**Legislative Council—No 294**
As received from the House of Assembly and read a first time, 30 November 2017

South Australia

# Road Traffic (Helmets) Amendment Bill 2017

A BILL FOR

An Act to amend the *Road Traffic Act 1961*.

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**The Parliament of South Australia enacts as follows:**

# Part 1—Preliminary

## 1—Short title

This Act may be cited as the *Road Traffic (Helmets) Amendment Act 2017*.

## 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

# Part 2—Amendment of *Road Traffic Act 1961*

## 3—Insertion of section 162D

After section 162C insert:

### 162D—Helmet cameras etc

(1) Despite any other provision of this Act, or a provision of any other law of this State or a prescribed standard, a rider of, or a person being carried on, a motor bike or bicycle may wear an approved motor bike helmet or approved bicycle helmet (as the case requires) to which a communication or recording device is affixed.

(2) Despite any other provision of this Act, or a provision of any other law of this State or a prescribed standard, a rider of, or a person being carried on, a wheeled recreational device or wheeled toy may wear a safety helmet to which a communication or recording device is affixed.

(3) For the purposes of this Act and any other laws of this State—

(a) an approved bicycle helmet, approved motor bike helmet or safety helmet will not be taken to contravene a provision of this Act or any other law of this State or a prescribed standard merely because a communication or recording device is affixed to the helmet; and

(b) the approval of an approved bicycle helmet, approved motor bike helmet or safety helmet is not affected merely because a communication or recording device is affixed to the helmet.

(4) However, the preceding subsections only apply in relation to a communication or recording device that is affixed to a helmet in accordance with any requirements set out in the regulations.

(5) In this section—

***approved bicycle helmet*** has the same meaning as in the *Australian Road Rules*;

***approved motor bike helmet*** means a helmet approved for motor bike riders under the *Road Traffic (Miscellaneous) Regulations 2014*;

***prescribed standard*** means—

(a) Australian Standard 2063;

(b) Australian Standard 1698—1988—*Protective helmets for vehicle users* (**AS 1698—1988**); or

(c) Australian/New Zealand Standard 1698:2006—*Protective helmets for vehicle users* (**AS/NZS 1698:2006**); or

(d) United Nations Economic Commission for Europe Regulation No 22 *Uniform provisions concerning the approval of protective helmets and their visors for drivers and passengers of motor cycles and mopeds*, incorporating the 05 series of amendments (**ECE 22.05**);

(e) any other standard prescribed by the regulations for the purposes of this definition,

as in force from time to time.