights erected and maintained adjacent to a driveway that gives access to the carriageway from adjoining land display two red circles flashing alternately—

- (a) a pedestrian, or the driver of a vehicle, on a footpath or bikeway must not proceed across the driveway; and
- (b) a pedestrian, or the driver of a vehicle, on a footpath or bikeway who has commenced to cross when the lights begin to operate must give way to an emergency vehicle using that driveway to leave the adjoining land.

3.04 Duties of pedestrians crossing near pedestrian crossings or traffic lights

(1) A pedestrian shall not cross a carriageway (other than a carriageway that is a shared zone) outside and within 20 metres of—

- (a) a pedestrian crossing at which flashing lights are operating; or
- (b) a marked cross-walk adjacent to traffic lights while such lights are operating.

(2) "**Marked cross-walk**" means that portion of the carriageway controlled by traffic lights which is clearly defined by lines or signs, for use by pedestrians.

(3) Prior to entering a pedestrian crossing or marked cross-walk a pedestrian shall obey any reasonable direction given by a monitor.

3.05 Duty on divided roads

(1) In this regulation "**service road**" means any carriageway specifically constructed to service abutting development and separated from the carriageways used by main through traffic.

(2) Where a road is divided into carriageways by a dividing strip or strips a person shall not drive a vehicle along the right-hand carriageway (service road carriageway excepted) unless a sign inscribed with the words "Two Way Traffic" is erected to face drivers entering that carriageway.

(3) A person shall not drive on or over a dividing strip, provided that this subregulation shall not apply to a part of a dividing strip which is used as a parking area and indicated as such by signs or lines.

3.06 Duty of drivers of long vehicles

(1) In this regulation—

(a) "**long vehicle**" means a vehicle 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;

(b) "**built-up area**" means a length of road on which a speed limit or speed zone prescribes a maximum speed of 60 kilometres an hour or less.

(2) Except when overtaking and passing, the driver of a long vehicle when following another long vehicle shall, whenever conditions permit, keep his or her vehicle not less than 60 metres behind the other vehicle.

(3) This regulation shall not apply to a long vehicle in a built-up area or to a long vehicle on a carriageway provided with two or more marked lanes available exclusively for vehicles travelling in the same direction as the long vehicle.

3.07 Obedience to signals, signs and pavement markings

For the purposes of section 76 of the Act—

(1) If a signal or sign bearing the words "NO U-TURN" or a mark to the same effect is lawfully placed—

(a) at or near an intersection, junction or crossover, a driver shall not cause his or her vehicle to make a U-turn at that intersection, junction or crossover; or

(b) on or near a road other than at an intersection, junction or crossover to face an approaching driver, the driver shall not cause his or her vehicle to make a U-turn on that road between the signal or sign and the far side of the next intersection, junction or crossover.

(2) If a signal or sign bearing an arrow and the words "ONE WAY" is lawfully placed to face a driver entering a carriageway, the driver shall drive along that carriageway only in the direction indicated by the arrow on the signal or sign.

(3) If a signal or sign bearing the words "NO ENTRY" or a mark to the same effect is lawfully placed over or adjacent to a carriageway to face an approaching driver, the driver shall not proceed beyond the signal or sign.

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(4) If a signal or sign bearing the words "NO EXIT" is lawfully placed on land adjacent to a carriageway, a driver shall not cause his or her vehicle to enter upon that carriageway by driving beyond the signal or sign.

(5) If a signal or sign bearing the words "NO OVERTAKING ON BRIDGE" is lawfully placed near a bridge to face an approaching driver, the driver shall not overtake a vehicle while between the signal or sign and the far end of the bridge.

(6) If a signal or sign bearing the words "FORM ONE LANE" or the words "FORM 2 LANES" is lawfully placed over or adjacent to a carriageway to face an approaching driver, the driver shall so position his or her vehicle such that in accordance with the signal or sign not more than one or not more than two lanes of vehicles is so formed.

(7) If a signal or sign bearing the words "LEFT LANE MUST TURN LEFT" or the words "RIGHT LANE MUST TURN RIGHT" is lawfully placed over or adjacent to a marked lane of a carriageway at or near the approach to an intersection or junction, a driver travelling in that marked lane shall cause his or her vehicle to make a left or right turn at the intersection or junction in accordance with the instruction on the signal or sign.

(8) (a) Where an arrow is painted on the pavement in a marked lane of a carriageway at or near an intersection, junction or crossover, a driver travelling in that marked lane shall drive through the intersection, junction or crossover only in the direction indicated by the arrow. If the arrow indicates two or more directions then the driver may drive through the intersection, junction or crossover in any of the directions indicated.

(b) Notwithstanding the provisions of paragraph (a) of this subregulation, if a regulatory signal or sign which has a meaning which is contrary to any arrow painted on the pavement of the carriageway at or near an intersection, junction or crossover is lawfully placed at or near the intersection, junction or crossover, a driver shall obey the meaning of the signal or sign and shall not drive through the intersection, junction or crossover in the direction indicated by the arrow painted on the pavement which is in conflict with the regulatory sign.

(9) In this regulation—

(a) "**driver**" includes a rider of a small-wheeled vehicle; and

(b) "**vehicle**" includes a small-wheeled vehicle,

but nothing in this regulation will be taken to permit the riding of a small-wheeled vehicle on a carriageway unless it is otherwise lawful to do so.

3.07A Obedience to overhead traffic signs for traffic lane control

(1) For the purposes of section 76 of the Act, the provisions of this regulation apply where an overhead traffic signal is erected and maintained over a marked traffic lane, whether at an intersection or junction or at any other location, and that signal displays an illuminated symbol described in subregulation (2).

(2) The instructions given by an overhead traffic signal situated over a marked traffic lane to drivers facing that signal are as follows:

- (a) *Steady Green Arrow Pointing Vertically Downwards*: A driver may enter or proceed in the traffic lane over which the signal is situated.
- (b) *Steady Red Cross (X)*: A driver must not enter or proceed in the traffic lane over which the signal is situated.
- (c) *Flashing Red Cross (X)*: A driver must not enter the traffic lane over which the signal is situated from an adjacent lane and a driver proceeding in that lane must leave the lane as soon as it is safe to do so.

3.08 Prohibition of fishing from bridge

(1) The Minister may, by notice published in the *Gazette*, specify that fishing or any similar activity is prohibited on or from a bridge or its approaches or any part of a bridge or its approaches.

(2) A person who fishes or conducts any similar activity on or from a bridge or its approaches or any part of a bridge or its approaches in contravention of a notice under subregulation (1) is guilty of an offence.

3.09 Prohibition of driving fuel carrying vehicles

(1) No person shall drive or cause, suffer or permit to be driven on those portions of those roads described in the schedule to this regulation any vehicle which contains or is otherwise transporting any commodity defined as a Dangerous Substance in Section 9—Index of Dangerous Goods of Australian Code for the Transport of Dangerous Goods by Road and Rail published in the *Commonwealth of Australian Gazette* No. P16, 19 December 1980 except where the commodity is contained or is being transported for use as fuel for use in the engine of that vehicle.

(2) Subregulation (1) shall not apply if the quantity of dangerous substance carried on any one vehicle does not exceed—

- (a) 25 litres if the substance is in liquid form; or
- (b) 45 kg if the substance is in solid or gaseous form.

(3) Where reasonable cause exists, the Minister may by notice in writing permit a vehicle to be driven on all or part of those roads described in the schedule of this regulation on such terms and conditions as the Minister thinks fit.

SCHEDULE

1. That portion of the Bordertown-Port MacDonnell Main Road No. 19 commonly known as Bay Road, Mount Gambier, which lies between an imaginary line formed by the prolongation of the western boundary of section 391, Waterworks Reserve, Hundred of Blanche across the said road and an imaginary line 30 metres south of and parallel to an imaginary line formed by the prolongation of the southern boundary of allotment 22 Filed Plan 321 across the said road.

2. That portion of John Watson Drive, Mount Gambier which lies between an imaginary line formed by the prolongation of the northern boundary of section 415, Hundred of Blanche, across the said road and an imaginary line formed by the prolongation of the northern-most boundary of section 414, corporation reserve, Hundred of Blanche across the said road.

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3. That portion of Ocean Boulevard, City of Marion (hereinafter referred to as "the said road") which lies between an imaginary line formed by the prolongation of the northern boundary of the road commonly known as Majors Road across the said road, and an imaginary line formed by the prolongation of the eastern boundary of the road commonly known as Brighton Road across the said road.

3.10 Duty to report accidents

Pursuant to the provisions of section 43(5) of the Act the prescribed amount is \$600.

3.11 Riding on footpaths or bikeways

An employee of the Australian Postal Commission must not ride a motor cycle on a footpath or bikeway where the engine capacity of that motor cycle exceeds 110 millilitres.

3.12 Hook right turns

For the purposes of section 70B of the Act, a bus used for the purposes of a passenger transport service according to regular routes and timetables may execute a hook right turn when—

- (a) the bus is—
 - (i) travelling north along King William Street in the City of Adelaide and turning right at the intersection of that street and North Terrace between 8:15am and 9:00am and between 4:15pm and 5:45pm on each day other than Saturdays and Public Holidays; or
 - (ii) travelling east along Rundle Road in the City of Adelaide and turning right at the intersection of that road and Dequetteville Terrace; or
 - (iii) travelling north along Tea Tree Plaza Access Road at Modbury and turning right at the intersection of that road and North East Road; or
 - (iv) travelling south along Panalatinga Road at Reynella and turning right at the intersection of that road and Old South Road; and
- (b) a traffic control device for the exhibition of a steady white "B" light is installed and operating at the intersection so as to be facing towards the bus before it commences the right turn.

**PART 4
PARKING AND STANDING OF VEHICLES**

4.01 Stationary vehicles not to cause danger

If any vehicle is parked or standing—

- (a) on a road in such a position or condition as to cause or be likely to cause danger to other traffic or persons using that road; or
- (b) in such a position or condition as to obstruct traffic on a road; or
- (c) in such a position or condition as to obstruct a gate, door or entrance by which vehicles may enter or leave any land or building abutting or adjacent to a road, or a crossing place leading to any gate, door or entrance,

the owner of such vehicle shall be guilty of an offence, and where the owner is not the driver, the owner and the driver shall each be guilty of an offence.

4.02 Defences

(1) In any proceedings for a breach of regulation 4.01 it shall be a defence for the driver of any vehicle to prove that the owner has already been convicted of an offence against the same provision of regulation 4.01 which is the subject of such proceedings, and that such proceedings arise out of the facts or circumstances upon which the proceedings against the owner were based.

(2) In any proceedings for a breach of regulation 4.01 it shall be a defence for the owner of any vehicle to prove—

- (a) that the driver has already been convicted or acquitted of an offence against the same provision of regulation 4.01 which is the subject of such proceedings, and that such proceedings arise out of the facts or circumstances upon which the proceedings against the driver were based; or
- (b) that at the time of such breach the vehicle had been stolen or illegally taken or used; or
- (c) that at the time when the offence occurred the owner was not present, and the vehicle was in the possession or custody of an independent repairer, and that within twenty-one days of the owner first becoming aware of the offence, the owner informed the Commissioner of Police, in writing, of the name and address of that repairer.

(3) For the purposes of this regulation "**independent repairer**" means any person (not being the spouse, child or employee of the owner), firm or company having the custody of a vehicle for the purpose of carrying out any work on such vehicle for fee or reward.

4.03 Application of regulations 4.01 and 4.02

Regulations 4.01 and 4.02 shall apply to any road or part of a road within such parts of the State as lie within municipalities or districts constituted or continued under the *Local Government Act 1934*.

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4.07 Clearways

(1) In this regulation—

"**clearway**" has the meaning assigned by the schedule of this regulation, but does not include a service road;

"**service road**" means a carriageway or carriageways adjoining a carriageway for through traffic, and constructed, intended or used solely or mainly for servicing land, buildings or other premises adjacent to any or all of those carriageways.

* * * * *

(3) Except as provided in subregulation (5), no person shall—

- (a) stop a vehicle on a clearway; or
- (b) cause or permit a vehicle to remain standing on a clearway.

(4) No person shall drive, ride or lead an animal or an animal-drawn vehicle along a clearway.

(4a) A person must not ride a small-wheeled vehicle along a clearway.

(5) The provisions of subregulation (3) shall not apply to the following circumstances or to the following classes of vehicles:

- (a) any vehicle which is unable to move because of a breakdown;
- (b) any vehicle being used in connection with the construction, repair or maintenance of a clearway;
- (c) any vehicle which has stopped to avoid conflict with other traffic or to comply with the directions of a member of the police force or a traffic control device, sign or signal;
- (d) any bus owned or operated by TransAdelaide or another operator of a regular passenger service under the *Passenger Transport Act 1994* which has stopped for the purpose of allowing any person to alight from or enter such vehicle at a bus stop, provided the bus does not remain standing longer than is reasonably necessary for such purposes;
- (e) any vehicle stationary entirely within the confines of a parking bay indicated by any line or sign marked or erected for the purpose of exempting vehicles from the operation of this regulation.

SCHEDULE
Clearways

Clearways

1. The portion specified in column 2 of the table of a section of road specified in column 1 of the table is a clearway each Monday to Friday (inclusive) between the times specified in column 3 of the table.

Interpretation

2. In column 2 of the table—

"northern side" means—

- (a) in relation to a divided road—the northernmost of the carriageways of the road; or
- (b) in any other case—the side of the carriageway of the road for vehicles proceeding in the same direction that is the northernmost side,

and "southern side", "eastern side" and "western side" have corresponding meanings;

"whole" means the whole of the carriageway or each carriageway of the road.

CLEARWAYS

	Column 1	Column 2	Column 3
	SECTION OF ROAD	PORTION	TIMES (MONDAY TO FRIDAY, INCLUSIVE)
1.	Anzac Highway (Road number 6212) between Greenhill Rd and Brighton Rd	Northern side Southern side	7.30am to 9.00am 4.30pm to 6.00pm
2.	Briens Road/Bridge Road (Road number 5400) between Grand Junction Rd and Smith Rd	Whole Whole	7.30am to 9.00am 4.30pm to 6.00pm
3.	Burbridge Rd (Road number 6586) between Railway Tce and Brooker Tce	Northern side Southern side	7.30am to 9.00am 4.30pm to 6.00pm
4.	Flinders St (Road number 6150) between Dequetteville Tce and Fullarton Rd	Southern side Northern side	7.30am to 9.00am 4.30pm to 6.00pm
5.	Fullarton Rd (Road number 6146) between Magill Rd and Kensington Rd	Whole Whole	7.30am to 9.00am 4.30pm to 6.00pm
6.	Fullarton Rd (Road number 6146) between Kensington Rd and Maitland St	Western side Eastern side	7.30am to 9.00am 4.30pm to 6.00pm
7.	Glen Osmond Rd (Road number 6180) between Greenhill Rd and Portrush Rd	Western side Eastern side	7.30am to 9.00am 4.30pm to 6.00pm
8.	Goodwood Rd (Road number 6461) between Greenhill Rd and Edward St	Western side Eastern side	7.00am to 9.00am 4.30pm to 6.00pm
9.	Goodwood Rd (Road number 6461) between Springbank Rd and Morgan Ave	Western side	7.00am to 9.00am
10.	Greenhill Rd (Road number 6185) between Anzac Highway and Glen Osmond Rd	Whole Whole	7.30am to 9.00am 4.30pm to 6.00pm

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11.	Greenhill Rd (Road number 6185) between Glen Osmond Rd and Fullarton Rd	Southern side	7.30am to 9.00am
		Southern side	4.30pm to 6.00pm
12.	Greenhill Rd (Road number 6185) between Fullarton Rd and Portrush Rd	Southern side	7.30am to 9.00am
		Northern side	4.30pm to 6.00pm
13.	Henley Beach Rd (Road number 6580) between Railway Tce and May Tce	Northern side	7.30am to 9.00am
		Southern side	4.30pm to 6.00pm
14.	Kensington Rd (Road number 6024) between Fullarton Rd and Glynburn Rd	Southern side	7.30am to 9.00am
		Northern side	4.30pm to 6.00pm
15.	Lower North East Rd (Road number 5221) between Montacute Rd and Valley Rd	Southern side	7.30am to 9.00am
		Northern side	4.30pm to 6.00pm
16.	Magill Rd (Road number 6018) between Payneham Rd and Glynburn Rd	Southern side	7.30am to 9.00am
		Northern side	4.30pm to 6.00pm
17.	Main North Rd (Road number 5610) between Fitzroy Tce and Collins St	Eastern side	7.30am to 9.00am
		Western side	4.30pm to 6.00pm
18.	Marion Rd (Road number 6601) between Cross Rd and Sturt Rd	Western side	7.30am to 9.00am
		Eastern side	4.30pm to 6.00pm
19.	Morphett Rd (Road number 6592) between Anzac Highway and Diagonal Rd	Western side	7.30am to 9.00am
		Eastern side	4.30pm to 6.00pm
20.	Newton Rd/St. Bernards Rd (Road number 6012) between Shalford Tce and Magill Rd	Eastern side	7.30am to 9.00am
		Western side	4.00pm to 6.00pm
21.	North East Rd (Road number 4489) between Nottage Tce and Golden Grove Rd	Southern side	7.00am to 9.00am
		Northern side	4.00pm to 6.00pm
22.	North Terrace (Road number 5221) between Hackney Rd and Fullarton Rd	Southern side	7.00am to 9.00am
		Northern side	4.00pm to 6.00pm
23.	Northcote Tce (Road number 5615) between Robe Tce and Nottage Tce	Southern side	7.00am to 9.00am
		Northern side	4.00pm to 6.00pm
24.	Nottage Tce (Road number 5618) between Main North Rd and North East Rd	Southern side	7.30am to 9.00am
25.	Payneham Road (Road number 5221) between Fullarton Rd and Portrush Rd	Southern side	7.30am to 9.00am
		Northern side	4.30pm to 6.00pm

26.	Portrush Rd (Road number 6033) between Magill Rd and Greenhill Rd	Whole	7.30am to 9.00am
		Whole	4.00pm to 6.00pm
27.	Prospect Rd (Road number 5627) between Fitzroy Tce and Regency Rd	Eastern side	7.30am to 9.00am
		Western side	4.30pm to 6.00pm
28.	Smith Rd (Road number 5063) between Main North Rd and Bridge Rd	Whole	7.30am to 9.00am
		Whole	4.30pm to 6.00pm
29.	South Rd (Road number 6203) between Torrens Rd and Rose St	Whole	7.30am to 9.00am
		Whole	4.30pm to 6.00pm
30.	South Rd (Road number 6203) between Rose St and Daws Rd	Whole	7.00am to 11.00am
		Whole	3.00pm to 7.00pm
31.	South Rd (Road number 6203) between Daws Rd and Ayliffes Rd	Whole	7.30am to 9.00am
		Whole	4.30pm to 6.00pm
32.	Torrens Rd (Road number 5639) between Fitzroy Tce and Mais St	Whole	7.30am to 9.00am
		Whole	4.30pm to 6.00pm
33.	Unley Rd/Belair Rd (Road number 6191) between Greenhill Rd and Springbank Rd	Western side	7.30am to 9.00am
		Eastern side	4.30pm to 6.00pm

4.08 South Eastern Freeway

(1) In this regulation "South Eastern Freeway" (hereinafter referred to as "the Freeway") means that portion of road and the ingress ramps to and the egress ramps from such portion of road described in schedule A of this regulation.

(2) Except as provided in subregulation (5), no person shall—

(a) stop a vehicle on the Freeway; or

(b) cause or permit a vehicle to remain standing on the Freeway.

(3) No person shall drive, ride or lead a pedal cycle, an animal or an animal-drawn vehicle along the Freeway.

(4) No pedestrian shall enter upon the Freeway nor shall any person walk upon or ride a small-wheeled vehicle on the Freeway.

(5) It is declared that the provisions of subregulations (2) and (4) shall not apply to the following circumstances and classes of vehicles:

(a) any vehicle which is unable to move because of a breakdown;

(b) any vehicle being used in connection with the construction, repair or maintenance of the Freeway;

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(c) any vehicle which has stopped to avoid conflict with other traffic or to comply with the directions of a member of the police force or a traffic control device sign or signal;

(d) any vehicle which has stopped to attend or tow away a vehicle in mechanical difficulties.

(6) Notwithstanding any provision contained in this regulation, subregulations (3) and (4) shall not apply to that portion of road and any ingress ramp to and any egress ramp from such portion of road described in schedule B of this regulation.

(7) Any person contravening or failing to comply with any provision of this regulation shall be guilty of an offence and upon conviction shall be liable to a fine of not less than \$20.00 nor more than \$200.00.

SCHEDULE A

That portion of the road known as RN 4500 South East Highway between—

(a) a line joining the points on each boundary of that road 8 kilometres east from the eastern boundary of the intersection of Portrush Road, Glen Osmond Road and Cross Road; and

(b) a line joining the points on each boundary of that road 1.4 kilometres west from the western end of Swanport Bridge,

(each distance being measured along the boundaries of that road) together with the ingress ramps to and egress ramps from that portion of road.

SCHEDULE B

That portion of road (hereinafter referred to as "the said road") commencing at an imaginary line across the road known as the RN 4500 South East Highway and being approximately 60 metres west of and parallel to the prolongation of the western boundary of part of allotment 6 in Filed Plan 23057 and continuing in a generally easterly direction terminating at an imaginary line at right angles to the edge of the carriageway and across the carriageway of the said road for east bound traffic immediately east of the junction of the said road with the egress ramp for east bound traffic at Crafers; and terminating at an imaginary line at right angles to the carriageway and across the carriageway of the said road for west bound traffic immediately east of the junction of the said road with the ingress ramp for west bound traffic at Crafers; and including—

(1) The egress ramp from the said road for east bound traffic at Crafers Terminating at an imaginary line being the prolongation of the north-western boundary of allotment 35 in Filed Plan 129589 across the egress ramp; and

(2) The ingress ramp to the said road for west bound traffic at Crafers Commencing at its intersection with the road known as Waverley Ridge Road (Belair and Crafers Main Road No. 76).

4.09 Bus lanes

(1) In this regulation "**bus lane**" means a lane on a carriageway adjacent to, above or on which a traffic control device is erected, displayed or marked to indicate that the lane is reserved for use by persons driving buses.

(1a) Where the bus lane is not to be effective as a bus lane at all times, the times at which it is to be so effective shall be indicated by traffic control devices erected, displayed or marked adjacent to, above or on the lane, and, in that event, the lane shall not for the purposes of this regulation be a bus lane except during the times so indicated.

(1b) Without limiting the effect of subregulations (1) and (1a), a reference to a bus lane includes a reference to a bus lane as defined in the schedule of this regulation.

(2) Except as provided in subregulation (4), no person shall—

- (a) drive a vehicle over or upon a bus lane; or
- (b) ride or lead an animal or animal-drawn vehicle over or upon a bus lane.

(3) Except as provided in subregulation (5), no person shall—

- (a) stop a vehicle over or upon a bus lane; or
- (b) cause or permit a vehicle to remain standing over or upon a bus lane.

(4) The provisions of subregulation (2) shall not apply to the following classes of vehicles and circumstances:

- (a) buses;
- (b) pedal cycles;
- (c) emergency vehicles;
- (d) any vehicle complying with the directions of a member of the police force;
- (e) any vehicle which is driven over or on a bus lane for so long only as is reasonably necessary for the purpose of—
 - (i) taking a position on a part of the road which is not a bus lane; or
 - (ii) making a left turn into another road; or
 - (iii) entering land or premises adjacent to the road,

where to do so is otherwise lawful.

(5) The provisions of subregulation (3) shall not apply to the following classes of vehicles and circumstances:

- (a) any vehicle which is unable to move because of an accident or breakdown;
- (b) any vehicle which has stopped to attend or tow away a disabled vehicle;
- (c) any vehicle carrying out emergency repairs to the road or services;

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- (d) any bus stopped for the purpose of allowing people to alight from or enter the vehicle at a bus stop, provided the driver of the bus does not cause or permit it to remain standing longer than is reasonably necessary for such purposes;
- (e) any vehicle which has stopped to comply with the directions of a member of the police force or a traffic control device, sign or signal;
- (f) emergency vehicles.

(6) It shall be a defence to a charge of contravening subregulation (2) or (3) if the defendant proves that contravention was necessary in order to avoid an accident or owing to an obstruction on the road.

(7) Any person contravening or failing to comply with any provision of this regulation shall be guilty of an offence and shall be liable to a fine of not less than \$10 and not more than \$200.

SCHEDULE*Bus Lanes***Interpretation**

1. In this schedule—

"**intersection**" includes junction;

"**left hand lane**", where the carriageway of a road is marked with two or more lanes for vehicles proceeding in the same direction, means the lane on the carriageway that is, for a vehicle proceeding in that direction on that carriageway, the lane closest to the left boundary of the carriageway (other than a bicycle lane or a lane that is exclusively for the use of vehicles turning to the left at an intersection);

"**northern approach**", in relation to a road that forms an intersection with another road or roads, means the portion of the carriageway of that road that provides an approach in a permitted direction of travel to that intersection from the north (or approximately from the north), ending at the stop line on the carriageway that regulates the movement of traffic into the intersection from that permitted direction of travel, and "**north-eastern approach**", "**eastern approach**", "**south-eastern approach**", "**southern approach**" (and so on) have corresponding meanings;

"**second lane**", where the carriageway of a road is marked with two or more lanes for vehicles proceeding in the same direction, means the lane on the carriageway that is, for a vehicle moving in that direction, immediately to the right of the left hand lane (and "**third lane**", "**fourth lane**" and "**fifth lane**" mean each successive lane to the right of the left hand lane, respectively).

Bus lanes

2. The specified lane on the carriageway of the section of road set out in column 1 of the table is a bus lane during the times specified in column 2 of the table.

BUS LANES

	Column 1	Column 2
	SECTION OF ROAD	TIMES
1.	Anzac Highway (Rd No. 6212): the last 20 metres of the north-eastern approach to its intersection with Greenhill Rd and Richmond Rd, left hand lane only	At all times

2.	Barton Road (North Adelaide): the last 10 metres of the south-eastern approach to its intersection with Park Tce and Hawker St, left hand lane only	At all times
3.	Botanic Road (Rd No. 5221): the western approach to its intersection with Hackney Rd, Dequetteville Tce and North Tce, from East Tce to that intersection, left hand lane only	At all times
4.	Botanic Road (Rd No. 5221): the eastern approach to its intersection with East Tce and North Tce, from Dequetteville Tce to that intersection, left hand lane only	At all times
5.	Fullarton Road (Rd No. 6146): the last 45 metres of the northern approach to its intersection with Grant Ave, third lane only	At all times
6.	Goodwood Road (Rd No. 6461): the last 10 metres of the northern approach to its intersection with Greenhill Rd, left hand lane only	At all times
7.	Goodwood Road (Rd No. 6461): the northern approach to its intersection with Springbank Rd, from Grange Rd to that intersection, left hand lane only	4.00 pm to 6.30 pm (Monday to Friday, inclusive)
8.	Goodwood Road (Rd No. 6461): the southern approach to its intersection with Edward St and Grange Rd, from Rockville Ave to that intersection, left hand lane only	7.00 am to 9.00 am (Monday to Friday, inclusive)
9.	Golden Grove Road (Rd No. 5200): the last 12 metres of the northern approach to its intersection with North East Rd, left hand lane only	At all times
10.	The Grove Way (Rd No. 5201): the last 100 metres of the eastern approach to its intersection with Main North Rd, second lane only	At all times
11.	Hackney Road (Rd No. 6143): the last 150 metres of the northern approach to its intersection with Botanic Rd, Dequetteville Tce and North Tce, fourth lane only	At all times
12.	Henley Beach Road (Rd No. 6580): the approach from the west to Bakewell Bridge, from South Rd to the commencement of the Bridge, left hand lane only	7.30 am to 10.00 am (Monday to Friday, inclusive)
13.	Henley Beach Road (Rd No. 6580): the last 50 metres of the eastern approach to its intersection with South Rd, left hand lane only	At all times
14.	Magill Road (Rd No. 6018): the last 10 metres of the eastern approach to its intersection with Osmond Tce and Nelson St, left hand lane only	At all times
15.	Main North Road (Rd No. 5610): the last 115 metres of the southern approach to its intersection with Fitzroy Tce and Robe Tce, left hand lane only	At all times
16.	Main North Road (Rd No. 5610): the last 20 metres of the northern approach to its intersection with Fitzroy Tce and Robe Tce, left hand lane only	At all times

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17.	Main North Road (Rd No. 5610): the last 10 metres of the northern approach to its intersection with Nottage Tce, left hand lane only	At all times
18.	Main North Road (Rd No. 5610): the northern approach to its intersection with Regency Rd, from Hurtle Ave to that intersection, left hand lane only	At all times
19.	Main North Road (Rd No. 7200): the last 30 metres of the southern approach to its intersection with Black Top Rd, left hand lane only	At all times
20.	Main North Road (Rd No. 7200): the last 30 metres of the northern approach to its intersection with Black Top Rd, left hand lane only	At all times
21.	Mann Terrace (Rd No. 6143): the last 45 metres of the southern approach to its intersection with Robe Tce, Northcote Tce, Walkerville Tce and Park Tce, left hand lane only	At all times
22.	Panalatinga Road (Rd No. 6726): the last 40 metres of the northern approach to its intersection with Kenihans Rd and Old South Rd, left hand lane only	At all times
23.	Panalatinga Road (Rd No. 6726): the last 80 metres of the southern approach to its intersection with Main South Road, left hand lane only	At all times
24.	Park Terrace (Rd No. 5624): the northern approach to its intersection with Bundeys Rd, from the busway exit to that intersection, left hand lane only	At all times
25.	Payneham Road (Rd No. 5221): the north-eastern approach to its intersection with Broad St, from Arthur St to that intersection, left hand lane only	7.00 am to 9.00 am (Monday to Friday, inclusive)
26.	Payneham Road (Rd No. 5221): the south-western approach to its intersection with Wear Ave, from Broad St to that intersection, left hand lane only	4.00 pm to 6.00 pm (Monday to Friday, inclusive)
27.	Peacock Road (Rd No. 6194): the last 10 metres of the northern approach to its intersection with Greenhill Rd and King William Rd, left hand lane only	At all times
28.	Port Road (Rd No. 5648): the last 20 metres of the southern approach to its intersection with Adam St and Park Tce, left hand lane only	At all times
29.	Port Road (Rd No. 5648): the last 20 metres of the north-western approach to its intersection with Adam St and Park Tce, left hand lane only	At all times
30.	Prospect Road (Rd No. 5627): the last 15 metres of the southern approach to its intersection with Fitzroy Tce, left hand lane only	At all times
31.	Rundle Road (Rd No. 6149): the last 40 metres of the western approach to its intersection with Dequetteville Tce and Rundle St, left hand lane only	At all times

32.	South Road (Rd No. 6203): the last 45 metres of the south-western approach to its intersection with Shepherds Hill Rd and Ayliffes Rd, left hand lane only	At all times
33.	Sudholz Road (Rd No. 6012): the last 60 metres of the southern approach to its intersection with Lyons Rd, fourth lane only	At all times
34.	Sudholz Road (Rd No. 6012): the southern approach to its intersection with North East Rd, from Lyons Rd to that intersection, the lane that is (at that intersection) the fifth lane only	At all times
35.	Tea Tree Plaza Access Road (Modbury): the last 20 metres of the southern approach to its intersection with North East Rd and Golden Grove Rd, left hand lane only	At all times
36.	Unley Road (Rd No. 6191): the last 10 metres of the northern approach to its intersection with Greenhill Rd, left hand lane only	At all times
37.	Unley Road (Rd No. 6191): the last 30 metres of the southern approach to its intersection with Arthur St and Oxford St, left hand lane only	At all times

4.10 Bicycle lanes

* * * * *

(2) Except as provided in subregulation (4) no person shall—

- (a) drive a vehicle over or upon a bicycle lane; or
- (b) ride or lead an animal or animal-drawn vehicle over or upon a bicycle lane.

(3) Except as provided in subregulation (5) no person shall—

- (a) stop a vehicle over or upon a bicycle lane; or
- (b) cause or permit a vehicle to remain standing over or upon a bicycle lane.

(4) The provisions of subregulation (2) shall not apply to the following classes of vehicles and circumstances:

- (a) pedal cycles;
- (b) any bus the driver of which drives it over or upon a bicycle lane but only for so long as it is necessary to do so in order to approach and depart from a bus stop;
- (c) any vehicle which is driven over or on a bicycle lane for so long only as is reasonably necessary for the purpose of—

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- (i) taking a position on a part of the carriageway which is not a bicycle lane; or
- (ii) entering or leaving the carriageway,
where to do so is otherwise lawful.

(5) The provisions of subregulation (3) shall not apply to the following classes of vehicles and circumstances:

- (a) any vehicle which is unable to move because of an accident or breakdown;
- (b) any vehicle which has stopped to attend or tow away a disabled vehicle;
- (c) any vehicle carrying out emergency repairs to the road or services;
- (d) any bus stopped for the purpose of allowing people to alight from or enter the vehicle at a bus stop, provided the driver of the bus does not cause or permit it to remain standing longer than is reasonably necessary for such purposes;
- (e) any vehicle which has stopped to comply with a traffic control device, sign or signal.

(6) It shall be a defence to a charge of contravening subregulation (2) or (3) if the defendant proves that contravention was necessary in order to avoid an accident or owing to an obstruction on the road.

(7) Any person contravening or failing to comply with any provision of this regulation shall be guilty of an offence and shall be liable to a fine of not less than \$10 and not more than \$200.

PART 5
LIGHTING EQUIPMENT ON VEHICLES

5.00A Unauthorized lighting equipment

(1) A person who drives a vehicle, or causes it to stand, on a road with a lamp or reflector fitted to that vehicle or attached to its load that is not a lamp or reflector required or permitted by the Act or these regulations is guilty of an offence.

5.01 Headlamps

(1) *Motor Vehicles:*

(a) Every motor vehicle (other than a motor cycle with or without a sidecar or a three-wheeled motor vehicle which is steered by means of a handle bar or tiller and does not exceed 1.5 metres in width) shall be equipped with two headlamps on the front of the vehicle of equal candle power capable of projecting a white light ahead of the vehicle.

(b) The centres of such headlamps shall be on opposite sides and equidistant from the centre line of the vehicle and not less than 600 millimetres apart.

(c) The lamps shall be of equal height from the ground and—

(i) in the case of motor vehicles first registered prior to 1 July 1974, shall be not less than 500 millimetres nor more than 1.4 metres from the ground;

(ii) in the case of motor vehicles first registered on or after 1 July 1974, shall be not less than 600 millimetres nor more than 1.4 metres from the ground.

(d) Notwithstanding this regulation a motor vehicle may be driven equipped with two alternative headlamps provided that the distance between the centres of such alternative headlamps is not less than the distance between the centres of the headlamps and provided further that no more than four of such lamps exceeding seven watts shall be alight on the front of the vehicle at any one time and—

(i) in the case of motor vehicles first registered prior to 1 July 1974, shall be not less than 500 millimetres nor more than 1.4 metres from the ground;

(ii) in the case of motor vehicles first registered on or after 1 July 1974, shall be not less than 600 millimetres nor more than 1.4 metres from the ground.

(2) *Motor Cycles:*

(a) Every motor cycle shall be equipped with one or two headlamps on the front of the vehicle capable of projecting a white light ahead of the vehicle. Where one headlamp is fitted it shall be mounted centrally. Where two headlamps are fitted they shall be disposed either—

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- (i) one above the other with both being mounted centrally; or
 - (ii) side by side symmetrically about the longitudinal centre-line of the motor cycle.
- (b) The centre of such headlamp or headlamps shall—
- (i) in the case of a motor cycle first registered prior to 1 July 1974, be not less than 500 millimetres nor more than 1.4 metres from the ground;
 - (ii) in the case of a motor cycle first registered on or after 1 July 1974, be not less than 600 millimetres nor more than 1.4 metres from the ground.
- (c) Any such motor cycle drawing a trailer which together with any load or equipment thereon is one metre or more in width shall have affixed to each side of the front of the trailer a lamp of a power not exceeding seven watts so that no part of the trailer or any load or equipment thereon projects more than 150 millimetres laterally from the centre of such lamp.
- (d) Any such motor cycle with a sidecar attached shall have a lamp affixed to the sidecar of a power not exceeding seven watts capable of projecting a white light to the front which when lighted is clearly visible under normal atmospheric conditions for a distance of not less than 200 metres from the front of the vehicle and such lamp shall be affixed so that no part of the vehicle or its equipment or load extends outwards for more than 300 millimetres from the centre of the lamp.

(3) *Three-wheeled Motor Vehicles:*

- (a) Every three-wheeled motor vehicle (other than a motor cycle with a sidecar attached) which is steered by a handle bar or tiller and does not exceed 1.1 metres in width shall be equipped with one headlamp as prescribed in subregulation (2)(a).
- (b) Where the width of the vehicle exceeds 1.1 metres but does not exceed 1.5 metres—
- (i) the vehicle must be equipped with one headlamp conforming to the provisions of subregulation (2)(a) and there shall be affixed to each side of such vehicle a lamp of a power not exceeding seven watts which when lighted shows a clear white light visible under normal atmospheric conditions at a distance of not less than 200 metres from the front of the vehicle; and
 - (ii) no part of the vehicle or load shall project more than 150 millimetres laterally from the centre of these side lamps; and

- (iii) where the vehicle is steered by any means other than by a handle bar or tiller, or the width of the vehicle or its equipment exceeds 1.5 metres, it shall be equipped with two headlamps conforming to subregulation (1).

(4) *Dipping Devices:*

- (a) Every motor vehicle registered for the first time after 31 December 1940, shall be equipped with a dipping device by means of which the beam of light projected therefrom may be deflected downwards, or both downwards and to the left, for such an extent that the top of the beam of the light at a distance of 7.6 metres in front of the vehicle is not higher than the level of the centre of the headlamp and at a distance of 23 metres in front of the vehicle is not more than 1.1 metres above the level on which the vehicle stands: Provided that it shall be sufficient compliance with this paragraph if in place of a dipping device such headlamps can be extinguished by the operation of a device which at the same time brings into operation a lamp which meets the requirements of this paragraph.
- (b) The beam of light projected from any headlamp not fitted or required to be fitted with a dipping device shall be permanently deflected to comply with the provisions of this regulation.
- (c) The apparatus or dipping device fitted to any vehicle for deflecting, dipping or dimming the main headlamp or headlamps thereof shall be maintained in efficient working order.

5.02 Rear lights

(1) Every motor vehicle (other than a motor cycle) and every trailer shall be equipped with one lamp of a power not exceeding seven watts affixed to the rear of the vehicle in either the centre thereof or on the right-hand side of such centre or if two lamps are affixed one on either side so that the centre of the lamp or lamps is not more than 1.1 metres from the ground and which when lighted shows a red light to the rear, visible under normal atmospheric conditions at a distance of 200 metres.

(2) Every motor cycle shall be equipped with a lamp of a power not exceeding seven watts affixed to the rear thereof so that the centre of the lamp is not more than 1.1 metres from the ground and which when lighted shows a red light to the rear of the motor cycle, visible under normal atmospheric conditions at a distance of 200 metres.

(3) Each letter or figure upon the number plate carried upon the rear of a motor vehicle or trailer shall be illuminated so as to be clearly discernible at a distance of 18 metres by a white light projected either by the rear lamp as prescribed in subregulations (1) and (2) or by a separate lamp affixed to the vehicle.

(4) Every rear lamp and every number plate lamp prescribed in subregulations (1), (2) and (3) shall be so wired that if already alight it will remain lighted or if not lighted it will become lighted when any headlamp or alternative headlamp with which the motor vehicle is equipped is lighted.

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(5) In the case of any vehicle, not being a trailer, which is being towed by any motor vehicle, there shall, in addition to the requirements of these regulations being complied with in respect of the towing vehicle, be affixed to that portion of the vehicle being towed which faces any following vehicle, in the centre of such portion or to the right-hand or offside of such centre, a lighted lamp which shows a red light to the rear visible at a distance of 200 metres.

(6) Where the load on a vehicle extends more than 1.2 metres behind the rear of the vehicle (or if a vehicle is towing another vehicle, behind the rear of the towed vehicle) there must, between sunset and sunrise and during a period of low visibility, be attached on the rear of that load a lamp showing a red light to the rear.

(7) If—

- (a) a bike rack that is attached to a motor vehicle displays a number plate for the purposes of regulation 22(3) of the *Motor Vehicles Regulations 1996*; and
- (b) the bike rack has the effect of obscuring or distorting a letter or figure on a number plate on the vehicle when the plate is viewed or photographed from any particular angle or from all angles between sunset and sunrise or during a period of low visibility,

there must, between sunset and sunrise and during a period of low visibility, be affixed to the bike rack a lamp that projects a white light onto the number plate attached to the bike rack so as to make each letter or figure on the plate clearly discernible at a distance of 18 metres.

5.03 Reflectors

(1) *Rear Reflectors:*

- (a) (i) Every motor vehicle or trailer (not being a motor cycle without a sidecar) shall have symmetrically affixed to the rear thereof at least one reflector on each side. Any such reflectors may be in the form of a reflecting lens fitted to the rear lamps required or permitted by these regulations.

(ii) Every motor cycle without a sidecar shall have a reflector affixed to the rear thereof. Any such reflector may be in the form of a reflecting lens fitted to any rear lamp required or permitted by these regulations.
- (b) Any reflector or reflecting lens as prescribed in paragraph (a) of this regulation shall be capable of projecting a red reflection of light from the lamp of any following vehicle. Such reflectors shall be so affixed that—

- (i) the centre thereof is not higher than 1.1 metres from the ground provided that in the case of a vehicle constructed solely or principally for the carriage of goods and which is so designed or constructed that it would be impracticable to comply with the aforementioned requirements without affixing a reflector in a position where it would be subject to possible damage in the course of the vehicle's normal operation any such reflector may be so affixed that the centre thereof is not higher than 1.5 metres from the ground; and
 - (ii) no part of the vehicle or trailer or any load or equipment thereon on the side to which such reflector is affixed projects more than 250 millimetres laterally from the centre of such reflector where the width of the vehicle or the trailer together with any load or equipment thereon is 2.2 metres or more or 400 millimetres laterally from the centre of such reflector where the width of the vehicle or trailer together with any load or equipment thereon is less than 2.2 metres.
- (c) Reflectors fitted to a motor vehicle or trailer in accordance with these regulations—
- (i) shall be fitted in a vertical position facing squarely to the rear, be unobscured, and be in a clean condition; and
 - (ii) shall be such that light from any headlamp complying with the regulations applicable to motor vehicles and placed at a distance of 100 metres from such reflector and projected directly on to the reflector will give a red reflection of light which is clearly visible to any person with reasonably good vision sitting in or on a motor vehicle to which such a lamp is affixed.

(2) *Front Reflectors*: If reflectors are fitted to the front of a motor vehicle—

- (a) they shall be placed symmetrically on opposite sides equidistant from the centre line of the vehicle and at equal height from the ground, or alternatively one reflector may be fitted to the offside; and
- (b) any reflector fitted in accordance with this subregulation shall be capable of projecting to the front of the vehicle a white or amber reflection of light from the lamp of any vehicle approaching from the opposite direction.

5.04 Clearance lamps and side marker lamps

(1) *Definition*: In this regulation "**clearance lamp**" means a lamp which when lighted provides an indication of the width of a motor vehicle together with any load or equipment thereon either from the front or from the rear of the vehicle as the case may be. "**Side marker lamp**" means a lamp which when lighted is visible from the side of the vehicle upon which such light is fitted.

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(2) *General:* In addition to lamps and reflectors otherwise prescribed in these regulations with respect to motor vehicles generally, the following vehicles shall be equipped as under:

- (a) *Rigid Motor Vehicles 2.2 metres or more in width:* On every rigid motor vehicle, which together with any load or equipment thereon is 2.2 metres or more in width, there shall be the following:
- (i) On or near the front, two clearance lamps, one on each side displaying an amber light to the front.
 - (ii) On or near the rear, two clearance lamps, one on each side displaying a red light to the rear.
 - (iii) In the case of a vehicle which together with any load or equipment thereon exceeds 7.5 metres in length, two side marker lamps, one on each side at or near the rear displaying a red light: Provided that it shall be sufficient compliance with this subparagraph, if the clearance lamps prescribed in subparagraph (ii) are so constructed and fitted that the light from each lamp is visible from a point at ninety degrees to the alignment of the vehicle on the side of the vehicle to which the lamp is fitted.
- (b) *Articulated Motor Vehicles:* On every articulated motor vehicle irrespective of width, there shall be the following:
- (i) *Hauling Unit:* On or near the front of the hauling unit of an articulated motor vehicle, two clearance lamps, displaying an amber light to the front. The lamps shall be fitted one on each side of the vehicle and each such lamp shall be at a distance as near as practicable, but not exceeding one-third of the length of the vehicle from the foremost part of the vehicle on the side on which it is fitted.
 - (ii) *Semi-trailer:* On or near the front of a semi-trailer, two clearance lamps, one on each side displaying an amber light to the front. On or near the rear of the semi-trailer, two clearance lamps, one on each side, displaying a red light to the rear, and, when the semi-trailer together with any load or equipment thereon exceeds 7.5 metres in length, two clearance lamps, one on each side in a position midway between the front and the rear clearance lamps. Such lamps shall display an amber light to the front and red to the rear. On each side of the semi-trailer, two side marker lamps, one at or near the front displaying an amber light and one at or near the rear displaying a red light, and where the semi-trailer together with any load or equipment thereon exceeds 7.5 metres in length, one side marker lamp showing an amber light on each side in a position midway between the front and the rear side marker lamps.

(c) *Trailers other than Pole-type Trailers:* On every trailer other than a pole-type trailer, which together with any load or equipment thereon is 2.2 metres or more in width, or projects more than 150 millimetres laterally on either side beyond the motor vehicle by which it is drawn, clearance lamps and side marker lamps shall be fitted in accordance with subregulation (2)(b)(ii). Provided that in the case of a trailer constructed principally for the carriage of boats which is 2.2 metres or more in width or projects more than 150 millimetres laterally on either side beyond the motor vehicle by which it is drawn, it shall be sufficient compliance if there are fitted near the centre of the trailer two clearance lamps, one on each side, displaying an amber light to the front and a red light to the rear. Such trailers shall be fitted with at least one side marker lamp on each side showing an amber light and which may be mounted near the centre of the trailer.

(d) *Pole-type Trailers:* On every pole-type trailer there shall be the following:

(i) On each side of the bolster or where the trailer is fitted with more than one bolster, on each side of the foremost bolster, a clearance lamp showing an amber light to the front.

(ii) On each side of the bolster or where the trailer is fitted with more than one bolster on each side of the rearmost bolster, a clearance lamp showing a red light to the rear.

Provided that where a trailer is fitted with two bolsters the requirements of subparagraphs (i) and (ii) shall be deemed to be complied with if the clearance lamps required on each side of the bolster are fitted to the rearmost bolster of the vehicle and illumination to the front and rear is provided as required.

(iii) On each side of the bolster or combination of two bolsters, one side marker lamp.

(iv) Along the entire length of the right-hand and left-hand faces of the pole, red reflectors or red lights placed at intervals of not more than 1.25 metres.

(e) *Motor Vehicle Fitted with a Bolster:* On every motor vehicle fitted with one or more bolsters, i.e., a motor vehicle designed to draw a pole-type trailer, there shall be the following:

(i) On or near the front of the vehicle, one clearance lamp on each side displaying an amber light. Each such lamp shall be at a distance as near as practicable but not exceeding one-third of the length of the vehicle from the foremost part of the side on which it is affixed.

(ii) On each side of the bolster or where there is more than one bolster on each side of the foremost bolster, a clearance lamp showing amber light to the front.

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- (iii) On each side of the bolster or where there is more than one bolster on each side of the rearmost bolster, a clearance lamp showing a red light to the rear.

Provided that where a vehicle is fitted with two bolsters the requirements of subparagraphs (ii) and (iii) shall be deemed to be complied with if the clearance lamps required on each side of the bolster are fitted to the rearmost bolster of the vehicle and illumination to the front and rear is provided as required.

- (iv) On each side of the bolster or combination of two bolsters, one side marker lamp.

(3) *Visibility of Clearance Lamps and Side Marker Lamps:* Clearance lamps and side marker lamps shall be of a power not exceeding seven watts and when lighted shall be visible under normal atmospheric conditions at a distance of 200 metres.

(4) *Mounting of Clearance Lamps and Side Marker Lamps:*

(a) Clearance lamps and side marker lamps shall be so affixed that—

- (i) no part of the vehicle or any load or equipment thereon on the side to which any such lamp is affixed projects more than 150 millimetres laterally from the centre of any such lamp; and
- (ii) in the case of any semi-trailer or trailer all clearance lamps and side marker lamps are as far as practicable of the same height above the level of the ground on which the vehicle stands; and
- (iii) in the case of any motor vehicle, semi-trailer or trailer (other than a pole-type trailer or trailer constructed principally for the carriage of boats) the rear clearance lamps and rear side marker lamps shall not be more than 300 millimetres distant from the rearmost point of the side of the vehicle to which any such lamp is fitted and, except in the case of a motor vehicle, the front clearance lamps and front side marker lamps shall be not more than 300 millimetres distant from the foremost point of the side of the vehicle to which any such lamp is fitted; and
- (iv) the centre of any clearance lamp or side marker lamp fitted at or near the rear of a motor vehicle or trailer is not less than 600 millimetres nor more than 1.5 metres above the level of the ground on which the vehicle stands.

(b) In the case of any motor vehicle (not being a motor cycle or a three-wheeled vehicle steered by means of handle bars or tiller) clearance lamps mounted at or near the front of the vehicle shall be so fitted that the centres thereof are not less than 750 millimetres above the centre of the headlamp.

- (c) Where it is provided that a clearance lamp shall display an amber light to the front and a red light to the rear, two separate lamps may be fitted to the vehicle provided such lamps comply with requirements with regard to the colour of the light to be displayed and the position of the clearance lamp for which they are substituted.
- (d) Clearance lamps and side marker lamps may be fitted in combination, provided that illumination is given as required by these regulations and such lamps are so constructed and fitted that the light from each is visible from a point ninety degrees to the alignment of the vehicle on the side of the vehicle to which the lamp is fitted.

(5) *Optional Clearance and Combination Rear Clearance and Side Marker Lamps—Motor Vehicles 2.2 metres or more in Width:*

- (a) In addition to the rear clearance and side marker lamps required by these regulations there may be affixed to the rear of the vehicle additional combination rear clearance and side marker lamps or to the sides of the vehicle additional combination clearance and side marker lamps in accordance with the provisions of these regulations.

5.05 Spotlights

(1) Except as provided in this regulation—

- (a) no person shall drive or leave standing any motor vehicle in or from or upon which a lighted spotlight or searchlight is used or to which a lighted spotlight or searchlight is attached by means of a lead and used away from the vehicle; and
- (b) no person shall use such lighted spotlight or searchlight.

(2) A motor vehicle in or from or upon which a lighted spotlight is used or to which a lighted spotlight is attached by means of a lead and used away from the vehicle may be driven or left standing and a person may use such lighted spotlight—

- (a) where such motor vehicle is stationary and such spotlight is lighted and used only for the purpose of examining any part of such vehicle or making adjustments or repairs to any such part, and the light therefrom is not projected more than 6 metres from such vehicle; or
- (b) where such motor vehicle is not within the boundaries of any municipality, town or township, and such spotlight is lighted and used only for the purpose of reading a fingerpost or notice board and for no longer a time than is necessary for such purpose; or

* * * * *

- (d) where such motor vehicle is owned by ETSA Corporation or any other electricity corporation within the meaning of the *Electricity Corporations Act 1994* and is engaged in an inspection, repair or maintenance of the electricity mains or apparatus; or

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- (e) where such vehicle is being used by—
 - (i) the South Australian Metropolitan Fire Service, a fire brigade registered under the *South Australian Metropolitan Fire Service Act 1936* or the Country Fire Service; or
 - (ii) a member of the police force in the course of his or her duty; or
 - (iii) the State Emergency Service; or
- (f) where such vehicle is—
 - (i) an ambulance; or
 - (ii) a towtruck.

5.06 Foglamps

(1) There may be affixed to the front of any motor vehicle other than a motor cycle—

- (a) two foglamps of approximately equal candle power placed on opposite sides of and equidistant from the centre line of a vehicle and at equal height from the ground so that the centres of such lamps are not less than 600 millimetres apart; or
- (b) one foglamp, provided that where only one foglamp is fitted and lighted there shall be affixed symmetrically to the front of the vehicle and at equal height from the ground two lighted lamps of a power not exceeding seven watts with centres not less than one metre apart.

(2) There may be affixed to the front of any motor cycle one foglamp.

(3) The following provisions shall apply in respect of any foglamp affixed to any vehicle pursuant to subregulation (1) or (2):

- (a) The lamp or lamps shall be capable of showing only white or amber light.
- (b) The beam of light from the lamp or lamps shall be deflected downwards or both downwards and to the left.
- (c) The centre of the lamp or lamps shall not be higher than the centre of any compulsory headlamp affixed to the vehicle.
- (d) The lamp or lamps may be lighted only under abnormal atmospheric conditions.
- (e) When the lamp or lamps as the case may be are alight, no other lamp of a power exceeding seven watts and capable of showing white light to the front of the vehicle shall be alight.

- (f) When only one foglamp is affixed to any motor vehicle other than a motor cycle and such lamp is alight, the lamps referred to in the proviso to subregulation (1)(b) shall also be alight.

5.07 Optional lamps and reflectors

(1) Any motor vehicle licensed for the carriage of nine or more passengers for hire or reward may be equipped with a lamp or lamps which when lighted illuminate with white light a sign indicating route, destination or any other necessary sign or show coloured light with the exception of red near the sign.

(2) Any motor vehicle licensed for carriage of not more than eight passengers for hire or reward may be equipped with a lamp or lamps which when lighted illuminate with coloured light with the exception of red, a sign showing the word "Taxi" or the words "For Hire" or "Vacant".

(3) Any motor vehicle used as an ambulance may be equipped with a lamp or lamps which when lighted shows the word "Ambulance" or illuminate a sign recognised as that of an ambulance service.

(4) Any motor vehicle used officially by members of the police force may be equipped with a lamp or lamps which when lighted show the word "Police" or illuminate a sign recognised as that of the Police Department.

(5) Where clearance lamps are required to be fitted by these regulations there may be affixed to or above the roof of the cabin not more than five additional forward facing amber lamps each of a power not exceeding seven watts and spaced not less than 120 millimetres centre to centre.

(5a) Where a vehicle owned by a public authority is engaged in the repair or maintenance of property or equipment there may be affixed to the vehicle a floodlight. When alight the light shall be so located as to prevent as far as practical any glare which might adversely affect the vision of drivers of vehicles or pedestrians on a road on which the vehicle is being used. Such light shall only be alight while the vehicle is stationary.

In this subregulation "**public authority**" means any government authority and any body authorised by an Act to work on roads.

(6) A motor vehicle or trailer may be equipped with any lamp or lamps to illuminate the interior of the vehicle for the convenience of the driver or any other person in the vehicle, and which do not project any light other than that which is necessary for such purpose.

5.08 Parking lights

(1) A motor vehicle which is at any time between sunset and sunrise or during any period of low visibility, standing on any road shall be required to have displayed the following:

- (a) At least one lamp displaying a white light visible under normal atmospheric conditions for a distance of 200 metres to the front of the vehicle, such lamp to be on the side of the vehicle which is nearer the centre of the carriageway.

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- (b) There shall be at least one other lamp displaying a red light visible under normal atmospheric conditions for a distance of 200 metres to the rear of the vehicle, such lamp to be either in the centre of the rear of the vehicle or on the side which is nearer the centre of the carriageway.
- (c) This subregulation shall not apply to a motor cycle without a sidecar or trailer which is parked parallel to and as near as practicable to the kerb.

(2) The requirements of subregulation (1) shall not apply when a vehicle is parked under or near a lighted street lamp or other lamps and is thereby illuminated so as to render the vehicle clearly visible under normal atmospheric conditions from a distance of 200 metres and to remove any risk of accident.

(3) The provisions of subregulations (1) and (2) shall not apply when vehicles are parked off the carriageway in special areas, separated from the carriageway or in a dividing strip clear of the carriageway. This exemption shall not apply to areas defined only by line markings.

(4) Any lighted headlamp upon a parked vehicle shall be in a dipped position as in regulation 5.01(4).

(5) A rigid motor vehicle which is 2.2 metres or more in width, a semi-trailer, or a trailer which is required to display clearance lamps in accordance with regulation 5.04 shall have such clearance lamps alight in addition to the lamps required by subregulations (1) and (2).

(6) A vehicle which is required to have a lamp showing a red light to the rear attached on the rear of an overhanging load shall have such lamp alight in addition to the lamps required by subregulations (1) and (2).

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5.10 Equipment on animal drawn vehicles

(1) No person shall drive any vehicle drawn by animal power between sunset and sunrise unless there are displayed lighted lamps and illuminating devices as hereafter provided.

(2) Every two-wheeled vehicle shall be equipped on opposite sides with two lighted lamps so constructed as to show a white light to the front and a red light to the rear of such vehicle visible under normal atmospheric conditions for at least 200 metres in each case.

- (3) (a) Every four-wheel vehicle or any vehicle having more than four wheels, other than a pole type jinker, shall be equipped—
 - (i) on opposite sides at the front at a height of not more than 1.9 metres from the ground with two lighted lamps showing white light to the front visible under normal atmospheric conditions for at least 200 metres; and

- (ii) at the rear of the vehicle in the centre thereof or to the right hand or off-side of such centre at a height not more than 1.5 metres from the ground with a lamp showing red light to the rear visible under normal atmospheric conditions for at least 200 metres.
 - (b) Every pole type jinker shall be equipped on opposite sides at the front at a height of not more than 1.9 metres from the ground with two lighted lamps showing white light visible under normal atmospheric conditions for at least 200 metres to the front and upon the rear end of the pole of such jinker with a lamp showing a red light to the rear visible under normal atmospheric conditions for at least 200 metres.
- (4) In addition to the rear lights prescribed by subregulations (2) and (3) there shall be symmetrically affixed to each side of the rear of any vehicle or trailer a reflector complying with regulation 5.03(1)(b) and (c).

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5.12 Signalling devices on motor vehicles

- (1) (a) Except as provided in these regulations no person shall drive a motor vehicle or a motor vehicle drawing a trailer on a road unless such motor vehicle or motor vehicle and trailer as the case may be, is equipped with flashing lamp turn right and turn left signalling devices in accordance with these regulations.
- (b) The requirements of paragraph (a) shall not apply to—
 - (i) motor cycles; or
 - (ii) small power driven lawn mowers, pedestrian operated fork lift trucks, or other small self propelled machines; or
 - (iii) a trailer or vehicle being towed at a speed not exceeding 20 kilometres an hour; or
 - (iv) a trailer or vehicle or class of vehicle as exempted in writing by the Minister or by notice in the *Gazette*; or
 - (v) trailers or machines on wheels the dimensions of which or the load carried thereon, are such as to allow the turn indicator lights on the towing vehicle to be clearly visible to the driver of a vehicle following behind at all distances up to 60 metres; or
 - (vi) a tractor or farm implement used solely for the purposes of primary production when being driven on a road in accordance with section 12 of the *Motor Vehicles Act 1959* or clause 1 of schedule 6 of the *Motor Vehicles Regulations 1996*; or
 - (vii) a tractor or farm implement that is owned by a primary producer and registered under section 25 of the *Motor Vehicles Act 1959*; or

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- (viiia) a trailer when being towed on a road during the hours between sunrise and sunset by a tractor or farm implement that is owned by a primary producer and registered under section 25 of the *Motor Vehicles Act 1959*; or
- (viii) road construction, earth-moving and other similar equipment that is transported to its work site on another vehicle and not driven or towed to that site; or
- (ix) crawler tractors, track type excavating machines, steel road rollers, vibrating pavement rollers, pavement marking machines, and bitumen finishing machines not capable of a speed greater than 20 kilometres an hour; or
- (x) a vehicle manufactured before 1 January 1964 when being driven on a road pursuant to a permit under section 16 of the *Motor Vehicles Act 1959* and solely for the purpose of proceeding to, or taking part in and returning from a street procession or other event.

(2) General Requirements

- (a) Every driver shall give a signal required pursuant to section 74 of the Act—
 - (i) in the case of a signal of intention to turn or diverge right or left or make a U-turn by means of—
 - (aa) a hand and arm; or
 - (ab) a hand shaped signalling device; or
 - (ac) a flashing lamp signalling device;
 - (ii) in the case of a signal of intention to stop or reduce speed suddenly by means of—
 - (aa) hand and arm; or
 - (ab) a hand shaped signalling device; or
 - (ac) a stop lamp or lamps.
- (b) The signalling devices and the stop lamp or lamps permitted to be used in terms of subregulation (2) shall comply with the specifications for that signalling device or stop lamp as prescribed in subregulations (4) and (5).
- (c) A signal of intention to turn or diverge right is not required to be given by the rider of a pedal cycle making or proposing to make a box right turn.

- (ca) A signal of intention to turn or diverge left is not required to be given—
- (i) by the rider of a pedal cycle; or
 - (ii) by the driver of a vehicle manufactured before 1 January 1964 when the vehicle is being driven on a road pursuant to a permit under section 16 of the *Motor Vehicles Act 1959* and solely for the purpose of proceeding to, or taking part in and returning from a street procession or other event.
- (cb) A signal of intention to stop or reduce speed suddenly is not required to be given by the rider of a pedal cycle.
- (d) A signal shall not be deemed to comply with this regulation unless it is given so as to be clearly visible under normal atmospheric conditions by day and night to drivers approaching the vehicle at all distances up to 60 metres.
- (e) An illuminated signalling device shall not be glaring or dazzling to other road users or impair the driver's vision.
- (f) The signalling device when not in operation shall not mislead the driver of any vehicle or any person controlling traffic.
- (g) The signalling device shall be readily operable by the driver from a proper driving position.
- (h) The signalling device shall be so mounted that when operated the signal can be observed by the driver in the normal driving position directly or by means of a fixed mirror, or the operation of the signalling device must be indicated to the driver by means of a visible or audible signal, provided that this paragraph shall not apply to signals for stop and slow down complying with subregulation (5).

(3) *Hand Signals*

- (a) Where a driver gives a hand signal of his or her intention to turn or diverge right or left or make a U-turn, the driver shall fully extend as appropriate his or her right or left arm horizontally beyond the right or left side of the vehicle as appropriate with the palm facing the front and the fingers extended, approximately at right angles to the longitudinal centre line of the vehicle.
- (b) Where a driver gives a hand signal of his or her intention to stop or reduce speed suddenly, the driver shall with the palm of his or her hand facing the front extend his or her right arm beyond the right side of the vehicle with the upper arm horizontal and the forearm and fingers pointing vertically upwards.

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- (c) Where due to the dimensions of the vehicles specified in this paragraph a driver sitting in the normal driving position is unable to extend his or her right or left arm as the case may be beyond the side of the vehicle, the signal of intention to turn or stop may be given in the manner prescribed without the necessity to extend the arm and hand beyond the side of the vehicle provided that no part of the construction, loading or equipment of the vehicle or of any trailer or vehicle drawn by it would prevent such signal from being observed by other drivers.

The specified classes of vehicles are as follows:

- (i) tractors, graders, rollers and other plant engaged in road construction, maintenance, earthmoving or engineering works;
- (ii) tractors and other farm implements;
- (iii) small power-driven lawn mowers, pedestrian operated fork lift trucks and other small self-propelled machines.

(4) *Specification for Individual Devices*

- (a) Hand shaped STOP signalling devices: a stop or slow down signal may be given on the right side of the vehicle by means of a replica of a human hand extended beyond the right side of the vehicle. The hand shall be not less than 150 millimetres long and the width not less than half the length with the palm of the hand facing the front, and with the fingers extended and pointing upwards. The hand may be white or amber in colour and if illuminated shall be lit by a steady white or amber light.
- (b) Hand shaped TURN or DIVERGE RIGHT or LEFT signalling device: a turn or diverge right or left signal may be given by means of a replica of a human hand extended beyond the right or left side of the vehicle as appropriate. The hand shall be not less than 150 millimetres long and the width not less than half the length, with the palm facing the front and the fingers extended and pointing to the right or left as appropriate. The hand may be white or amber in colour and if illuminated shall be lit by a steady white or amber light.
- (c) (i) Flashing lamp TURN or DIVERGE RIGHT or LEFT signalling device: a turn or diverge right or left signal may be given on the right or left side of a vehicle as appropriate by a flashing lamp signalling device. Each lamp of the device on the right side of a vehicle shall be paired by a similar lamp symmetrically positioned on the left side of the vehicle. The lamps of each pair shall be not less than 750 millimetres apart nor more than 500 millimetres from the extreme width of the vehicle and they shall not be lower than 400 millimetres nor higher than 2 metres from the level on which the vehicle stands. The switching on of a flashing light must be followed by the appearance of the light within a maximum period of one second and the light shall flash regularly at the rate of not less than sixty per minute and not greater than one hundred and twenty per minute.

- (ii) All flashing signalling lamps on the same side of a vehicle must flash in phase and must be operated by the same control switch. The lamps shall be fitted as follows:
- (aa) on rigid vehicles not exceeding 7.5 metres in length, two lamps capable of showing a white or amber light clearly visible to the front of the vehicle and an amber light clearly visible to the rear of the vehicle, or four or more lamps of which two shall face forward and be mounted on or towards the front of the vehicle and two shall face rearward and be mounted on or towards the rear of the vehicle. The forward facing lamps shall be either amber or white and the rear facing lamps amber except that the rearward facing lamps of vehicles first registered before 1 January 1960 may be red;
 - (ab) on rigid vehicles exceeding 7.5 metres in length and on all articulated vehicles, four or more lamps capable of showing an amber light of which two shall be mounted on or towards the rear of the vehicle and two on the forepart of the vehicle. The rearmost lamps shall have an illuminated area facing to the rear. The foremost lamps shall have an illuminated area facing forward. One pair of lamps on or towards the front of the vehicle or in the case of an articulated vehicle on the forepart of the vehicle, shall have an illuminated area facing rearwards and be clearly visible from the rear;
 - (ac) on trailers, two lamps capable of showing an amber light mounted towards the rear of the trailer having an illuminated area facing rearward;
 - (ad) the requirements of subregulation (2)(d) in so far as applicable to the flashing signal lamp on the right or left of the vehicle shall be satisfied where such flashing signal lamp is visible from every point 60 metres from the lamp, on an imaginary line through the centre of the lamp and parallel to the longitudinal axis of the vehicle.
- (d) A signal of intention of the rider of a motor cycle to turn or diverge right or left may be given by flashing lamp signalling devices which shall—
- (i) when lighted, display a white or amber light to the front and an amber light to the rear; and
 - (ii) have front lamps not less than 300 millimetres nor more than 750 millimetres apart; and
 - (iii) have rear lamps not less than 300 millimetres apart.

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- (e) Notwithstanding the provisions of subparagraphs (i), (ii) and (iii) of paragraph (d), a motor cycle fitted with a sidecar or sidebox may be equipped with flashing lamp signalling devices as follows:
 - (i) when fitted both front and rear to the motor cycle and sidecar or sidebox, such devices shall not be more than 500 millimetres in from the extreme width of the vehicle;
 - (ii) shall not be lower than 400 millimetres nor higher than 1.1 metres from the ground;
 - (iii) when lighted, show a yellow light to the front and a yellow light to the rear;
 - (iv) the flashing lamp signalling devices fitted to the left hand side of the motor cycle shall be made inoperative at all times when the flashing lamp signalling devices fitted to the sidecar or sidebox are operating.

(5) Stop Lamp Requirements

- (a) Every motor vehicle, semi-trailer, pole-type trailer and trailer shall be equipped with a stop lamp affixed to the rear of the vehicle so that such lamp is in the centre or to the right of centre of such vehicle, or may be equipped with two or more stop lamps affixed symmetrically to the rear of the vehicle having their centres equidistant from the centre line of the vehicle with one pair of such lamps at equal height from the ground, and be so affixed that the centre of such lamp or lamps is not higher than 1.5 metres nor lower than 350 millimetres from the level on which the vehicle stands.
- (b) The stop lamp or lamps prescribed in this regulation shall—
 - (i) when illuminated display a red light to the rear of the vehicle; and
 - (ii) be illuminated when the service brake is applied and shall also be illuminated when any device (other than the service brake) is applied for actuating independently the brakes affixed to the semi-trailer of an articulated vehicle or the brakes affixed to a trailer being drawn by a motor vehicle.

* * * * *

(7) *Reversing Signal Lamps*

- (a) There may be fitted to the rear of any motor vehicle or trailer one or two reversing lamps which are lighted only when the vehicle is proceeding, or about to proceed, backwards and which are amber or white in colour. Such lamps shall be fitted at a height of not more than one metre above the ground and where two lamps are fitted they shall be of the same colour and placed equidistant from the centre of the vehicle and at equal height from the ground.

5.13 Portable reflectors

(1) In this regulation—

- (a) "**heavy vehicle**" means a vehicle the mass of which together with any trailer or trailers attached and the total load carried thereon (if any) exceeds 4 tonnes;

"**portable reflector**" means a portable warning device which complies with Australian Standard Specification No. E38-1962—Portable Warning Signs for Motor Vehicles as amended from time to time;

- (b) An articulated motor vehicle consisting of a forward part and a rear portion on wheels which is pivoted and partly superimposed on the forward part shall for the purposes of this regulation be deemed to be one motor vehicle.

(2) A person shall not drive a heavy vehicle on a road between sunset and sunrise or cause or permit a heavy vehicle to be so driven, unless there is carried on that vehicle three portable reflectors which comply with these regulations and are in good working order.

(3) A portable reflector of a type, class or description approved by the Minister by a notice of approval published in the *Gazette* will be deemed to comply with these regulations.

(4) Whenever between sunset and sunrise a heavy vehicle is stationary on a road and—

- (a) it is not exhibiting all the lights required by the Act and is not under or near a lighted street lamp or other lamps and is thereby not illuminated so as to render the vehicle clearly visible under normal atmospheric conditions from a distance of 200 metres and to remove any risk of accident; or

- (b) by reason of a curve, crest or other obstruction in the road is not clearly visible under normal atmospheric conditions at a distance of at least 100 metres to drivers approaching the heavy vehicle from the front or rear,

the person in charge of the heavy vehicle shall place and keep three portable reflectors complying with this regulation on the road in accordance with subregulation (5).

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- (5) (a) The reflectors shall be placed on the road so as to give reasonable warning to the drivers of other vehicles of the position of the heavy vehicle. One reflector shall be placed in advance of the heavy vehicle, one at the rear of such vehicle and one by the side of such vehicle.
- (b) Each reflector shall be so placed that each reflecting surface thereof is turned towards vehicles travelling along the road towards the heavy vehicle.
- (c) Where the heavy vehicle is not within a municipality, town or township the reflectors shall wherever practicable be at the following distances:
- (i) One reflector shall be not less than 50 metres and not more than 150 metres in advance of the heavy vehicle.
 - (ii) One reflector shall be not less than 50 metres and not more than 150 metres from the rear of the heavy vehicle.
 - (iii) One reflector shall be by the side of the heavy vehicle which is nearer to the middle of the carriageway or road on which the heavy vehicle is standing.

(6) A person shall not move or interfere with a reflector placed on a road in the vicinity of a heavy vehicle without the consent of the person in charge of that vehicle.

(7) Compliance with this regulation shall not relieve any person from any liability arising from non-compliance with any other law relating to lights on motor vehicles.

5.14 Flashing lights on emergency vehicles

(1) A flashing light may be fitted to a vehicle that may need to be used as an emergency vehicle.

(2) The flashing light or lights—

- (a) must be mounted on top of the vehicle and may, in addition, be fitted to the centre of the front of the vehicle below the level of the headlights and not less than 450 millimetres above the surface of the road; and
- (b) must, in the case of lights mounted on top of a vehicle, be visible from all sides; and
- (c) must be supplementary to and not in lieu of the vehicle lights required by these regulations to be fitted to such a vehicle; and
- (d) must be—
 - (i) blue in the case of a police vehicle or red in the case of any other emergency vehicle; or

- (ii) in either case, a combination of blue and red lights or blue, red and white lights.

5.14A Flashing lights on vehicles other than emergency vehicles

(1) A flashing light or lights may be fitted—

- (a) to a vehicle specified in the schedule of this regulation; or
- (b) with the approval in writing of the Minister, to a vehicle that may need to be used in hazardous circumstances.

(2) The flashing light or lights—

- (a) must be mounted on top of the vehicle; and
- (b) must be visible from all sides; and
- (c) must be supplementary to and not in lieu of the vehicle lights required by these regulations to be fitted to such a vehicle; and
- (d) must be—
 - (i) in the case of a vehicle referred to the schedule of this regulation—the colour specified in the schedule; or
 - (ii) in the case of a vehicle approved by the Minister that may need to be used in hazardous circumstances—yellow in colour.

(3) In an approval given under subregulation (1)(b), the Minister may specify conditions for the use of the light or lights.

(4) Where a vehicle is fitted with a flashing light or lights under this regulation, a person must not use the light or lights other than in accordance with any condition as to the use of the light or lights—

- (a) in the case of a vehicle referred to in the schedule of this regulation—specified in that schedule; or
- (b) in the case of a vehicle approved by the Minister—specified in that approval.

SCHEDULE

Non-emergency vehicles to which flashing lights may be fitted

1.00 Yellow flashing lights

(1) A yellow flashing light or lights may be fitted to the following vehicles, where the vehicle concerned is operated by the authority specified or is operated by a contractor on behalf of the authority specified:

- (a) Department of Transport—
 - (i) a motor vehicle or mechanical plant used in road making, maintenance or inspection;
 - (ii) a motor vehicle used by an inspector under the *Highways Act 1926*;

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- (b) Councils—
- (i) a motor vehicle or mechanical plant used in road construction, maintenance or inspection;
 - (ii) garbage collection vehicles;
- (c) ETSA Corporation (or any other electricity corporation within the meaning of the *Electricity Corporations Act 1994*) — a vehicle used in power line or power pole installation or maintenance;
- (d) South Australian Water Corporation — a vehicle used in the installation or maintenance of water or sewerage mains;
- (e) Telstra Corporation Limited, Optus Communications Pty. Ltd. — a vehicle used in the installation or maintenance of telephone or other cables;
- (f) Sagasco Holdings Limited — a vehicle used in the installation or maintenance of gas mains;
- (g) TransAdelaide (or another operator of a regular passenger service under the *Passenger Transport Act 1994*)—
- (i) a service van;
 - (ii) an elevated platform;
 - (iii) a bus used on the Northeast Busway;
- (h) Australian National — a vehicle used by security officers required to attend emergencies;
- (i) Commonwealth Department of Transport — a vehicle required under a law of the Commonwealth to be fitted with a yellow flashing light or lights when within an airport;
- (j) All State Departments and councils — a vehicle that may be used in response to the existence of hazardous conditions on a carriageway.

(2) A yellow flashing light or lights may be fitted to the following vehicles (whether or not the vehicle concerned is operated by or on behalf of an authority referred to in subclause (1)):

- (a) a towtruck;
- (b) a weed spraying vehicle;
- (c) a power driven lawn mower;
- (d) a forklift truck;
- (e) a mobile crane;
- (f) a vehicle used by a primary producer droving stock between paddocks;
- (g) a vehicle specially equipped for extracting accident victims;
- (h) a vehicle operated by a person or body for the purpose of providing roadside service for disabled vehicles;
- (i) a vehicle used in the rescue of animals;

- (j) a vehicle used as a support vehicle in the conduct of a sporting or recreational event on a road where the holding of that event on a road has been approved by the Commissioner of Police;
- (k) a vehicle exceeding a requirement of the Act as to the maximum permitted length, width or height of the vehicle, or a vehicle escorting such a vehicle, but only where an exemption from compliance with that requirement has been given pursuant to the Act;
- (l) a tractor or agricultural machine, or a vehicle carrying an agricultural machine, exceeding 3.5 metres in width, that is permitted to be driven or carried on a road under section 141(2) of the Act, or a vehicle escorting such a vehicle.

2.00 Use of yellow flashing lights

(1) A yellow flashing light or lights fitted to a vehicle referred to in clause 1.00 may only be used while the vehicle is in a hazardous position on the carriageway of a road.

(2) In addition, a yellow flashing light or lights may only be used—

- (a) in the case of a vehicle that is being used in connection with road works — where traffic control devices in accordance with Australian Standard 1742:3-1985 Part 3 — Traffic Control Devices for Works on Roads (and any other requirement of the Department of Transport) are displayed at those road works; and
- (b) in the case of a vehicle used in the inspection of roads — while the vehicle is engaged in the inspection of a road and is travelling at a speed not exceeding 40 kilometres an hour; and
- (c) in the case of a garbage collection vehicle — while the vehicle is engaged in the collection of garbage from house to house; and
- (d) in the case of a TransAdelaide bus (or the bus of another regular passenger service operator) — where the bus is involved in an emergency situation on the Northeast Busway; and
- (e) in the case of a towtruck — while the vehicle is engaged in attending disabled vehicles; and
- (f) in the case of every other vehicle referred to in clause 1.00 — while the vehicle is being used in connection with its functions.

3.00 Magenta flashing lights

(1) A magenta flashing light or lights may be fitted to a vehicle that may need to be used by an inspector under the *Road Traffic Act 1961* in the exercise or performance of the powers, functions or duties of an inspector under that Act.

(2) The light or lights may only be used by an inspector in the exercise or performance of his or her powers, functions or duties.

4.00 Blue flashing lights

(1) A blue flashing light or lights may be fitted to a vehicle that may need to be used by a member of the Australian Customs Service in the exercise or performance of the powers, functions or duties of an inspector under the *Customs Act 1901* of the Commonwealth.

(2) The light or lights may only be used by a member of the Australian Customs Service in the exercise or performance of his or her powers, functions or duties.

5.14B Hazard lights on motor vehicles

(1) A motor vehicle may be fitted with equipment that will cause each flashing lamp turn signal device that is fitted to the front, rear or sides of the vehicle in accordance with regulation 5.12(4)(c), (d) or (e) to flash simultaneously at a rate of not less than 60 and not more than 120 flashes per minute.

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(2) Equipment causing the turn signal devices to flash simultaneously may only be fitted if that simultaneous operation—

- (a) is activated by a switch that is independent of that activating the turning signals; and
- (b) is indicated to the driver of the vehicle by both audible and visible warning signals.

(3) A person must not operate equipment causing the turn signal devices on a motor vehicle to flash simultaneously unless—

- (a) the vehicle is stationary in a hazardous position on the carriageway as a result of an accident or as a result of the breakdown of the vehicle; or
- (b) the vehicle is stationary and it is necessary to warn other road users of the presence of a disabled vehicle or other hazard.

5.15 Rear marker reflector plates

(1) Subject to subregulation (3), all vehicles to which this regulation applies must be equipped or fitted with rear marker reflector plates which comply with the requirements relating to the design, construction and installation of rear marker reflector plates contained in the Code of Practice for Rear Marker Reflector Plates (September, 1986), issued by the Central Inspection Authority, as amended, varied or substituted from time to time.

(2) This regulation applies to the following classes of vehicle:

- (a) motor vehicles, where the gross vehicle mass limit of the vehicle exceeds 12 tonnes;
- (b) trailers—
 - (i) where the gross vehicle mass limit of the trailer exceeds 4 tonnes; or
 - (ii) that are being towed by a motor vehicle that has a gross vehicle mass limit in excess of 12 tonnes;
- (c) the semi-trailer portions of articulated motor vehicles.

(3) This regulation does not apply in relation to a bus that operates solely within one or more municipalities and stops at frequent intervals for the purpose of allowing passengers to enter or alight.

**PART 6
BRAKING EQUIPMENT**

6.01 Interpretation

In this Part, unless the contrary intention appears—

"braking system" means the brakes and all equipment and apparatus relating thereto;

"combination of motor vehicles" means any motor vehicle towing another motor vehicle;

"laden mass" means the mass of the vehicle and its load borne on the surfaces on which it is standing or stationary;

"one application of the service brake (or the parking brake)" means a sustained application of the service brake (or the parking brake) made in a prescribed brake test and which satisfies the appropriate prescribed braking performance;

"stored energy" includes any system whereby air or any gas or liquid is stored to operate or assist in the operation of the braking system or any part thereof;

"two applications of the service brake (or the parking brake)" means a sustained application of the service brake (or the parking brake) made in two successive prescribed brake tests and which satisfies the appropriate prescribed braking performance;

"four applications of the service brake (or the parking brake)" shall have a corresponding meaning.

6.02 Brakes on vehicles

(1) Every motor vehicle shall have service brakes acting on all road wheels and emergency and parking brakes acting on such road wheels as necessary to provide the performance specified in regulation 6.08 subject to the following exceptions:

(a) Every motor vehicle first registered before 1930 except a motor cycle shall have brakes fitted to not less than half the number of road wheels but in any event to not less than two wheels.

(b) Every tractor, grader and other self-propelled plant having a maximum speed on a level surface of not more than 40 kilometres an hour shall have—

(i) at least one wholly mechanical braking system that—

(A) acts on not less than two road wheels; and

(B) has an activating mechanism that includes a device that is capable of holding the activating mechanism in any position in which it is put in applying the brakes and is not susceptible to accidental release; or

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- (ii) two braking systems—
 - (A) one being hydraulic and the other operating on the transmission of the vehicle; and
 - (B) at least one of which has an activating mechanism that includes a device that is capable of holding the activating mechanism in any position in which it is put in applying the brakes and is not susceptible to accidental release.

(c) Every vehicle driven by means of articulated tracks shall have a braking system capable of stopping that vehicle and shall be capable of holding the vehicle stationary on any road on which the vehicle is driven and the said vehicle shall be so constructed mechanically that the brake may be secured against accidental release while the vehicle is in a stationary position.

(d) Every motor cycle first registered on or after 1 January 1930, shall have brakes which satisfy the functions outlined in regulation 6.04 acting on all road wheels except the wheels of any side-cars attached thereto and shall have separate controls on the front wheel braking system.

* * * * *

(f) Every motor cycle first registered before 1 January 1930, shall have a service brake acting on at least one road wheel.

(g) A semi-trailer or trailer being towed by a motor vehicle shall have brakes as provided in subregulations (2), (3), (4) and (5).

(h) A motor vehicle which complies with the requirements of—

- (i) ADR No. 31—Hydraulic Braking Systems; or
- (ii) ADR No. 35—Commercial Vehicle Braking Systems; or
- (iii) ADR No. 35A—Commercial Vehicle Braking Systems,

shall not be required to comply with the requirements of regulations 6.04 and 6.05 and subregulations (1), (2), (3), (4), (6)(d) and (6)(e) of regulation 6.07.

(2) Every semi-trailer attached to a prime mover shall have service brakes acting on all road wheels.

(3) Every trailer attached to a motor vehicle shall be equipped appropriately as follows:

- (a) Any trailer the laden mass of which exceeds 12 tonnes shall have service brakes acting on all road wheels.

- (b) Any trailer, not being a caravan or a machine on wheels, the unladen mass of which exceeds 0.75 tonnes shall have service brakes fitted to at least the rearmost wheels.

In the case of a tandem axle combination, where the distance between axle centres does not exceed a maximum distance of 1.25 metres, the service brakes may be fitted to at least the foremost wheels.

- (c) Any trailer, being a caravan or a machine on wheels, the laden mass of which exceeds two tonnes shall have service brakes fitted to at least the rearmost wheels.

In the case of a tandem axle combination, where the distance between axle centres does not exceed a maximum distance of 1.25 metres the service brakes may be fitted to at least the foremost wheels.

- (d) Any trailer the laden mass of which exceeds the unladen mass of the towing vehicle shall have service brakes fitted to at least the rearmost wheels.

In the case of a tandem axle combination, where the distance between axle centres does not exceed a maximum distance of 1.25 metres, the service brakes may be fitted to at least the foremost wheels.

- (e) Notwithstanding the requirements of paragraphs (b), (c) and (d), any trailer the laden mass of which does not exceed six tonnes and which is towed at a speed not exceeding 25 kilometres an hour is exempt from any prescribed requirements for the fitting of brakes.

(4) Where brakes are required by these regulations to be fitted to a trailer, brakes actuated by the overrun of the trailer are not a braking system for the purposes of that requirement except in the case of trailers requiring brakes solely because of the provisions of subregulation (3)(d).

(5) Every semi-trailer and every trailer required to be fitted with service brakes when attached to a motor vehicle shall have parking brakes acting on such road wheels necessary to provide the performance specified in regulation 6.08(6) or they shall be equipped with suitable chocks or other similar devices to hold the semi-trailer or trailer stationary.

6.03 General braking requirements

(1) All parts of the braking system shall be so constructed and fitted to the motor vehicle and be of such material and so maintained as to provide the performance specified in regulation 6.08 whenever the devices provided for applying the brakes are operated.

(2) The controls by which brakes are actuated shall be located so that they are readily accessible and easily operated by the driver in the normal driving position.

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(3) Each braking system shall have incorporated in it devices by means of which any increased movement of its components arising from wear can be removed. Such devices shall themselves contain provision for being secured throughout their working range in any position in which they may be put or to which they may themselves automatically adjust.

6.04 Brake functions

The braking system on any motor vehicle, trailer and semi-trailer other than those referred to in paragraphs (b) and (c) of subregulation (1) of regulation 6.02 shall provide—

- (a) for the following functions:
 - (i) service braking whereby the driver can retard or stop the vehicle in the course of its normal operations; and
 - (ii) emergency braking available to the driver for use in the event of failure of the service braking; and
 - (iii) parking braking (except in the case of any motor cycle) whereby the vehicle may be caused to stand with brakes applied; and
- (b) at least two separate means of brake actuation, which between them apply the service brake, the emergency brake and the parking brake, but the actuation of the parking brake shall be separate from that of the service brake; and
- (c) that in the event of failure of the service braking there shall remain available effective emergency braking; and
- (d) for the parking brake to be secured by mechanical action only, adequately secured against accidental release and for the action of applying the parking brake to release at its conclusion that part of any stored energy used in the application of the brake; provided that a stressed spring holding the brake applied shall not be regarded as stored energy for the purpose of this paragraph; and
- (e) that the brakes used to provide any of the functions prescribed in subparagraphs (i), (ii), or (iii) of paragraph (a) shall, when applied, produce a resultant braking force acting along the longitudinal centre line of the vehicle.

6.05 Provisions for braking systems using stored energy

(1) Every motor vehicle in which the actuation of any part of the braking system depends wholly upon the regulated supply of stored energy to such part to achieve the performance prescribed in regulation 6.08 shall be equipped with at least one reservoir providing a store of the required energy.

(2) Every motor vehicle the laden mass of which is 6 tonnes or more and every bus shall, if fitted with service brakes the actuation of which is assisted by stored energy, be equipped with not less than one reservoir providing a store of that energy.

(3) For every motor vehicle manufactured and registered prior to 1 July 1974, the reservoir shall be of adequate capacity at its normal working pressure to provide, after the supply of energy to the reservoir has been cut off, two applications of the service brake, each with the performance prescribed in regulation 6.08(3)(a). When only sufficient energy remains within the reservoir to provide one application of the service brake an audible or visible warning signal shall operate. The signal shall be clearly apparent to the driver in the normal driving position.

(4) For every motor vehicle manufactured and first registered on or after 1 July 1974, four applications of the service brake shall apply in compliance with regulation 6.08(3)(a). Audible and visible warning signals shall operate when only two applications of the service brake remain.

6.06 Additional provisions for towed vehicles

(1) Every semi-trailer fitted with a braking system depending upon stored energy and every trailer so fitted, in which the distance from the control to the actuating mechanism of the brakes exceeds 7.7 metres, shall be equipped with no less than one reservoir.

(2) The first call on the stored energy in the reservoir shall be that of the braking system. Any other demand upon it for stored energy shall disconnect automatically if the quantum available in the reservoir becomes depleted to two-thirds of its maximum.

(3) Where any trailer or semi-trailer is fitted with a reservoir in compliance with subregulation (1), a warning signal or signals audible or visible to the driver of the hauling vehicle in the normal driving position shall operate—

- (a) in the case of every trailer or semi-trailer manufactured and first registered prior to 1 July 1974, when only sufficient energy remains within the reservoir of the trailer or semi-trailer to provide one application of the service brake, each with the appropriate prescribed braking performance; and
- (b) in the case of every trailer or semi-trailer manufactured and first registered on or after 1 July 1974, when only sufficient energy remains within the reservoir of the trailer or semi-trailer to provide two applications of the service brake, each with the appropriate prescribed braking performance.

(4) Every trailer exceeding a laden mass of 2 tonnes and every semi-trailer shall be equipped with a braking system which will cause immediate automatic application of its brakes in the event of the trailer or semi-trailer accidentally becoming disconnected from the hauling vehicle. Brakes so applied shall remain applied for at least fifteen minutes and have the performance prescribed for in regulation 6.08 for emergency brakes.

6.07 Particular provisions for braking systems

(1) Where separate methods of actuation are provided for any of the functions of the braking system, the actuation of one function shall not cause the operation of another function.

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(2) If the parking brake on any vehicle requires the use of stored energy to apply or release it, the sole function of at least one reservoir on the vehicle shall be to store energy for such use when the normal supply of stored energy is not available. The available quantum of stored energy shall be sufficient to enable two applications or releases to be made of the parking brake each with the appropriate prescribed braking performance.

(3) If the service and emergency braking are actuated by the same control and a defect occurs in the service brake part of the braking system, a visual warning signal suitably designated and clearly visible to the driver in the normal driving position shall operate when the vehicle is made ready to drive, or on application of the brakes, and remain visible whilst the vehicle proceeds.

(4) Except as required by the provisions of regulation 6.06(4) brakes shall not operate automatically until audible or visible warning signals clearly apparent to the driver in the normal driving position have operated.

(5) Every motor vehicle used to haul a trailer or semi-trailer shall be so equipped that its braking system will remain operative and shall have the appropriate performance prescribed in regulation 6.08(3) in the event of the trailer or semi-trailer becoming disconnected, howsoever caused.

(6) Wherever a reservoir is required in this Part it shall—

- (a) if required for pneumatic energy, be so designed and manufactured as to enable it to sustain continuously the maximum working pressure to which the reservoir will be subjected. On completion of manufacture it shall be hydraulically tested at one and one half times the maximum working pressure during which test there shall be no deformation of the reservoir or leakage from it; and
- (b) if required for hydraulic energy, be capable of withstanding without deformation or leakage twice the maximum working pressure in the system; and
- (c) be so safeguarded that depletion of the stored energy through failure of any part of the supplying system is not possible; and
- (d) when required on a motor vehicle, have a device connected therewith indicating the measure of stored energy available. The indication shall be such that it can be easily read by the driver in the normal driving position; and
- (e) be so connected to the source of energy that it is preferentially charged; and
- (f) have provision for the complete drainage of the reservoir.

* * * * *

(8) Fluids used in hydraulic brake systems shall meet the requirements of Australian Standard Specification for Motor Vehicles—Brake Fluids (non Petroleum Type)—A.S. 1960—1983.

(9) Every vehicle on which a braking system is fitted shall be equipped with brake tubing and brake hose which conforms to the standards for hydraulic brake hose, air brake hose or vacuum brake hose specified (as at 1 March 1975) by the British Standards Institution or the Society of Automotive Engineers, or other standards approved by the Minister. Such brake tubing and brake hose shall be so fitted to the vehicle as to prevent chafing, kinking or other mechanical damage under normal motion of the parts to which they are attached.

6.08 Brake performance

(1) In this regulation, "**capable of stopping**", as applied to a brake, means capable at all times under all conditions of loading (except in the case of a bus) of bringing the vehicle equipped with the brake to a standstill from a speed of 30 kilometres an hour upon a hard, dry, level surface free of loose material, with one sustained application of the brake control within the specified distance prescribed by this Part from the point at which the brake is applied. The prescribed brake performance applicable to any vehicle or class of vehicles shall be determined with the engine disengaged.

(2) The braking system of a vehicle must comply with the requirements of this regulation with respect to brake performance.

(3) (a) Every motor vehicle or combination of motor vehicles or combination of motor vehicle with trailer attached shall be capable of stopping upon application of the service brake within the distances specified in Table A of this regulation.

(b) Every motor vehicle or combination of motor vehicles or combination of motor vehicle with trailer attached shall be capable of stopping upon application of the emergency brake within the distances specified in Table A of this regulation.

(c) The speed at which a test is made of the service or emergency brake of the vehicle pursuant to this regulation shall be 30 kilometres an hour or the maximum speed of which the vehicle is capable if this be less than 30 kilometres an hour.

(d) A vehicle shall not comply with the requirements of this regulation with respect to brake performance if when the brakes are tested there is a deviation of more than 300 millimetres of any part of the vehicle from its course.

(4) (a) In proceedings for an offence under subregulation (3) proof that the percentage efficiency of brakes as measured by a prescribed brake testing apparatus was less than the prescribed percentage efficiency shall be sufficient evidence of non-compliance with the requirements of subregulation (3).

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- (b) The service brake and emergency brake shall be capable of the minimum percentage efficiency set out in columns 2 and 3 of Table B of this regulation respectively when tested under the requirements of subregulation (5) and using brake testing apparatus described in paragraph (c).
 - (c) The following are prescribed brake testing apparatus for the purposes of these regulations:
 - (i) the brake testing apparatus commonly known as Ferodo or Tapley Brake Testing Meter;
 - (ii) a similarly calibrated inertial meter approved as such by the Minister;
 - (iii) the brake meter known as the Bowmonk Mark III meter with mounting base.
 - (5) (a) Passenger cars and derivatives thereof shall be tested with a driver and where practicable an observer.
 - (b) Motor vehicles which are not elsewhere specified in this subregulation shall be tested with a driver and where practicable an observer and such load as the vehicle may be carrying when the test is made.
 - (c) A motor vehicle towing a trailer shall be tested with a driver and where practicable an observer and such load as may be in or on the motor vehicle and in or on the trailer at the time the test is made.
 - (d) Motor cycles shall be tested with a person seated in the saddle as for normal driving.
 - (e) Buses shall be tested with a driver and where suitable one observer and no other passengers.
- (6) *Parking Brake*—The emergency braking system when used as a parking brake or the parking brake if this be separate, shall hold any vehicle stationary under any condition of loading on any road on which the vehicle is driven irrespective of whether the vehicle be facing up or downhill.

TABLE A

Category of Vehicles	Speed in kilometres an hour at the time when Brakes are applied	
	30	30
	Distance to Stop in Metres	
1	2 Service Brake	3 Emergency Brake
Motor cycle	12.2	17.5
Passenger cars and derivatives thereof operating with or without trailers	9.1	17.5
Motor vehicles not elsewhere specified operating with or without trailers	12.9	34
Buses	11.9	19.1
Motor Vehicles specified in Regulation 6.02(1)(b)	17.5 (13.1 if initial speed less than 30 km/h)	17.5 (13.1 if initial speed less than 30 km/h)

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TABLE B

Category of Vehicles	Percentage Efficiency	
	Minimum reading to be achieved on a Tapley or similar calibrated inertial Brake Testing Meter	
1	2 Service Brake	3 Emergency Brake
Motor cycles	40	25
Passenger cars and derivatives thereof operating with or without trailers	60	25
Motor vehicles which are not elsewhere specified operating with or without trailers	45	15
Buses	50	25

**PART 7
OTHER EQUIPMENT ON VEHICLES**

7.00A Compliance with Australian design rules

(1) In this regulation—

"trailer" includes semi-trailer.

(2) A person—

(a) who manufactures, sells or offers for sale—

(i) a motor vehicle or trailer for use on roads, or a part of a motor vehicle or trailer, that does not comply with the Australian Design Rules applicable to that motor vehicle, trailer or part; or

(ii) a motor vehicle or trailer for use on roads that does not bear a compliance plate; or

(b) who drives—

(i) a motor vehicle or trailer that does not, or any part of which does not, comply with the Australian Design Rules applicable to that motor vehicle, trailer or part; or

(ii) a motor vehicle or trailer that does not bear a compliance plate; or

(c) who removes, modifies or defaces a compliance plate affixed to a motor vehicle or trailer,

is guilty of an offence.

7.01 Modification of motor vehicles

(1) No person shall drive a motor vehicle which does not comply with the requirements of this regulation.

* * * * *

(4) No person shall cause, suffer or permit a motor car, station sedan or a motor vehicle of the class commonly called car type utility or car type panel van to be altered from its specification as originally manufactured in any of the following respects:

(a) Fitting of an engine or greater displacement volume than engines available as options for the vehicle so as to exceed the efficient functioning capacity of the braking systems provided for such vehicle;

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(aa) —

(i) Fitting of an engine of greater displacement volume than an engine available as an option for the vehicle with the braking system provided at the time of manufacture of the vehicle;

(b) Modifications to the braking systems which consist of the fitting of smaller diameter brake drums, or narrower brake drums or brake shoes which reduce the swept area of braking surface or which reduce the mass of brake drums or disc;

* * * * *

(d) The widening of the wheel track of front or rear wheels by more than 26 millimetres beyond the maximum specified by the vehicle manufacturer;

(e) Fitting of spacers between wheels and hubs additional to any provided by the vehicle manufacturer;

(f) Fitting of wheel nuts which do not engage the thread of the wheel studs for at least the same length as the nuts provided by the vehicle manufacturer, or wheel nuts which do not match with the taper on the wheel;

* * * * *

(h) Modifications of axles or suspension which reduces the available suspension travel from static conditions to full bump position to less than two-thirds of that provided by the vehicle manufacturer;

(i) Modifications to axles or suspension such that any part of the vehicle other than the tyre or rim will contact a road surface in the case of the deflation of any tyre;

(j) Welding or heating of axles, stub axles, steering arms or steering knuckle supports;

(k) Lengthening or shortening of the chassis frame, or of a mono-construction (chassis-less) body structure.

(5) Subject to subregulation (6), no person shall cause, suffer or permit a motor vehicle with a gross vehicle mass rating of 4.5 tonnes or less to be altered from its specification as originally manufactured in any of the following respects:

(a) Fitting of an engine of greater displacement volume or of greater power and torque outputs than any engine available as an option for the vehicle.

(b) Alterations to the braking systems.

(c) The widening of the wheel track of the front or rear wheels by more than 26 millimetres beyond the maximum specified by the vehicle manufacturer.

(d) Fitting of spaces between wheels and between wheels and hubs additional to any provided by the vehicle manufacturer.

(e) Fitting of wheel nuts that do not engage the thread of the wheel studs for at least the same length as the nuts provided by the vehicle manufacturer or wheel nuts that do not match with the taper on the wheels.

* * * * *

(g) Alterations to the wheelbase.

(h) Alterations to the number of axles.

(i) Alterations affecting any steering components or the steering geometry.

(j) Replacement of any axle with another axle other than an axle available as an option provided by the vehicle manufacturer for the vehicle.

(6) Subregulation (5) shall not apply to motor cycles and those vehicles to which subregulation (4) applies.

(7) A person shall not cause, suffer or permit a motor vehicle (not being a bus) with a gross vehicle mass limit of more than 4.5 tonnes to be modified from its specifications when first registered in any of the following ways:

(a) by fitting an engine with a maximum power or torque output outside the range of engines available for the vehicle from the original manufacturer of the vehicle at the time of its manufacture;

(b) by altering the steering components from those provided in the vehicle or available as options for the vehicle from the original manufacturer of the vehicle at the time of its manufacture;

(c) by altering the steering geometry from that designed for the vehicle by the original manufacturer of the vehicle;

(d) by altering the braking system so that the braking efficiency of the vehicle is reduced;

(e) by altering the wheelbase;

(f) by altering the number of axles;

(g) by altering the suspension system.

7.02 Towing of vehicles

(1) Where a trailer (not being a semi-trailer or pole-type trailer) is attached to a motor vehicle by means of a coupling and drawbar which controls the movement of the trailer, the coupling and drawbar must be constructed and fitted so that—

(a) it will permit an adequate amount of angular movement between the alignment of the motor vehicle and towed trailer; and

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- (b) the strength of the coupling and drawbar is sufficient to prevent the trailer which is being towed from becoming separated; and
- (c) the coupling is equipped with a manually operated mechanism so constructed as to prevent accidental disengagement of the unit whilst in operation; and
- (d) the locking mechanism prescribed in paragraph (c) is so designed that it can be disconnected regardless of the angle of the trailer to the towing motor vehicle; and
- (e) the brackets or other means of securing the forward portion of the coupling to the motor vehicle and the rearward portion of the coupling and the drawbar to the trailer, are of sufficient strength to prevent the trailer which is being towed from becoming separated; and
- (f) in addition to the coupling prescribed and fitted in accordance with the requirements of paragraphs (a) to (e), there is affixed to a substantial portion of the trailer a safety connection consisting of a chain or chains, cable or cables or other non-rigid connection which will hold in tow the trailer in the event of failure or accidental detachment of the trailer coupling; and
- (g) the safety connection is so connected and affixed that—
 - (i) it is not liable to accidental disconnection and permits all normal angular movements of the coupling without more slack than is necessary; and
 - (ii) it will prevent the forward end of the drawbar from striking the ground in the event of accidental disconnection of the coupling.

(1aa) *Exemption from fitting safety connections:* Paragraphs (f) and (g) of subregulation (1) do not apply to a trailer—

- (a) fitted with 2 separate axle groups, the front axle group being steered by a connection to the towing vehicle and the other axle group being located towards the rear of the trailer; and
- (b) fitted with brakes that have the performance prescribed in regulation 6.08 for emergency brakes; and
- (c) equipped with a braking system that will cause the immediate automatic application of those brakes in the event of the trailer accidentally becoming disconnected from the towing vehicle and cause them to remain so applied for at least 15 minutes.

(1a) *Towing of motor vehicle:* Subject to subregulation (2), where a motor vehicle is towing another motor vehicle—

- (a) a person (other than the driver of the towing vehicle) must be in control of the towed vehicle; and

- (b) the distance between the vehicles must not exceed 4 metres; and
- (c) if the vehicles are joined by a rope, chain or wire—
 - (i) a flag or cloth coloured white or some other light colour must be fixed to the rope, chain or wire, at or near the point midway between the 2 vehicles so as to indicate clearly the presence of the rope, chain or wire; and
 - (ii) between sunset and sunrise a lighted lamp forming part of or fixed to the front of the towed vehicle must be showing a bright white light so as to make the flag or cloth clearly visible; and
- (d) between sunset and sunrise a lighted lamp, forming part of or fixed to the offside of the rear of the towed vehicle must be showing a red light so as to be clearly visible at a distance of 200 metres from the rear of the vehicle.

(2) *Towing devices:* It shall not be necessary for a person to be in charge of a vehicle which is being towed by another vehicle if the towed vehicle is attached to the towing vehicle by a device complying with the following requirements:

- (a) The device shall consist of a triangular metal frame, the two principal members of which are of equal length. These members shall be of mild steel tube of not less than 42 millimetres outside diameter and not less than 3.2 millimetres thickness, or of some other metal section of equivalent strength and shall be not less than 750 millimetres and not more than 2 metres long.
- (b) The principal members shall be welded or bolted together at the forward end which shall be fixed directly or indirectly to a flexible ball and socket or universal type coupling.
- (c) The rear ends of the principal members shall be connected by a third member fixed so as to hold the principal members in position. The third member shall be of round solid mild steel of at least 15 millimetres diameter or of some other metal section of equivalent strength.
- (d) To the rear end of each principal member there shall be attached a clamp capable of firmly gripping the front fender of any vehicle which is to be towed. The clamps shall be hinged so as to allow for movements of the towed and towing vehicle.
- (e) The device shall be so constructed, maintained and affixed to the towing and towed vehicles as to ensure that those vehicles remain securely attached to each other at all times while the towing device is in use.
- (f) The device shall have attached to it safety chains complying with subregulation (1).

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(3) *Number of vehicles towed*: Subject to subregulation (4), a person shall not drive—

- (a) a tractor towing more than 2 vehicles; or
- (b) an articulated motor vehicle towing another vehicle; or
- (c) any other motor vehicle towing more than 1 vehicle.

(4) Subregulation (3) does not apply in the case of—

- (a) an articulated motor vehicle, the prime mover of which has an unladen mass of 2.5 tonnes or more, towing one other vehicle; or
- (b) a motor vehicle (other than an articulated motor vehicle or a bus) that has an unladen mass of 2.5 tonnes or more, towing two vehicles.

7.03 Mudguards on vehicles

(1) *Mudguards for Wheels on Foremost Axle*—Every motor vehicle, unless the forward portion of the vehicle is so designed or constructed that it fulfils all the conditions set out in paragraphs (a) and (b), shall have firmly affixed thereto a mudguard or mudguards for all the wheels on the foremost axle of such vehicle and each mudguard shall be so constructed and affixed that—

- (a) it will, as far as practicable, catch or deflect downwards any stones, mud, water or other substance thrown upwards by the rotation of the wheels; and
- (b) in the case of any motor vehicle, other than a motor cycle, it will itself, or in conjunction with other components of the vehicle body or chassis, prevent direct contact with the upper half of the wheel in forward collisions.

This subregulation shall not apply to—

- (i) Any tractor travelling at a speed not exceeding 20 kilometres an hour.
- (ii) Any motor vehicle in respect of which the Minister has indicated in writing that owing to the construction or use of the vehicle, the fitting of mudguards is unnecessary or impracticable.

(2) *Mudguards for Wheels on Rearmost Axle*—

- (a) Every motor vehicle, trailer and semi-trailer shall have firmly affixed for all wheels on the rearmost axle of the motor vehicle, trailer or semi-trailer a mudguard or mudguards so constructed and affixed that they will as far as practicable catch or deflect downwards any stones, mud, water or other substance thrown upwards by the rotation of the wheels. In the case of a motor cycle and side-car there shall be, in addition to any mudguard affixed to the motor cycle, a mudguard provided for the wheel of the side-car.

Provided that—

(i) in the case of a vehicle so constructed that the body or equipment thereon will catch or deflect downwards stones, mud, water or other substance thrown upwards ahead of or above the wheel or wheels on the rearmost axle of such vehicle, it shall be deemed sufficient compliance with this paragraph if a section only of mudguard is affixed at the rear of the wheel or wheels on the rearmost axle and such section complies with the height and width requirements specified in subparagraphs (i) and (ii) of paragraph (b) of this subregulation.

(ii) This subregulation shall not apply to—

(a) Any vehicle in respect of which the Minister has indicated in writing that, owing to the construction or use of the vehicle, the fitting of mudguards is impracticable or unnecessary.

(b) Any motor vehicle which is used solely for the purpose of hauling a trailer, semi-trailer or pole-type trailer;

* * * * *

(d) Any tractor travelling at a speed not exceeding 20 kilometres an hour.

(b) In the case of every mudguard affixed in compliance with this subregulation to a commercial motor vehicle, trailer or semi-trailer registered for the first time after 1 July 1963, and exceeding 2 tonnes unladen—

(i) the width of such mudguard shall—

(A) be not less than the overall width of the wheel or wheels for which it is provided; and

(B) if the motor vehicle, trailer or semi-trailer has a body of the tray type, the width of which together with any equipment or loading thereon is 2.2 metres or more, be not less than 380 millimetres.

(ii) Such mudguards shall be affixed in such a position that when the motor vehicle, trailer or semi-trailer is unladen, the height of the lowest edge of such mudguard for the minimum width of mudguard prescribed in subparagraph (i), when measured from the level on which the motor vehicle, trailer or semi-trailer stands, shall not exceed $\frac{1}{3}$ (one-third) the horizontal distance of the lowest edge of the mudguard from a transverse vertical plane passing through the centres of the wheels on the rearmost axle.

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(3) *Visibility of Mudguards*—In the case of every mudguard affixed to a motor vehicle, trailer, or semi-trailer which, together with the equipment thereof, is 2.2 metres or more in width and which has a body of the tray type, that portion of the external surface of such mudguard which is visible to the rear of such motor vehicle, trailer or semi-trailer (as the case may be) shall be white or silver in colour.

(4) *Visibility of Tray*—In the case of every motor vehicle, trailer or semi-trailer which, together with the equipment thereof, is 2.2 metres or more in width and which has a body of the tray type, there shall be displayed by painting or otherwise across the full width of the rearmost portion of the tray of such motor vehicle, trailer or semi-trailer (as the case may be) a horizontal band having a uniform depth of at least 75 millimetres and being white or silver in colour.

(5) *Condition of Mudguard*—Every portion of the external surface of a mudguard which is required by these regulations to be white or silver in colour, and every horizontal band which is required by these regulations to be displayed on the rearmost portion of the tray of a motor vehicle or a trailer, shall be kept in good condition.

(6) A vehicle to which regulation 5.15 applies is exempt from compliance with subregulations (3), (4) and (5).

7.04 Silencers on motor cycles

(1) No person shall drive any motor cycle unless there is attached thereto an effective silencer in full working order, which is connected with the proper portion of the engine of the motor cycle, and to or with which silencer there is not attached or otherwise connected any device or machinery whereby such silencer may be rendered ineffective or unworkable, or which may in any way lessen or be used with the effect of lessening its effect. To be an effective silencer within the meaning of this regulation, a silencer must consist of either—

- (a) a silencer box, or a silencer box and an expansion box attached thereto, without any exhaust pipe attached; or
- (b) an exhaust pipe or pipes, without a silencer box; or
- (c) a silencer box, or an expansion box, and an exhaust pipe or pipes attached thereto.

(2) When the silencer consists of a silencer box, or a silencer box and an expansion box attached thereto, without any exhaust pipe attached—

- (a) there shall be no hole in the silencer box, or in the expansion box, larger than 3.2 millimetres in diameter; and
- (b) there shall not be therein more than four holes to any 6.5 square centimetres; and
- (c) the holes shall be only on one or both ends of the silencer or expansion box; and

- (d) the aggregate area of the holes shall not exceed the area of the cross section of the exhaust pipe at the place where such pipe is connected with the engine.
- (3) When the silencer consists of an exhaust pipe or pipes without a silencer box—
- (a) such pipe, or each of such pipes, shall reach as far as the rear axle; and
 - (b) there shall be no holes in such pipe, or in any of such pipes, larger than 3.2 millimetres in diameter; and
 - (c) there shall not be therein more than four holes to any 6.5 square centimetres; and
 - (d) the aggregate of the areas of the end of such pipe, or of the ends of such pipes, farthest from the engine, and of the holes in such pipe or pipes, shall not exceed the area of the cross section of such pipe, or of the aggregate of the area of the cross sections of such pipes, at the place or places where such pipe or pipes is or are connected with the engine.
- (4) Where the silencer consists of a silencer box, or an expansion box, and an exhaust pipe or pipes attached thereto—
- (a) there shall be no hole in such box or pipe or in any of such pipes larger than 3.2 millimetres diameter; and
 - (b) there shall not be therein more than four holes to any 6.5 square centimetres; and
 - (c) the holes in such box shall be only on one or both ends thereof; and
 - (d) the aggregate of the areas of the end of such pipe, or of the ends of such pipes, farthest from such box, and of the holes in such pipe or pipes, and of the holes in such box, shall not exceed the areas of the cross section of such pipe, or of the aggregate of the areas of the cross sections of such pipes, at the place or places where such pipe or pipes is or are connected with the engine.

7.05 Tyres and wheels

(1) A person shall not drive or cause, suffer or permit any other person to drive a motor vehicle or a motor vehicle towing a trailer if in any respect the tyres and wheels on the motor vehicle or trailer do not comply with the requirements of this regulation.

(2) Except as provided in subregulation (3), every road wheel on a motor vehicle or trailer shall be fitted with a pneumatic tyre.

(3) A tractor or other agricultural implement or machine used for cultivating land or sowing, handling or harvesting crops may be equipped with solid tyred wheels having flat rims without flanges, spikes, bars or projections.

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- (4) Every tyre fitted to a road wheel of a motor vehicle or trailer shall—
- (a) be free of any apparent defect likely to render unsafe the use of the vehicle, or to cause or result in injury to any person or damage to any goods or articles in or on the vehicle; and
 - (b) have a clearly visible tread pattern on all parts of the tyre that normally come in contact with the road surface; and
 - (c) be fitted to a rim appropriate to the size and type of tyre as recommended by the tyre manufacturer; and
 - (d) be inflated to a cold inflation pressure—
 - (i) of not more than 825 kilopascals in the case of a tyre bearing the mark "Radial"; or
 - (ii) of not more than 700 kilopascals in the case of all other tyres; and
 - (e) not be fitted with cleats or any other gripping devices of a type likely to cause damage to roads, bridges or culverts other than by normal wear and tear; and
 - (f) not be treated by recutting or regrooving the tread rubber unless the tyre has been constructed so that it incorporates an extra depth of rubber between the carcass and the original tread of the tyre intended for the purpose of recutting or regrooving and is indelibly labelled to indicate such construction; and
 - (g) not, if treated by a recutting or regrooving process, be fitted to any vehicle having an unladen mass of less than 3 tonnes.
- (5) Every road wheel fitted to an axle of a motor vehicle or trailer shall—
- (a) conform to one of the dimensional standards for wheel rims set down in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association of Australia; and
 - (b) not have a circumferential weld other than one which attaches the rim to the wheel centre; and
 - (c) be of the same rim width and have the same offset of the rim relative to the mounting face; and
 - (d) if fitted to a motor vehicle manufactured on or after 1 July 1985, other than a motor vehicle with a gross vehicle mass rating of more than 4.5 tonnes or a trailer, be either—
 - (i) provided as original equipment or as original equipment replacement by the vehicle manufacturer; or

- (ii) indelibly marked with the wheels' nominal diameter, width and offset and with identification of the manufacturer of the wheel and the standard to which the wheel was manufactured.

(6) The combination of tyres and wheels fitted to a motor vehicle or trailer shall be such that—

- (a) the sum of the load carrying capacities recommended for all the tyres and rims with which the vehicle is fitted is not less than the manufacturer's recommended gross vehicle mass for the vehicle, the tyre and rim capacities being calculated in accordance with the Tyre and Rim Standards Manual issued by the Tyre and Rim Association of Australia; and
- (b) sufficient clearance is provided so that the tyre or wheel will not touch any part of the vehicle, other than at the point of attachment, under operating conditions; and
- (c) the tyres do not protrude beyond the mudguard or body structure when viewed from above with the wheels in a straight ahead position; and
- (d) the tyres fitted to an axle of a vehicle are all of the same carcass construction and the same tyre size designation; and
- (e) in the case of a motor vehicle equipped with two axles and single wheels, other than a motor vehicle with a gross vehicle mass rating of more than 4.5 tonnes and in the event that the form of the carcass construction of the front and rear pairs of tyres is different, such pairs of tyres shall be fitted to the motor vehicle only in one of the following combinations:

Form of carcass construction on front wheels	Form of carcass construction on rear wheels
Cross Ply	Belted Bias
Cross Ply	Radial Ply
Belted Bias	Radial Ply

(7) Notwithstanding the provisions of regulation 7.00A of these regulations a motor vehicle which is required to comply with Australian Design Rule No. 24—Tyre Selection may be—

- (a) equipped with tyres other than those listed on the tyre placard fitted to the vehicle, provided that—
 - (i) the load and speed rating of a tyre fitted is not less than the lowest load and speed rating listed on the tyre placard; and
 - (ii) the overall diameter of a wheel and tyre fitted is not more than 15 mm greater than that advised in the Tyre and Rim Standards Manual (issued by the Tyre and Rim Association of Australia) for the largest tyre size listed on the placard and not more than 15 mm less than that advised in the Manual for the smallest tyre size listed on the placard; or

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- (b) equipped with wheels wider than those listed on the tyre placard; or
 - (ba) equipped with wheels with a rim diameter other than a rim diameter (if any) listed on the tyre placard, provided that the rim diameter of a wheel fitted is not more than 50 mm greater than the largest diameter listed on the placard and not more than 50 mm less than the smallest diameter listed on the placard; or
 - (c) equipped with radial tyres with a "—" speed rating if the tyre placard lists an "S" speed rating; or
 - (d) equipped with a tyre that has been retreaded provided that—
 - (i) the listing on the tyre placard does not restrict the tyres to be used to "H" or "V" speed rated tyres only; and
 - (ii) the retreaded tyre conforms with the requirements of subregulation (8).
- (8) A retreaded tyre fitted to a passenger car, passenger car derivative, forward control passenger vehicle or a multi-purpose passenger car shall—
- (a) have been retreaded and marked in accordance with the provisions of Australian Standard 1973—Pneumatic tyres—Passenger car, light truck, and truck/bus—Retreading and repair processes, provided that if sufficient information to establish the carcass construction of the tyre and whether the tyre is to be used with or without a tube is permanently and legibly marked on the tyre the words "radial", "bias belted", "belted bias" and "tubeless" need not be marked on the retreaded tyre; and
 - (b) be permanently and legibly marked with information to enable the identification of the factory in which the retreading process was conducted and the date of retreading to be established.
- (9) No person shall sell or offer for sale a retreaded pneumatic passenger car tyre unless—
- (a) the tyre has been retreaded in accordance with the provisions of Australian Standard 1973—Pneumatic tyres—Passenger car, light truck, and truck/bus—Retreading and repair processes; and
 - (b) the tyre is marked in accordance with the provisions of subregulation (8).
- (10) Notwithstanding the other provisions of this regulation, a tyre and wheel designed solely for use in the event of a tyre failure may be fitted to a vehicle.
- (11) A tyre and wheel of the kind referred to in subregulation (10) may be used only to enable the vehicle to proceed to a convenient place for the purposes of tyre repair or replacement.

(12) A vehicle equipped with a tyre of the kind referred to in subregulations (10) and (11) shall not exceed any speed limit for that tyre set by the tyre or vehicle manufacturer.

(13) Any reference to a standard, design rule or manual referred to in this regulation should be construed as a reference to such standard, design rule or manual as amended, varied or substituted from time to time.

7.06 Speed limiting

(1) For the purposes of section 144 of the Act, a vehicle to which this subregulation applies must comply with the requirements of the *Code of Practice for Speed Limiting for Heavy Trucks and Buses* (as varied or substituted from time to time) stipulated by the Minister and published in the *Gazette*.

(2) Subregulation (1) applies—

(a) to a motor vehicle—

- (i) that is constructed or adapted solely or mainly for the carriage of goods; and
- (ii) that has a gross vehicle mass exceeding 20 tonnes; and
- (iii) that was manufactured on or after 1 January 1988 but before 1 January 1991,

from the commencement of the first period of registration or reregistration of the vehicle in this State or in another State or a Territory of the Commonwealth on or after 1 July 1991;

(b) to a bus—

- (i) that has a gross vehicle mass exceeding 14.5 tonnes; and
- (ii) that was manufactured on or after 1 January 1988 but before 1 January 1991,

from the commencement of the first period of registration or reregistration of the vehicle in this State or in another State or a Territory of the Commonwealth on or after 1 July 1991;

(c) to a motor vehicle—

- (i) that is constructed or adapted solely or mainly for the carriage of goods; and
- (ii) that has a gross vehicle mass exceeding 15 tonnes but not exceeding 20 tonnes; and
- (iii) that was manufactured on or after 1 January 1988 but before 1 January 1991,

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from the commencement of the first period of registration or reregistration of the vehicle in this State or in another State or Territory of the Commonwealth on or after 1 January 1992.

(3) For the purposes of section 144 of the Act, a vehicle to which rule 65/00 *Maximum Road Speed Limiting for Heavy Goods Vehicles and Heavy Omnibuses* of the Australian Design Rules applies must comply with the requirements of that rule (as varied or substituted from time to time).

(4) In this regulation—

"**gross vehicle mass**" in relation to a motor vehicle means the maximum laden mass of the motor vehicle as specified by the manufacturer of the vehicle for the purposes of obtaining approval to affix a compliance plate to the vehicle and marked on the compliance plate lawfully affixed to the vehicle.

7.07 Warning devices

(1) For the purpose of this regulation "**a repeater horn**" means any device which makes an audible sound alternating between different tones or frequencies on a regular time cycle.

(2) No person shall cause, suffer or permit a repeater horn, exhaust whistle, compression whistle or other device capable of making a sound resembling that made by any such repeater horn or whistle to be attached to any motor vehicle.

(3) No person shall cause, suffer or permit any such warning device, referred to in this regulation to be sold or offered for sale for use on a motor vehicle.

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7.09 Seat belts and seat belt anchorages

(1) Seat belts and seat belt anchorages shall comply with the following requirements and be fitted to the motor vehicles prescribed in this regulation.

(2) *Anchorage*—

(a) Every motor car, station sedan and motor vehicle of the class commonly called car type utilities and car type panel vans (hereinafter for the purposes of this subregulation referred to as "the class of motor vehicle") first registered after 30 June 1964 shall be fitted with—

(i) Anchorages for a seat belt suitably placed for use by the driver; and

(ii) Anchorages for a seat belt suitably placed for use by another person sitting alongside of and on the same seat as the driver or on a separate seat by the side of the driver's seat.

(b) Any anchorage for a seat belt required to be fitted in accordance with subregulation (2)(a) shall—

- (i) where the class of motor vehicle was first registered after 30 June 1964, and before 10 November 1966, comply with the requirements contained in the specification for anchorages published in the *Gazette* of 28 May 1964, at page 1180; or
- (ii) where the class of motor vehicle was first registered on or after 10 November 1966, and before 8 February 1968 comply with the requirements contained in the specification for anchorages published in the *Gazette* of 10 November 1966, at page 1927; or
- (iii) where the class of motor vehicle was first registered on or after 8 February 1968 and before 15 January 1970 comply with the requirements contained in the specification for anchorages published in the *Gazette* of 8 February 1968 at page 346; or
- (iv) where the class of motor vehicle was first registered on or after 15 January 1970, comply with the requirements contained in Australian Standards Specification for Seat Belt Anchorage Points—(A.S.D. 11-1967).

(3) *Seat Belts*—

- (a) (i) Every motor car, station sedan and motor vehicle of the class commonly called car type utilities and car type panel vans first registered on or after 1 January 1967, but manufactured prior to 1 January 1970, shall be fitted with—
 - (aa) a seat belt suitably placed for use by the driver; and
 - (ab) at least one other seat belt placed for use by another person sitting alongside of and on the same seat as the driver or on a separate seat by the side of the driver's seat.
 - (ii) All motor vehicles first registered prior to 1 January 1967, and all motor vehicles not being of a class specified in subparagraph (i) first registered after 1 January 1967, but manufactured prior to 1 January 1970 are exempted from the requirements to fit seat belts.
- (b) Every seat belt fitted in accordance with paragraph (a) shall comply with—
- (i) the requirements contained in Australian Standards Specification for Seat Belt Assemblies for Motor Vehicles—(A.S. E35—1965); or
 - (ii) if fitted with a retractor such seat belt shall comply with Australian Standards Specification for Seat Belt Assemblies (including Retractors) for Motor Vehicles—(A.S. E35 Part II—1970); or

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(iii) the requirements contained in Australian Standard for Seat Belt Assemblies for Motor Vehicles (A.S. 2596—1983),

and in addition such seat belt shall be clearly and permanently marked with the certification mark of the Standards Association of Australia.

(4) *Exemptions from Compulsory Wearing of Seat Belts—*

(a) Subsections (1), (2) and (3) of section 162AB of the Act do not apply to the following classes of person:

(i) a person who, at the request of a member of the police force, produces or causes to be produced forthwith to the member of the police or, within 48 hours after the request, at a police station nominated by the person to the member of the police force at the time the request is made—

(A) a valid certificate signed by a medical practitioner registered under the *Medical Practitioners Act 1983*, certifying that, because of physical disability or for some other medical reason, the person or child named in the certificate (being the person or child who failed to wear a seat belt or use a child restraint) should not be required to wear a seat belt, or use a child restraint, as the case may be; or

(B) a valid certificate issued by the Minister certifying that, in the opinion of the Minister, the person named in the certificate (being the person who failed to wear a seat belt) should not be required to wear a seat belt; or

(ii) a person who is travelling as a passenger in an emergency vehicle.

(b) Subsection (1) of section 162AB of the Act does not apply to the following classes of person:

(i) the driver of a motor vehicle while engaged in reversing that vehicle;

(ii) the driver of a road grader while engaged in grading operations;

(iii) a person while engaged in work requiring the person to alight from and re-enter a motor vehicle at frequent intervals, provided that, while the person is so engaged, the vehicle is not driven at a speed exceeding 30 kilometres an hour.

(ba) Subsection (1)(b) of section 162AB of the Act does not apply to a person who is a passenger in—

(i) a bus to which, pursuant to section 163GA of the Act, a prescribed scheme of maintenance applies; or

- (ii) a bus that is registered in another State or a Territory of the Commonwealth and in which passengers are carried for fee or reward.
- (c) A certificate under this subregulation is valid for such period as may be specified in the certificate or, in the absence of any such specification, for a period of 90 days from the day on which it is given.
- (5) All seat belts and anchorages for seat belts must be maintained in sound condition and good working order.
- (6) A person shall not sell or offer for sale for use in a motor vehicle a seat belt or part of a seat belt—
 - (a) that fails to comply with the requirements of subregulation (3); or
 - (b) that has been removed from a motor vehicle in which it has previously been used.

7.10 Child restraints

(1) For the purposes of subsection (3) of section 162AB of the Act, that subsection applies in relation to the following class of motor vehicles:

All motor vehicles manufactured on or after 1 July, 1976, that are—

- (a) passenger cars; or
- (b) passenger car derivatives; or
- (c) forward-control passenger vehicles; or
- (d) multi-purpose passenger cars,

as defined in the Australian Design Rules.

(2) For the purposes of section 162AB of the Act, the following devices are child restraints:

- (a) a device that complies with the Australian Standard Specification for Child Restraining Devices for Passenger Cars (AS E46) and is clearly marked with the certification mark of the Standards Association of Australia;
- (b) a device that complies with the Australian Standard Specification for Child Restraints for Passenger Cars and Derivatives (AS 1754) and is clearly marked with the certification mark of the Standards Association of Australia;
- (c) a device that complies with—
 - (i) the requirements of the United States of America Federal Motor Vehicle Safety Standard No. 213—Child Seating Systems; and

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- (ii) that is marketed in Australia as the "GM—Child Love Seat" (being General Motors part No. 9677326); and
- (iii) that is clearly labelled as complying with that standard.

(3) For the purposes of subsections (2) and (3) of section 162AB of the Act—

- (a) a child restraint that is designated by AS 1754 as a Type A child restraint, is suitable for use by a child under the age of 6 months or of a body mass of not more than 9 kilograms;
- (b) a child restraint that—
 - (i) is designated by AS 1754 as a Type B, D, E or F child restraint; or
 - (ii) is designated by AS E46 as a Type B child restraint; or
 - (iii) is marketed in Australia as the "GM—Child Love Seat" (being General Motors part No. 9677326),

is suitable for use by a child under the age of 4½ years and of a body mass of more than 9 kilograms but not more than 19 kilograms;

- (c) a child restraint—
 - (i) that is designated by AS 1754 as a Type C1, C2, or G child restraint; or
 - (ii) that is designated by AS E46 as a Type C child restraint,

is suitable for use by a child of or above the age of one year but under the age of 10 years and of a body mass of more than 9 kilograms but not more than 38 kilograms.

(3a) The driver of—

- (a) a bus to which, pursuant to section 163GA of the Act, a prescribed scheme of maintenance applies; or
- (b) a bus that is registered in another State or Territory of the Commonwealth and in which passengers are carried for fee or reward,

is exempt from section 162AB(2) of the Act.

(4) The driver of a taxi-cab that is licensed under any Act is exempt from the provisions of section 162AB(2) and (3) of the Act.

(5) The driver of a motor vehicle that is registered outside of the State is exempt from the provisions of section 162AB(3) of the Act.

(6) A child restraint may be fitted in addition to but not instead of a seat belt in a motor vehicle that must be equipped with seat belts pursuant to these regulations.

(7) A child restraint fitted to a motor vehicle—

- (a) must only be used in accordance with the manufacturer's specifications; and
- (b) must be securely attached to an anchorage for a child restraint fitted to that vehicle and to such other anchorages for seat belts fitted to that vehicle as are specified by the manufacturer of the child restraint.

(8) All child restraints fitted to a motor vehicle must be maintained in sound condition and good working order.

(9) A person shall not sell or offer for sale for use in a motor vehicle a child restraint or part of a child restraint that fails to comply with the requirements of subregulation (2).

(10) A reference in this regulation to a standard means that standard as in force on 1 January 1987.

* * * * *

7.20 Rear vision mirrors

(1) For the purposes of section 137 of the Act there shall be affixed to every motor vehicle a mirror or mirrors so designed and fitted and of such dimensions by means of which the driver can obtain a clear view of traffic to the rear and to the sides of the vehicle.

(2) At least one such mirror shall be affixed to each side of the motor vehicle where—

- (a) the vehicle is designed for the carriage of goods or is a public passenger vehicle designed to carry not less than eight passengers; or
- (b) the vehicle is towing a trailer of greater width than such vehicle; or
- (c) in any case where, because of the manner in which the vehicle is constructed, equipped or loaded or the fact that it is drawing a trailer or any other vehicle or for any other reason, the driver cannot, by means of a mirror affixed to the inside of the vehicle, obtain a clear view of traffic to the rear and to the sides of the vehicle; or

(d) the vehicle is a motor cycle.

(3) (a) All such mirrors fitted to vehicles of 2.1 tonnes gross vehicle mass and over, except passenger car derivatives, shall be at least 150 square centimetres in area.

(b) Both rear vision mirrors fitted to a motor cycle shall have either flat or convex surfaces, symmetrically placed relative to the centre of the handlebars and of such dimensions as to be capable of reflecting to the driver, as far as practicable a clear view of the road to the rear of the cycle and of any following or overtaking vehicle.

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- (c) A mirror fitted to a motor vehicle (other than a motor cycle) in accordance with subregulation (1) must—
 - (i) in the case of a mirror fitted to the driver's side of the vehicle—have a flat reflecting surface;
 - (ii) in the case of a mirror fitted to the other side of the vehicle—have a flat or convex reflecting surface.
- (d) Where a mirror fitted to a motor vehicle in accordance with subregulation (1) has a convex reflecting surface, it must have an average radius of curvature of not less than 1 200 mm.

(4) A rear vision mirror attached to a motor vehicle must not protrude more than the prescribed distance beyond the side extremities of the motor vehicle, except where the motor vehicle is towing a wider vehicle, in which case, it must not protrude more than that distance beyond a point in line with the side extremities of the towed vehicle.

(5) In subregulation (4), "**the prescribed distance**" means—

- (a) in relation to a motor vehicle with a gross vehicle mass limit of more than 8.5 tonnes—230 millimetres;
- (b) in relation to any other vehicle—150 millimetres.

(6) Where, in accordance with subregulation (4), a rear vision mirror protrudes more than 150 millimetres beyond the side extremities of a motor vehicle with a gross vehicle mass limit of more than 8.5 tonnes, the mirror must be capable of collapsing so that it protrudes no more than 150 millimetres beyond the side extremities of the vehicle.

* * * * *

7.24 Windscreen wipers and washers

(1) For the purposes of section 136 of the Act every motor vehicle having a windscreen shall (except as provided in subregulation (3)) be equipped with a windscreen wiper which is capable of effectively removing rain, snow or other moistures from the portion of the windscreen immediately in front of the driver of the vehicle and such windscreen wiper shall—

- (a) be so constructed and positioned that it can be operated or controlled by the driver while retaining his correct driving position; and
- (b) in the case of a motor vehicle registered for the first time after 1 January 1937, must be operated by electrical, pneumatic or other continuous mechanical means.

(2) Every motor vehicle having a windscreen and first registered on or after 1 January 1958, shall, except as provided in subregulation (3), be equipped with a windscreen wiper or wipers operated by electrical, pneumatic or other continuous mechanical means capable of effectively removing rain, snow or other moistures from the portion of the windscreen immediately in front of the driver and from a corresponding area of the windscreen to the left of the vertical centre line of the windscreen, and the windscreen wiper or wipers as the case may be shall—

- (a) be so constructed and positioned as to be controlled by the driver while retaining his or her driving position; and
 - (b) if operated by engine manifold vacuum be provided with a vacuum reservoir or pump to maintain their effective operation while the vehicle is in motion.
- (3) (a) The requirements of subregulations (1) and (2) shall not apply to motor vehicles having a windscreen so constructed as to permit the driver while retaining his or her correct driving position to obtain over the top, below or to the side of the windscreen, adequate vision of the road ahead of the vehicle in the event of vision through the windscreen being obscured.
- (b) The requirements of subregulation (2) shall not apply to a motor vehicle equipped with a windscreen so constructed that the windscreen does not extend to the left beyond the longitudinal centreline of the vehicle.

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**PART 8
SPECIAL PROVISIONS**

8.01 Special provisions for motor cycles

(1) Without limiting any other provision of the Act or a regulation made under the Act, no person shall ride a motor cycle which does not comply with the requirements of this regulation.

(2) No person other than the driver thereof shall ride upon any motor cycle not having a sidecar attached provided however that it shall be lawful for one person (hereinafter called the pillion passenger) other than the driver to ride upon such motor cycle subject to the following conditions:

- (a) the pillion passenger shall ride behind the driver of the motor cycle; and
- (b) the pillion passenger shall ride astride the motor cycle and face the direction in which the motor cycle is travelling.

(3) *Dimensional Requirements—*

- (a) in the case of a motor cycle not having a sidecar attached—
 - (i) the maximum width including the load and equipment shall not exceed 1 metre; and
 - (ii) the load or equipment shall not project more than 150 millimetres beyond the extreme outer portion of the motor cycle on either side; and
 - (iii) the maximum longitudinal projection beyond the outer extremity of the tyres, of any part of the motor cycle and loading or equipment thereon shall not exceed 150 millimetres in the case of the front tyre and 300 millimetres in the case of the rear tyre;
- (b) in the case of a motor cycle with a sidecar attached—
 - (i) the maximum width including the load and equipment shall not exceed 1.85 metres; and
 - (ii) the load or equipment shall not project more than 150 millimetres beyond the extreme outer portion of the vehicle on either side; and
 - (iii) the maximum longitudinal projection beyond the outer extremity of the tyres, of any part of the motor cycle and loading or equipment thereon shall not exceed 600 millimetres in the case of the front tyre and 900 millimetres in the case of the rear tyre.

(4) *Steering and Handlebars—*

- (a) Handlebars shall be symmetrical on each side of the centre line of the motor cycle excluding any sidecar or sidebox that may be fitted.

- (b) The extreme ends of the handlebars shall extend not less than 300 millimetres nor more than 450 millimetres on each side of the centre line of the motor cycle excluding any sidecar or sidebox that may be fitted.
- (c) The maximum length of the handlebar on either side of the centre line of the motor cycle excluding any sidecar or sidebox that may be fitted shall not exceed by more than 200 millimetres the distance that the extreme ends of the handlebar extends from the said centre line of the motor cycle.
- (d) The height of the lowest part of the handgrip above the lowest part of the upper surface of the driver's seat shall not exceed 380 millimetres.
- (e) The horizontal distance measured from the mid-point between the head stem bearings to a point vertically above the centre of the front wheel shall not exceed 550 millimetres.
- (f) The length of the front forks shall not exceed by more than 150 millimetres the length of the front forks as originally manufactured for that motor cycle.

(5) *Ground Clearance*—When laden with the rider or the rider and a passenger, if appropriate, the ground clearance shall not be less than 100 millimetres measured from a horizontal road surface to any point on the underside of the motor cycle or sidecar except tyres, wheels and hubs.

(6) *Sidecar*—A sidecar shall not be affixed to the right hand side of a motor cycle.

(7) *Footrests*—Every motor cycle shall be fitted with adequate footrests for the driver and also for the passenger if a seating position for a passenger is provided.

(8) *Stands*—Any stand fitted to a motor cycle shall be maintained in an efficient and safe condition and shall be equipped with a spring or other device capable of holding it securely in the "up" position at all times when the stand is not in use.

8.02 Special provisions for pedal cycles

(1) No person shall ride a pedal cycle which does not comply with the requirements of this regulation.

(2) *Lighting Requirements*—

(a) Every pedal cycle when ridden upon any road between sunset and sunrise and during periods of low visibility shall have affixed thereto—

- (i) Upon the front of the pedal cycle, a lighted headlamp showing a clear white light to the front visible under normal atmospheric conditions at all distances up to 200 metres.
- (ii) Upon the rear of the pedal cycle there shall be a lighted rear lamp showing a clear red light to the rear visible under normal atmospheric conditions at all distances up to 200 metres.

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- (b) The head and tail lamps shall be fixed in positions such that the vertical distances from the ground to the centres of the lights shall not be less than 330 millimetres.

(3) *Reflectors*—

- (a) Every pedal cycle when ridden upon a road shall have affixed a reflector which is mounted vertically and facing to the rear such that it will effectively reflect a red light clearly visible to the driver of a vehicle approaching from the rear when illuminated by the headlamp of that vehicle.

- (b) Such reflector shall have—

- (i) a reflective area of not less than the area of a circle of 38 millimetres in diameter;
- (ii) be mounted on the rear part of the pedal cycle at a height not less than 330 millimetres nor higher than 1 metre.

- (c) The reflector may be in the form of a reflecting lens fitted to the rear lamp.

(4) *Dimensional Requirements*—

- (a) The handlebars of a pedal cycle shall be symmetrical on each side of the centre line of the pedal cycle.

- (b) The extreme ends of the handlebars shall extend not less than 200 millimetres nor more than 330 millimetres on each side of the centre line of the pedal cycle.

- (c) The height of the uppermost part of the handlebar grip shall not be more than 300 millimetres above the lowest part of the upper surface of the seat.

- (d) The horizontal distance measured from the centre of the pivot head bearing on the front tube of the frame to a point vertically above the axle of the front wheel shall not exceed 250 millimetres.

- (e) The overall width of any equipment or load carried on a pedal cycle shall not exceed 660 millimetres.

(5) *Warning Device*—Every pedal cycle shall have a bell or other effective warning device fixed in a convenient position so that it may be operated by the rider.

(6) *Brakes*—Every pedal cycle shall be capable of being braked by either or both of the following means:

- (a) An effective footbrake operated by turning the pedals in the reverse direction.

- (b) An effective hand operated brake fitted to at least the rear wheel and having the operating handle fixed in a convenient position so that it may be operated by the rider.

8.02A Special provisions for pedal cycle trailers

(1) A person who rides a pedal cycle—

- (a) must not tow another vehicle unless that other vehicle is a pedal cycle trailer that complies with the requirements of this regulation; and
- (b) must not tow more than one vehicle.

(2) A pedal cycle trailer, when drawn on a road between sunset and sunrise, must be fitted with either one or two lighted lamps showing a clear red light to the rear, visible under normal atmospheric conditions at a distance of 200 metres, and affixed to the rear of the trailer as follows:

- (a) in the case of one lamp—in the centre or on the right hand side of the centre of the trailer;
- (b) in the case of two lamps—an even distance in the same horizontal plane on either side of the centre of the trailer;
- (c) in either case—with the centre of the lamp not less than 330 millimetres and not more than 1 metre above the ground.

(3) A pedal cycle trailer when drawn on a road must be fitted with two rear reflectors in accordance with the following requirements:

- (a) each reflector must be capable of reflecting a red light clearly visible to the driver of a vehicle approaching from the rear when illuminated by the headlamp of that vehicle;
- (b) the reflectors must be fitted symmetrically to the rear of the trailer, with one on each side;
- (c) each reflector must have a reflective area of not less than the area of a circle of 38 millimetres in diameter and the centre of each reflector must be not less than 330 millimetres and not more than 1 metre above the ground;
- (d) each reflector must be clear and unobscured;
- (e) a reflector may be in the form of a reflecting lens fitted to a rear lamp.

(4) A pedal cycle trailer, and any equipment or load carried on the trailer, must not exceed 850 millimetres in width when drawn on a road.

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(5) A pedal cycle trailer when drawn on a road must be attached to the pedal cycle by—

- (a) a coupling constructed and fitted so that—
 - (i) it will permit an adequate amount of angular movement between the alignment of the pedal cycle and the trailer; and
 - (ii) the strength of the coupling (and of any brackets or other means of securing the coupling to the pedal cycle and the trailer) is sufficient to prevent the trailer and its equipment and load from becoming separated; and
- (b) a safety connection consisting of a chain, cable or other non-rigid connection affixed to a substantial portion of the trailer and constructed and fitted so that—
 - (i) it will hold the trailer in tow in the event of the failure or detachment of the coupling; and
 - (ii) it is not liable to accidental disconnection and permits all normal angular movements of the coupling without more slack than is necessary for that purpose.

8.03 Code of practice for buses

(1) For the purposes of sections 163D(3)(b) and 163F of the Act, the prescribed requirements relating to the design, construction and safety of a bus are the requirements relating to design, construction and safety that are contained in the Code of Practice for Buses (July 1985), stipulated by the Central Inspection Authority, as amended, varied or substituted from time to time (hereinafter referred to in this regulation as the "Code of Practice").

(2) For the purposes of sections 163D(3a), 163F and 163GA of the Act the prescribed scheme of maintenance for a bus means the scheme specified in section 15 of the Code of Practice.

(3) For the purposes of section 163GA(1)(a)(i) of the Act particulars of all prescribed maintenance and repair work carried out on a bus means those particulars of the maintenance and repair work specified in section 15 of the Code of Practice.

(4) For the purposes of section 163GA(1)(a) of the Act the prescribed form shall be in the form of Parts 1, 2, 3 and 4, as the case requires, of the First Schedule to the Code of Practice.

(5) For the purposes of section 163GA(1)(b) of the Act the records in the form of Part 1 of the First Schedule to the Code of Practice shall be retained for a period of not less than six months and those in the form of Part 2 of the First Schedule to the Code of Practice shall be retained for a period of not less than twelve months.

PART 9
INSPECTION, SAFETY REQUIREMENTS, ETC.

9.00 Application of Part 4A of Act

(1) Pursuant to section 163C(1) of the Act, buses are vehicles of a prescribed class, other than buses that are used to provide passenger transport services within the meaning of the *Passenger Transport Act 1994*.

(2) In subregulation (1)—

"bus" means a motor vehicle—

- (a) designed for the principal purpose of carrying passengers; and
- (b) designed to carry at least 13 seated passengers.

9.01 Certificate of inspection (Part 4A of Act)

(1) For the purposes of section 163D(1) of the Act—

(a) in relation to buses, the "**prescribed period**" means the period of 12 calendar months commencing on 1 July each year.

(2) For the purposes of section 163D(2) of the Act—

(a) the certificate of inspection shall be in the form of the Second Schedule of these regulations.

(3) A certificate of inspection shall be issued by or on behalf of the Authority upon the condition that during the currency of the said certificate of inspection the registered owner of the vehicle to which the said certificate of inspection is applicable causes an inspection label, supplied by and in a form determined by the Authority, to be affixed and kept affixed to the vehicle in the position and in the manner hereinafter prescribed.

(4) The inspection label referred to in subregulation (3) of this regulation shall be affixed on the inside or back surface of the left side of the windscreen or of any pivoted or hinged ventilation window or any fixed window on the left side of and adjacent to the windscreen in such a position that the entire front of the label faces towards and is visible from the front or left hand side of the vehicle.

9.02 Defect notices

(1) A notice to be served on the owner or person in charge of a vehicle under section 160 of the Act shall be in a form approved by the Minister.

(2) (a) In addition to serving the defect notice on the owner or person in charge of a vehicle a member of the police force or an inspector may affix to such a vehicle a "Defect Label" in the form of the fourth schedule to these regulations.

(b) In the case of a vehicle having a windscreen the "Defect Label" shall be securely affixed to the offside bottom corner of the windscreen.

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- (c) If any person other than a member of the police force or an inspector removes, alters or defaces a "Defect Label" which has been affixed to a vehicle, he shall be guilty of an offence.

* * * * *

(4) For the purposes of section 160(1b) of the Act, the following are vehicles of a prescribed class:

- (a) the prime mover portion of an articulated motor vehicle;
- (b) a commercial motor vehicle;
- (c) a trailer.

9.02A Authorisation under section 160 of the Act

(1) The Minister may, on application by a person in a form approved by the Minister, authorise the applicant to exercise any of the powers of an inspector under section 160 of the Act, if satisfied (on the basis of evidence provided by the applicant) that the applicant—

- (a) is fully qualified in one or more of the following trades:
 - (i) Motor Mechanic; or
 - (ii) Motor Mechanic, Diesel; or
 - (iii) Brake Mechanic; or
 - (iv) Motor Cycle Mechanic; or
 - (v) any other trade that provides skills equivalent to the skills of a trade referred to above; and
- (b) has successfully completed any training courses approved by the Minister for the purposes of section 160 of the Act; and
- (c) is the holder of an appropriate driver's licence granted and in force under Part 3 of the *Motor Vehicles Act 1959*; and
- (d) has an adequate knowledge of the requirements of the Act relating to motor vehicles; and
- (e) is a fit and proper person to be authorised to exercise any of the powers of an inspector under section 160 of the Act.

(2) The Minister must maintain a record of authorisations issued under section 160 of the Act and must make that record available for public inspection.

9.03 Flagging of projecting loads

(1) A person shall not drive a motor vehicle with a load projecting beyond the front or rear of the motor vehicle (or if the motor vehicle is towing another vehicle, beyond the rear of the towed vehicle) unless there is fixed to the end of the projecting load so as to be clearly visible a flag or cloth which is red or white or some other light colour and of a size not less than a square of 300 millimetres by 300 millimetres.

(2) For the purpose of section 141(3) of the Act, the pieces of material indicating the side extremities of a load must be in the form of fluorescent red or fluorescent orange flags, each flag being of a size not less than a square of 450 millimetres by 450 millimetres.

9.03A Road train signs

No person shall cause suffer or permit a road train warning sign bearing the words "Road Train" to be displayed on a vehicle unless at the time that the vehicle is so used it is operating as a road train with the appropriate exemption from Part 4 of the Act granted by the Minister.

9.04 Safety glass

* * * * *

(2) Any replacement of glass in any windscreen, window or interior partition in any motor vehicle not being a motor cycle, which motor vehicle was manufactured before 1 July 1971, shall be of safety glass complying with any one of the following standards:

- (a) Australian Standard R1—Safety Glass for Land Transport (as in force on 1 March 1975);
- (b) British Standard 857—Safety Glass for Land Transport (as in force on 1 March 1975);
- (c) American Standard A26.1—American Standard Safety Code for safety glazing material for glazing motor vehicles operating on land highways (as in force on 1 March 1975);
- (d) Any equivalent standard approved by the Minister.

(3) On and after 1 March 1972, a person shall not fit to any motor vehicle any windscreen which is surface tinted.

(4) Where any transparent material not being glass is used for any window or interior partition in any motor vehicle, including the windshield of a motor cycle which motor vehicle was manufactured on or after 1 March 1972, the said motor vehicle shall be equipped with transparent material of a type which will not shatter.

(5) Every replacement of transparent material shall be of a type which will not shatter.

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- (6) (a) All motor vehicles except buses shall comply with the Code of Practice for Surface Films for Motor Vehicles, published in the *Gazette* on 25 August 1983, (hereinafter referred to in this subregulation as "the Code of Practice") as amended, varied or substituted from time to time.
- (b) No person shall cause, suffer or permit surface films for use on motor vehicles to be sold or offered for sale unless such surface film complies with the requirements of the Code of Practice.
- (c) No person shall apply surface film to a motor vehicle unless such surface film is applied in accordance with the requirements of the Code of Practice.

9.05 Crank case gases

Every motor vehicle with a petrol driven engine first registered on or after 1 July 1970, shall be so constructed or so fitted that the crankcase gases are not permitted to escape into the atmosphere.

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9.07 Motor vehicle noise

A person must not drive or attempt to put in motion a motor vehicle which, when tested in accordance with the *Code of Practice for Motor Vehicle Noise* approved by the Minister from time to time, emits a noise in excess of the maximum limit stipulated in the Code of Practice for such a motor vehicle.

9.08 Safety helmets

(1) For the purposes of section 162C of the Act, a safety helmet worn by a person who has attained six years of age and who is riding or being carried on a motor cycle must be—

- (a) manufactured, tested and marked in accordance with the requirements of the Standards Association of Australia contained in—
 - (i) Australian Standard E33/1959—Protective Helmets for Motor Cyclists; or
 - (ii) Australian Standard E33/1968—Protective Helmets for Motor Cyclists; or
 - (iii) Australian Standard E43/1968—Protective Helmets for Racing Motor Cyclists; or
 - (iv) Australian Standard 1698/1974—Protective Helmets for Vehicle Users,

and in addition it shall, if manufactured on or after 1 January 1972, bear the certification mark of the Standards Association of Australia; or

(b) manufactured, tested and marked in accordance with the requirements of the British Standards Institution contained in—

(i) British Standard 2001/1972—Protective Helmets for Motor Cyclists; or

(ii) British Standard 1869/1960—Protective Helmets for Racing Motor Cyclists; or

(iii) British Standard 2495/1960—Protective Helmets and Peaks for Racing Car Drivers,

and in addition it shall have the certification mark of the British Standards Institution; or

(c) manufactured by Arai Hirotake Limited and marked as model SP-21, SP-22, TX-7, X-7, S-70, R-6m, or XR.

(2) No person shall cause, suffer or permit a safety helmet to be sold or offered for sale for the use of a driver or rider of a motor vehicle unless—

(a) the safety helmet, if manufactured before 1 January 1976, complies with one or more of the standards contained in subregulation (1); and

(b) the safety helmet, if manufactured on or after 1 January 1976, complies with Australian Standard 1698/1974—Protective Helmets for Vehicle Users.

(3) For the purposes of section 162C of the Act, a safety helmet worn by a child who has not attained the age of six years and who is being carried on a motor cycle must comply with the requirements of either subregulation (1) or subregulation (4).

(4) For the purposes of section 162C of the Act, a safety helmet worn by a person riding or being carried on a pedal cycle or small-wheeled vehicle must be manufactured to meet the impact attenuation requirement of Australian Standard 2063.

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**PART 10
MISCELLANEOUS**
10.01 Fees for inspections

(1) In this regulation—

"One-off motor vehicle" means a motor vehicle constructed in Australia that has not been certified by the Australian Motor Vehicle Certification Board as complying with the Australian Design Rules.

(2) Where the Department of Transport carries out an inspection of a vehicle to assist the Minister in determining whether to grant or refuse an exemption from any of the requirements of sections 140 to 147 of the Act, the following fees are payable:

Type of vehicle	Fee payable for first inspection	Fee payable for further inspection
B-double	\$270	\$89
Where the exemption is sought in relation to the use of the vehicle as part of a road train or B double—		
Prime mover	\$149	\$51
Semi-trailer	\$61	\$29
Converter dolly	\$29	\$29
Trailer	\$60	\$29
Any other vehicle	\$149	\$51
Where the exemption is sought in relation to the use of the vehicle otherwise than as part of a road train or B double—		
Commercial motor vehicle with a gross vehicle mass limit of 4.5 tonnes or more	\$78	\$51
Prime mover with a gross combination mass limit of 4.5 tonnes or more	\$78	\$51
Any other vehicle	\$51	\$37

(3) Where, pursuant to section 160 of the Act, a vehicle is presented for inspection to an inspector the following fees are payable:

Type of vehicle	Fee payable for first inspection	Fee payable for further inspection consequent on failing first inspection
Commercial motor vehicle with a gross vehicle mass limit of 4.5 tonnes or more	\$78	\$51
Prime mover with a gross combination mass limit of 4.5 tonnes or more	\$78	\$51
Any other vehicle	\$51	\$37

(4) Where, pursuant to section 160 of the Act, a vehicle is produced for examination by a member of the police force at a police station, a fee of \$15 is payable to the Police Department on certification that the required repairs have been made to the vehicle.

(5) Where the Central Inspection Authority carries out an inspection of a vehicle for the purposes of section 163D(1) of the Act, the following fees are payable:

Type of vehicle	Fee payable for first inspection	Fee payable for further inspection consequent on failing first inspection
Buses	\$77	\$51
Any other vehicle	\$51	\$37

(6) Where, pursuant to regulation 10.08, the Department of Transport carries out an inspection of a vehicle to assist the Minister in determining whether to grant or refuse an exemption from regulation 7.00A, the following fees are payable:

Type of vehicle	Fee payable for first inspection	Fee payable for further inspection
"One-off" motor vehicle	\$77	\$51
Motor vehicle converted into a campervan—		
where the vehicle is a prototype of which "type approval" plates are to be issued*	\$51	\$37
in any other case	\$51	\$37
Imported motor vehicle	\$51	\$37

*A further fee of \$5 for each "type approval" plate issued is payable.

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(7) Where, pursuant to regulation 10.08, the Department of Transport carries out an inspection of a vehicle to assist the Minister in determining whether to grant or refuse an exemption from regulation 7.01, the following fees are payable:

Type of vehicle	Fee payable for first inspection	Fee payable for further inspection
Commercial motor vehicle with a gross vehicle mass limit of 4.5 tonnes or greater	\$77	\$51
Prime mover with a gross combination mass limit of 4.5 tonnes or greater	\$77	\$51
Any other vehicle	\$51	\$37

(7a) Where, pursuant to the *Dangerous Substances Act 1979*, the Department of Transport carries out an inspection of a motor vehicle converted to use liquefied petroleum gas, the following fees are payable:

- (a) for a first inspection \$51;
- (b) for further inspection \$37.

(7b) Where the Department of Transport carries out an examination of a motor vehicle for the purposes of section 139(1)(ab)(i) or (ii) of the *Motor Vehicles Act 1959*, the following fees are payable:

Type of vehicle	Fee payable for first inspection	Fee payable for further inspection
Commercial motor vehicle with a gross vehicle mass limit of 4.5 tonnes or greater	\$77	\$51
Prime mover with a gross combination mass limit of 4.5 tonnes or greater	\$77	\$51
Any other vehicle	\$51	\$37

(7c) Where the Department of Transport carries out an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the *Motor Vehicles Act 1959*, a fee of \$15 is payable to the Registrar of Motor Vehicles on registration of the motor vehicle.

(7d) Where a member of the police force carries out an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the *Motor Vehicles Act 1959*, a fee of \$15 is payable to the Police Department prior to the examination.

(7e) Where the Department of Transport carries out an examination of a motor vehicle for the purposes of completing a report under regulation 23A of the *Motor Vehicles Regulations 1996*, a fee of \$10 is payable to the Registrar of Motor Vehicles on registration of the motor vehicle.

(7f) Where a member of the police force carries out an examination of a motor vehicle for the purposes of completing a report under regulation 23A of the *Motor Vehicles Regulations 1996*, a fee of \$10 is payable to the Police Department prior to the examination.

(8) If, pursuant to this regulation, more than one fee becomes payable in respect of an inspection then only the higher or highest fee (as the case may be) must be paid.

(9) A fee payable pursuant to this regulation for an inspection—

(a) must, except where otherwise specified, be paid to the Department of Transport; and

(b) must be paid prior to that inspection.

10.01A Fees for exemptions

The following fees are payable to the Minister in respect of an exemption under section 163AA of the Act of a road train or B-double from section 140 to 143, 146 or 147 of the Act:

(a) application fee \$29.00

(b) exemption for one year—

(i) road train consisting of a rigid motor vehicle with three or more trailers or an articulated motor vehicle with two or more trailers \$2 980.00

(ii) road train consisting of a rigid motor vehicle with two trailers or an articulated motor vehicle with one trailer \$1 485.00

(iii) B-double \$1 220.00

(c) exemption for 1, 3, 6 or 9 months a proportion of the fee set out in (b), being the proportion that the period of exemption (in months) bears to 12.

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10.02 Timid or restive horses

When any person driving or riding a motor vehicle meets a timid or restive horse, whether harnessed or not, the driver or rider of which signals by raising his hand and pointing to such horse, the person driving or riding such motor vehicle shall forthwith bring the same to the left hand side of the road and shut off the engine until all reasonable possibility of an accident has been averted.

10.03 Exempt vehicles

The following class of vehicles is prescribed for the purposes of section 40(1)(e) of the Act:

Vehicles operated by the Police Security Services Division of the South Australian Police Department.

10.04 Television receivers

(1) A television receiver installed in a motor vehicle, other than a television receiver referred to in subregulation (1a), shall comply with the following requirements:

- (a) Neither the screen nor any part of the screen shall be directly or indirectly visible to the driver of the motor vehicle from the driving position.
- (b) Neither the screen nor any part of the screen shall be in such a position as to be likely to distract the attention of the driver of any other motor vehicle.
- (c) The controls of the television receiver (other than the sound volume control and the main switch) shall not be within the driver's reach.

(1a) A television receiver that forms part of a closed circuit television system fitted to a commercial motor vehicle to provide a view of traffic to the rear or to the rear and to the sides of the vehicle must be securely installed in a position that—

- (a) does not obscure the driver's vision of the road; and
- (b) does not impede the movement of the driver or a passenger; and
- (c) is not reasonably likely to increase the risk of injury to the driver or a passenger.

(2) No person shall drive a motor vehicle in which a television receiver is installed unless such television receiver, at the time the vehicle is driven, is installed in accordance with this regulation.

10.05 Mass of vehicles

(1) The notice to be served upon the owner of any vehicle pursuant to section 153 of the Act shall be in the form of the first schedule to these regulations.

(2) Any person driving or in charge of any vehicle on any road shall when required so to do by any police officer or inspector:

- (i) permit the mass of such vehicle and its load (if any) and the mass carried on any axle or axles of such vehicle to be determined by means of an approved instrument for determining mass; or
 - (ii) drive such vehicle together with its load (if any) to the nearest weighbridge situated within a radius of 8 kilometres and there permit the mass of such vehicle and load (if any) and the mass carried on any axle or axles of such vehicle to be determined.
- (3) For the purposes of section 148 of the Act—
- (a) A weighbridge shall—
 - (i) have a steel or concrete platform; provided that a weighbridge may be fitted with a wooden platform if that weighbridge is verified, re-verified or certified, and marked with an inspector's mark or licensee's mark, in accordance with the *Trade Measurement Act 1993* and the regulations under that Act; and
 - (ii) be so situated as to have sufficient space for vehicles usually weighed on that weighbridge to be driven or drawn on and off without turning on the platform; and
 - (iii) have a level surface so that no point on the surface on which the mass to be measured bears is more than 15 millimetres above or below any other point on that surface; and
 - (iv) operate within the appropriate limits of error for that type of weighbridge that may be tolerated under the *Trade Measurement Act 1993*.
 - (b) In order to determine the mass of a vehicle with or without its load and the mass carried on any two or more axles of a vehicle on a weighbridge, it shall not be necessary to measure the mass carried on all the relevant axles simultaneously, but the mass may be determined by aggregating the measurements of mass taken separately in relation to the axles in question, provided that in determining the mass carried on a vehicle having a group or groups of axles, the axles within each group shall be measured as a whole.
 - (c) When an approved instrument for determining mass is used in order to determine the mass of a vehicle with or without its load and the mass carried on any two or more axles of a vehicle the mass may be determined by aggregating the measurements of mass taken simultaneously or separately in relation to the axles in question provided that in determining the mass carried upon individual axles of a group of axles all of the axles within that group of axles shall be measured simultaneously and shall, as far as possible in the circumstances be in the same plane.
- (4) Any person driving or in charge of any vehicle on any road shall when required so to do by any police officer or inspector—

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- (a) stop such vehicle; and
- (b) give correctly his or her full name and address; and
- (c) give correctly the name and address of the owner of such vehicle; and
- (d) drive such vehicle together with its load (if any) to a portion of the road selected by the police officer or inspector for the purpose of determining the mass of the vehicle and load (if any), and the mass carried on any axle or axles of the vehicle; and
- (e) drive such vehicle together with its load (if any) on or off a weighbridge, or an approved instrument for determining mass; and
- (f) hold stationary such vehicle and load (if any) in order that the mass may be ascertained; and
- (g) drive or operate such vehicle or any part of it in such manner as may reasonably be required by the police officer or inspector for the purpose of ascertaining the mass of such vehicle and load (if any) and the mass carried on any axle or axles of such vehicle; and
- (h) allow the mass of such vehicle and load (if any) and the mass carried on any axle or axles of such vehicle to be determined without alteration of the vehicle, the load or masses after a request to determine such mass or masses has been made.

(5) Any person who fails to comply with any of the provisions of this regulation or who hinders or obstructs any police officer or inspector ascertaining or attempting to ascertain any mass pursuant to this regulation shall be guilty of an offence.

(6) (a) Pursuant to section 163 of the Act—

- (i) every commercial motor vehicle, not being a bus; and
- (ii) every trailer, not being a caravan, machine on wheels, or semi-trailer,

the unladen mass of which exceeds 1.75 tonnes but is less than 4.0 tonnes shall be marked with the gross vehicle mass limit (if any) and the gross combination mass limit (if any) as shown on the Certificate of Registration of the vehicle.

(aa) Pursuant to section 163 of the Act—

- (i) every commercial motor vehicle, not being a bus; and
- (ii) every trailer, not being a caravan, machine on wheels, or semi-trailer,

the unladen mass of which is 4.0 tonnes or greater, and every bus, shall be marked with the following prescribed information:

- I. the name and address of the owner thereof;
 - II. the unladen mass of the motor vehicle, trailer or bus;
 - III. the gross vehicle mass limit (if any);
 - IV. the gross combination mass limit (if any) as shown on the Certificate of Registration of the vehicle.
- (b) The prescribed information to be marked on a vehicle shall be located—
- (i) in the case of a motor vehicle first registered before 1 July 1970, on some conspicuous part of the off-side of the vehicle;
 - (ii) in the case of a motor vehicle first registered on or after 1 July 1970, on the off-side door of the vehicle, or, if there is no such door on some conspicuous part of the off-side of the vehicle near the driver's seat;
 - (iii) in the case of a trailer on some conspicuous part of the off-side of the trailer.

* * * * *

- (d) The prescribed information shall be clearly and legibly marked in letters and numerals at least 50 millimetres high and at least 25 millimetres wide and—
- (i) the unladen mass shall be designated by the letters UL followed by numerals indicating the unladen mass of the vehicle to the nearest two decimal places of a tonne;
 - (ii) the gross vehicle mass limit shall be designated by the letters GV followed by numerals indicating the gross vehicle mass limit of the vehicle to the nearest two decimal places of a tonne;
 - (iii) the gross combination mass limit shall be designated by the letters GC followed by numerals indicating the gross combination mass limit of the motor vehicle to the nearest two decimal places of a tonne.

(7) The following accessories or equipment carried (either habitually or intermittently) upon the vehicle are prescribed pursuant to section 5 of the Act as unladen mass:

- (a) Stock hurdles, stock crates, sheep gates, cages and other like equipment used to contain animals.
- (b) Containers and tanks used to carry solid, liquid or gaseous loads.

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- (c) Stake sides, drop sides, canopies, frames, tarpaulins and other like equipment used to contain or protect a load.
- (d) Cranes, hoists, platforms and other like equipment for the purpose of loading or unloading goods.
- (e) Air-conditioners, sleeping and cooking equipment, refrigeration units, radios and tape recorders and like equipment.
- (f) Tools, tool boxes, towbars, spare tyres, roof racks and other like spare equipment, and
- (g) Any other equipment which is not part of a load and is usually carried on the vehicle.

Paragraphs (a) to (c) inclusive in this subregulation shall not be applicable to vehicles registered at concessional registration fee rates for primary producers under section 34 of the *Motor Vehicles Act 1959*.

(8) In this regulation—

"**approved instrument for determining mass**" means an instrument for determining mass approved in writing by the Minister for the purposes of this regulation.

10.06 Sprocket drive vehicles

Every motor vehicle (not being a motor cycle or motor tricycle) fitted with a chain and sprocket drive shall be so constructed that every chain and sprocket of the drive is fitted with a cover, guard or screen in such a manner as to remove any risk of any person accidentally coming into contact with the chain or sprocket.

10.07 Vehicles not to be driven on roads

(1) Pursuant to section 161A of the Act wind-powered vehicles commonly known as land yachts are declared to be a class of vehicles to which section 161A applies.

10.07A Emission of smoke from diesel vehicles

(1) A diesel vehicle must not be driven on a road if the vehicle emits exhaust emissions that remain visible for more than 10 seconds.

(2) Where the owner of a diesel vehicle drives the vehicle on a road in contravention of this regulation or causes or permits the vehicle to be so driven, the owner is guilty of an offence.

10.08 Power of Minister to dispense

Where reasonable cause exists the Minister may, by notice in writing dispense with compliance with all or any of the provisions of the following regulations on such terms and conditions as the Minister thinks fit—Regulation 4.01, Part 5, Part 6, Part 7, 8.01, 8.02, 9.04 and 10.07A.

10.09 Recurrent offenders

Pursuant to section 47J(12) of the Act—

- (a) the part of the State comprised of Metropolitan Adelaide within the meaning of the *Development Act 1993* is declared to be the prescribed area;
- (b) the Elura Clinic of 74 Hill Street, North Adelaide is declared to be an assessment clinic.

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**PART 11
OFFENCES**

11.01 Offence and penalty

(1) A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.

(2) A person who is guilty of an offence against these regulations for which no penalty is specifically provided is liable to a penalty not exceeding \$200.

11.02 Expiation of alleged offences

The expiation fees set out in the fifth schedule are fixed for alleged offences against the Act or these regulations specified in the Schedule.

FIRST SCHEDULE

Road Traffic Act 1961

NOTICE TO WEIGH VEHICLE

To

You are hereby required within(specify time) from the service of this notice upon you—

1. To cause the vehicle, viz., of which you are the owner, to be driven to the following weighbridge or other instrument, namely (specifying weighbridge or other instrument) at

2. To permit the unladen mass of the vehicle to be determined by means of such weighbridge or other instrument.

3. To deliver the document issued by the person determining the unladen mass of the vehicle and stating the unladen mass thereof, to the member of the police force or inspector who has signed this notice.

Dated the day of 19

.....
** Member of the Police Force or Inspector*

.....
Justice of the Peace

*Strike out whichever is inapplicable

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SECOND SCHEDULE

Certificate of Inspection

Vehicles Inspected Under Part 4A of the *Road Traffic Act 1961*

This is to certify that the vehicle, Registration No. has been inspected and this Certificate of Inspection is issued *subject to the conditions attached to this certificate.*

Expiry Date: Label No:

Seating Capacity: Adults or Children

Signature of Inspector or authorized person

Date:

Notes:

1. This certificate is issued on behalf of the Central Inspection Authority.
2. This certificate will remain in force up to and including the date of expiry, unless sooner cancelled by the Central Inspection Authority.

* * * * *

FOURTH SCHEDULE

Defect Label

South Australian Government

Vehicle Not Roadworthy

At the time of inspection by a member of the Police Force or an inspector this vehicle required repairs to comply with the provisions of section 160 of the *Road Traffic Act 1961*. This vehicle must not stand or be driven on a road on or after the time and date stated on the back of this label, except as stated on the Defect Notice.

This vehicle must not stand or be driven on a road or sold or otherwise disposed of after a.m./p.m.
on the day. 19. ,
except as stated on the Defect Notice.

Signature
Rank No.
Station

Warning It is an offence for any person other than a member of the Police Force or an Inspector to remove, alter or deface this label.

Road Traffic Regulations 1996**FIFTH SCHEDULE***Expiation Fees***Alleged offences against Act:**

s. 47B(1):	
· contravention involving less than 0.08 grams of alcohol in 100 millilitres of blood	\$114
s. 91(3)	\$40
s. 146(2): exceeding mass limits of vehicle—	
· by not more than 500 kilograms over the permitted mass	\$150
· by more than 500 kilograms but not more than 1 000 kilograms over the permitted mass	\$192
· by more than 1 000 kilograms but not more than 1 500 kilograms over the permitted mass	\$247
· by more than 1 500 kilograms but not more than 2 tonnes over the permitted mass	\$259
s. 150(2)	\$40
s. 167(1):	
· offence of causing or permitting the commission of an expiable offence against the Act or these regulations	\$35

Alleged offence against s. 164A(1) arising from alleged contravention of, or failure to comply with—

s. 20(4): exceeding speed limit indicated by signs at works in progress etc.—	
· by less than 15 km/h	\$111
· by 15 km/h or more but less than 30 km/h	\$176
· by 30 km/h or more	\$285
s. 33(9)	\$109
s. 41(2)	\$109
s. 45A	\$95
s. 48: exceeding general speed limit—	
· by less than 15 km/h	\$111
· by 15 km/h or more but less than 30 km/h	\$176
· by 30 km/h or more	\$285
s. 49(1): exceeding speed limit in various circumstances—	
· by less than 15 km/h	\$111
· by 15 km/h or more but less than 30 km/h	\$176
· by 30 km/h or more	\$285
s. 50(1): exceeding speed limit fixed in speed zone—	
· by less than 15 km/h	\$111
· by 15 km/h or more but less than 30 km/h	\$176
· by 30 km/h or more	\$285
s. 52: exceeding speed limit on bridge—	
· by less than 15 km/h	\$111
· by 15 km/h or more but less than 30 km/h	\$176
· by 30 km/h or more	\$285
s. 53(1): exceeding speed limit—certain vehicles—	
· by less than 15 km/h	\$141
· by 15 km/h or more but less than 30 km/h	\$220
· by 30 km/h or more	\$285
s. 53B(1)	\$186
s. 54(1)(a)	\$100
s. 54(1)(b)	\$125
s. 54(3)	\$16
s. 55(1)	\$142
s. 55A	\$16
s. 56(a)	\$100
s. 56(b)	\$140
s. 57(1)	\$166
s. 58(1)	\$125
s. 58(2)	\$140
s. 58(4)	\$145

s. 58A	\$16
s. 59(1)	\$140
s. 60(1)	\$123
s. 60(3)	\$10
s. 61(1)	\$95
s. 61(3)	\$10
s. 61(4)	\$10
s. 61(5)(a): exceeding speed limit—	
· on pedal cycle	\$21
· on motor cycle	\$162
s. 61(5)(b)	\$140
s. 63(1)	\$186
s. 63(1b)	\$186
s. 63(2)	\$140
s. 65	\$166
s. 65A(1)	\$166
s. 66(1)	\$166
s. 67(1)	\$177
s. 67(3)	\$177
s. 68	\$166
s. 68A	\$142
s. 69	\$145
s. 69A(1)	\$125
s. 70(1)	\$134
s. 70B(3)	\$117
s. 71A	\$131
s. 72(1)	\$166
s. 73	\$76
s. 74(1)	\$129
s. 74A	\$76
s. 75(1)	\$186
s. 75(1a)	\$10
s. 76(2)	\$154
s. 76(2a)	\$10
s. 78(1)	\$186
s. 78(2)	\$162
s. 78(2a)	\$154
s. 78(2b)	\$154
s. 78(3)	\$154
s. 78(3a)	\$154
s. 79	\$118
s. 79B(2)—see below	
s. 80	\$127
s. 81(1)	\$127
s. 83A(1)	\$40
s. 83A(2)	\$40
s. 85(2)	\$51
s. 87	\$10
s. 88(1)	\$10
s. 88(3)	\$10
s. 88(5)	\$10
s. 89(1)	\$10
s. 89(2)	\$10
s. 90	\$10
s. 90A	\$10
s. 92	\$40
s. 93	\$63
s. 94	\$63

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s. 94A(1)	\$63
s. 95	\$40
s. 96(2)	\$53
s. 97(1)	\$40
s. 98	\$16
s. 99	\$16
s. 99A	\$16
s. 99B(1)	\$16
s. 99B(3)	\$53
s. 100(2)	\$63
s. 101	\$74
s. 102(1)	\$63
s. 102(2)	\$62
s. 103	\$62
s. 104(1)	\$16
s. 105: unlawful leading of animals—	
· by person riding animal	\$16
· by person driving etc. in vehicle	\$40
s. 106(1)	\$94
s. 107	\$94
s. 108(1)	\$89
s. 109	\$40
s. 110	\$40
s. 111:	
· contravention of, or failure to comply with s. 119 or 122	\$94
s. 139:	
· contravention of, or failure to comply with s. 140, 141 or 142	\$122
s. 144(1)	\$114
s. 157	\$57
s. 161A(1)	\$40
s. 162	\$46
s. 162A(2)	\$164
s. 162AB(1)	\$135
s. 162AB(2)	\$135
s. 162AB(3)	\$135
s. 162B	\$40
s. 162C(1)	\$40
s. 162C(2)	\$39
s. 162C(2a)	\$39
s. 163(3)	\$62
Alleged offences against regulations:	
reg. 3.08(2)	\$40
reg. 4.01	\$49
reg. 4.08(7):	
· failure to comply with subregulation (2)	\$49
· failure to comply with subregulation (3)	\$16
· failure to comply with subregulation (4) by riding on a small-wheeled vehicle	\$16
· failure to comply with subregulation (4) in any other case	\$10
reg. 4.09(7)	\$105
reg. 4.10(7)	\$105
reg. 7.00A(2)(b)	\$40
reg. 9.02(2)(c)	\$50
Alleged offence against reg. 11.01 constituted of alleged contravention or failure to comply with—	
reg. 3.03A:	
· in the case of a pedestrian	\$14
· in the case of a driver	\$40

reg. 3.04(1) or (3)	\$10
reg. 3.05(2)	\$133
reg. 3.05(3)	\$94
reg. 3.06(2)	\$94
reg. 3.11	\$40
reg. 4.07(3)	\$104
reg. 4.07(4) or (4a)	\$16
reg. 5.05(1)	\$53
reg. 5.10(1)	\$16
reg. 5.13(2), (4) or (6)	\$40
reg. 5.14A(4)	\$53
reg. 5.14B(3)	\$53
reg. 7.01(1)	\$40
reg. 8.01(1) or (2)	\$55
reg. 8.02(1)	\$16
reg. 8.02A(1)	\$16
reg. 9.03(1)	\$53
reg. 10.04(2)	\$40

Photographic detection devices

1. The expiation fee for an alleged offence against s. 79B(2) of the Act constituted of being the registered owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of an expiable offence is the same as the expiation fee payable for that expiable offence.

Lesser expiation fee if motor vehicle not involved

2. Despite the fees fixed in the table above, the expiation fee is \$16 for an alleged offence (other than an offence constituted of failing to comply with the lawful directions of a person or an offence against s. 96(2), 99B(3) or 162C(1), (2) or (2a) of the Act) constituted of—

- driving, riding, drawing, propelling, parking or leaving standing a vehicle other than a motor vehicle; or
- driving, riding, drawing or propelling a small-wheeled vehicle (whether the offence was committed by the rider as a pedestrian or otherwise).

Road Traffic Regulations 1996

APPENDIX

LEGISLATIVE HISTORY

Transitional Provisions

(Transitional provision from Regulation No. 259 of 1996, reg. 4)

4. A regulation varied or revoked by these regulations will continue to apply (as in force immediately prior to the variation or revocation coming into operation) to an expiation notice issued under the varied or revoked regulations.

Legislative History

(entries in bold type indicate amendments incorporated since the last reprint)

Regulation 1.04(1):	definition of "bike rack" inserted by 24, 1997, reg. 3
Regulation 5.02(7):	inserted by 24, 1997, reg. 4
Regulation 5.14(2):	varied by 141, 1997, reg. 3
Regulation 9.02A:	inserted by 165, 1997, reg. 3
Regulation 10.01(2):	varied by 102, 1997, reg. 3(a)
Regulation 10.01(3):	varied by 102, 1997, reg. 3(b)
Regulation 10.01(4):	varied by 102, 1997, reg. 3(c)
Regulation 10.01(7b):	varied by 165, 1997, reg. 4(a)
Regulation 10.01(7c) - (7f):	inserted by 165, 1997, reg. 4(b)
Regulation 10.01A:	varied by 102, 1997, reg. 4
Regulation 11.02:	inserted by 259, 1996, reg. 3 (Sched. cl. 22)
Fifth schedule:	inserted by 259, 1996, reg. 3 (Sched. cl. 22); substituted by 154, 1997, reg. 4