

South Australia

## **Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014**

under the *Road Traffic Act 1961*

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#### **1—Short title**

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

#### **3—Interpretation**

In these regulations—

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

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

*electric personal transporter* has the same meaning as in the *Road Traffic (Miscellaneous) Regulations 2014*;

*Rules* means the *Australian Road Rules*;

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

#### **4—References to rules**

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

#### **5—Words and expressions have same meanings as in Rules**

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

#### **6—General power of Minister to grant exemptions**

(1) The Minister may, by notice in writing or notice in the Gazette, exempt—

(a) a person or class of persons; or

(b) a vehicle or class of vehicles,

from a specified provision of the Rules or these regulations, unconditionally or subject to specified conditions.

(2) The Minister may, by notice in writing or notice in the Gazette, vary or revoke an exemption under this regulation.

#### **7—Special provisions relating to school zones**

(1) For the purposes of rule 23 (Speed limit in a school zone), if the words "WHEN CHILDREN PRESENT" are displayed on or with a school zone sign, the words are to be taken to mean that the speed limit displayed on the sign applies when a child is present in the school zone.

(2) In proceedings for an offence against rule 20 (Obeying the speed limit) relating to a school zone, if it is proved that a person was present in the school zone area and evidence is given that the person appeared to the witness to be a child, it will be presumed that person was a child in the absence of proof to the contrary.

(3) In this regulation—

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

## 8—Speed limits applying to driving of road trains

(1) Despite anything in Part 3 of the Rules (Speed limits), a driver must not drive a road train on any length of road at a speed exceeding the prescribed speed limit (road trains) for that length of road.

Maximum penalty: \$5 000.

(2) Despite anything in Part 3 of the Rules (Speed limits), a driver must not drive a road train at a speed exceeding 40 kilometres per hour on a length of road in a built-up area in Orroroo, Peterborough, Port Augusta or Whyalla.

Maximum penalty: \$5 000.

(3) Nothing in this regulation authorises the driving of a vehicle on a length of road at a speed exceeding any lower speed limit applying to the driver of the vehicle on that length of road by virtue of the Rules or another law of the State.

(4) For the purposes of subregulation (1), the *prescribed speed limit (road trains)* is as follows:

(a) the prescribed speed limit (road trains) for a length of road comprising any part of the Eyre Highway that is generally west of Port Augusta and that has a speed limit applying to drivers of vehicles other than road trains of 100 kilometres per hour or more is 100 kilometres per hour;

(b) the prescribed speed limit (road trains) for a length of road comprising any part of the Stuart Highway that is generally north of Port Augusta and that has a speed limit applying to drivers of vehicles other than road trains of 100 kilometres per hour or more is 100 kilometres per hour;

(c) the prescribed speed limit (road trains) for any other length of road is 90 kilometres per hour.

(5) In this regulation—

*road train* means a road train as defined in the *Road Traffic (Miscellaneous) Regulations 2014* that, including its load (if any), is over 19 metres long.

## 9—Special provisions relating to no U-turn signs

(1) For the purposes of rule 39 (Making a U-turn contrary to a no U-turn sign), if the words "MAINTENANCE VEHICLES EXCEPTED" are displayed on or with a no U-turn sign, the words are to be taken to mean that the no U-turn sign does not apply to the driver of—

(a) a tow truck or breakdown vehicle while it is being driven for the purpose of providing towing or repair services to a disabled or other vehicle; or

- (ab) an unladen heavy vehicle while it is being driven on the South Eastern Freeway for the purpose of providing assistance to a heavy vehicle that is a disabled or other vehicle; or
- (b) a vehicle engaged in roadworks or being driven to or from the site of roadworks for the purpose of engaging in roadworks,

if in the circumstances—

- (c) the driver is taking reasonable care; and
- (d) it is reasonable that the no U-turn sign should not apply.

(2) In this regulation—

***breakdown vehicle*** has the same meaning as in regulation 48;

***disabled or other vehicle*** means—

- (a) a vehicle at the scene of a crash; or
- (b) a disabled vehicle; or
- (c) a vehicle unsafely or unlawfully parked that the driver of the tow truck or breakdown vehicle is authorised to tow away under a law of this jurisdiction referred to in regulation 46(a) or (b);

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

### **9A—Giving way, etc, to riders of bicycles on crossings or slip lanes**

Despite anything in—

- (a) rule 62 (Giving way when turning at an intersection with traffic lights); or
- (b) rule 63 (Giving way at an intersection with traffic lights not operating or only partly operating); or
- (c) rule 64 (Giving way at flashing yellow traffic arrow at an intersection); or
- (e) rule 67 (Stopping and giving way at a stop sign or stop line at an intersection without traffic lights); or
- (f) rule 69 (Giving way at a give way sign or give way line at an intersection (except a roundabout)); or
- (g) rule 72 (Giving way at an intersection (except a T-intersection or roundabout)); or
- (h) rule 73 (Giving way at a T-intersection); or
- (l) rule 128A (Entering blocked crossings); or
- (m) the definition of a ***pedestrian*** in rule 18 (Who is a pedestrian) and the dictionary at the end of the Rules,

a reference to a pedestrian—

- (n) in rule 62, 63, 64, 69, 72(4), 72(4A), 73(3), 73(5), 73(5A) or 128A; or
- (o) in rule 67, 72(3), 72(5), 73(2), 73(4) or 73(6) when referred to for the purposes of rule 63,

will be taken to include a reference to the rider of a bicycle.

## **9B—Giving way to pedestrians, or riders of bicycles, entering crossings or slip lanes**

Despite anything in—

- (b) rule 69 (Giving way at a give way sign or give way line at an intersection (except a roundabout)); or
- (d) rule 73(3) (Giving way at a T-intersection); or
- (f) rule 128A (Entering blocked crossings),

a reference in any of those rules to a pedestrian on a marked foot crossing, children's crossing, pedestrian crossing or slip lane will be taken to include a reference to a pedestrian or rider of a bicycle entering the crossing or slip lane.

## **9C—Low gear offence (rule 108) not applicable to drivers of trucks or buses on prescribed road**

Despite anything in rule 108 (Trucks and buses low gear signs), rule 108(1) does not apply to the driver of a truck or bus driving on a length of road to which a trucks and buses low gear sign applies if that length of road is a length of prescribed road for the purposes of section 45C of the Act (Speed and gear restrictions for trucks and buses on prescribed roads).

**Note—**

A *prescribed road* for the purposes of section 45C of the Act is a portion of RN 04500 South Eastern Freeway (or adjacent land) defined in regulation 61A of the *Road Traffic (Miscellaneous) Regulations 2014*.

## **10—Alteration of definition of *level crossing***

Despite anything in rule 120, for the purposes of the Rules and the definition of a *level crossing* in rule 120(1)—

- (a) where there is a stop line across all or part of a road referred to in paragraph (a) or (b) of rule 120(1) at or near an entrance from that road to the area referred to in that paragraph, a level crossing includes the whole or part of the road (as the case may be) that lies between the commencement of the stop line and the area referred to in paragraph (a) or (b);

but—

- (b) a level crossing does not include an area referred to in rule 120(1A) that is not otherwise included under rule 120(1) and paragraph (a) of this regulation.

## **11—Road trains**

For the purposes of rule 127(2) (Keeping a minimum distance between long vehicles), a combination that is a road train as defined in the *Road Traffic (Miscellaneous) Regulations 2014* is a road train for the Rules.

## **11A—Keeping a safe lateral distance when passing bicycle rider**

- (1) Despite anything in rule 144, a driver of a motor vehicle driving past to the right of the rider of a bicycle travelling in the same direction as the driver must pass the bicycle at a sufficient distance from the bicycle.

Maximum penalty: \$2 500.

- (2) In this regulation, unless the contrary intention appears—

**bicycle** includes—

- (a) the rider of the bicycle and any passenger on the bicycle; and
- (b) any bicycle trailer towed by the bicycle and any passenger in or on the trailer; and
- (c) any basket or pannier bags attached to the bicycle or any trailer,

but does not include a flag or stick (whether or not flexible) attached to and projecting sideways from the bicycle or any trailer;

**bicycle trailer** has the same meaning as in rule 257(2);

**lateral distance**, from a bicycle that is being passed by the driver of a motor vehicle, means the distance between the following points:

- (a) the furthestmost point to the right on the bicycle; and
- (b) the furthestmost point to the left on the driver's vehicle or any projection from the vehicle (whether or not attached to the vehicle);

**sufficient distance**, from a bicycle that is being passed by the driver of a motor vehicle, means—

- (a) if the speed limit applying to the driver for the length of road is not more than 60 kilometres per hour—a lateral distance from the bicycle of at least 1 metre; or
- (b) if the speed limit applying to the driver for the length of road is more than 60 kilometres per hour—a lateral distance from the bicycle of at least 1.5 metres.

### **11B—Exemption from certain rules when passing bicycle rider**

- (1) Despite anything in rule 132, 137, 138, 146 or 147, a driver of a motor vehicle driving past to the right of the rider of a bicycle travelling in the same direction as the driver may, if it is necessary in order to comply with regulation 11A for the passing of the rider, do any of the following:
- (a) if the driver is driving on a two-way road without a dividing line or median strip—drive to the right of the centre of the road, provided that the driver has a clear view of any approaching traffic and can do so safely;
  - (b) if the driver is driving on a road with a dividing line—drive to the right of the dividing line, provided that the driver has a clear view of any approaching traffic and can do so safely;
  - (c) drive—
    - (i) on a dividing strip that is at the same level as the road; or
    - (ii) on or over a single continuous line, or 2 parallel continuous lines, along a side of or surrounding a painted island,provided that the driver has a clear view of any approaching traffic and can do so safely;

- (d) if the driver is driving on a multi-lane road—drive so that the driver's vehicle is not completely in a marked lane;
  - (e) if the driver is driving on a road with 2 or more lines of traffic travelling in the same direction as the driver, but without marked lanes—drive so that the driver's vehicle is not completely in a single line of traffic;
  - (f) if the driver is driving on a multi-lane road—move from one marked lane to another marked lane across a continuous line separating the lanes, provided that the driver can perform the movement safely.
- (2) For the purposes of subregulation (1)(c), a dividing strip does not include a painted island and is to be taken to be at the same level as the road even if the dividing strip contains 1 or more raised pavement bars or markers.
- (3) Subregulation (1)(a), (b) and (c) do not apply to a service road other than a service road to which a two-way sign applies (in which case they apply to the service road as if it were a separate road).

### **11C—Additional circumstances in which lane filtering between vehicles on a motor bike is unlawful**

- (1) Despite anything in rule 151A (Lane filtering between vehicles on a motor bike), it will be taken for the purposes of rule 151A(2) to be unlawful for a rider of a motor bike to lane filter along a length of road if any of the following circumstances apply:
- (a) the motor bike is a motor bike with 3 wheels (whether the third wheel supports a sidecar or otherwise);
  - (b) the rider is the holder of a P1 licence or a learner's permit (or an interstate licence or learner's permit that has a condition requiring a plate displaying the letter "P" or the letter "L" to be affixed to the motor bike);
  - (c) the motor bike is a moped and the rider is not the holder of a licence endorsed with the classification R-DATE or R (or an interstate licence that authorises the riding of a motor bike other than a moped);
  - (d) the rider is riding through a roundabout, children's crossing or pedestrian crossing;
  - (e) the rider is riding between vehicles travelling in separate, but adjacent, marked lanes, one of which is a bicycle lane, tram lane or tramway;
  - (f) the rider is riding at a speed that does not exceed that of the vehicles between which the rider is riding (unless the speed of those vehicles is more than 30 kph);
  - (g) the rider is riding in a manner that does not seek to avoid collisions (including riding between vehicles with insufficient clearance).
- (2) The circumstances referred to in subregulation (1) are in addition to those specified in rule 151A(3).
- (3) In this regulation—
- interstate learner's permit* has the same meaning as in section 97A of the *Motor Vehicles Act 1959*;



*interstate licence, learner's permit, licence and P1 licence* have the same respective meanings as in the *Motor Vehicles Act 1959*;

*moped* has the same meaning as in the *Motor Vehicles Regulations 2010* but does not include a moped with 3 wheels.

## 12—Vehicles permitted in bus lanes

For the purposes of rule 158(2) (Exceptions to driving in special purpose lanes etc) the driver of any of the following vehicles is permitted to drive in a bus lane, other than a bus lane or portion of a bus lane referred to in regulation 13:

- (a) a taxi;
- (b) a bicycle;
- (c) a bus other than a public bus.

## 13—Other vehicles not permitted in red painted or lined lanes marked "bus only"

- (1) Despite anything in Part 11 (Keeping left, overtaking and other driving rules) or Part 12 (Restrictions on stopping and parking) of the Rules, a driver (except the driver of a public bus) must not drive or stop in a bus only lane.

Maximum penalty: \$2 500.

- (2) Subregulation (1) does not apply to the driver of a police vehicle in the circumstances described in rule 305 (Exemption for drivers of police vehicles) or to the driver of an emergency vehicle in the circumstances described in rule 306 (Exemption for drivers of emergency vehicles).
- (3) Part 20 (Traffic control devices and traffic-related items) of the Rules applies in relation to a bus only lane road marking as if this regulation formed part of the Rules.
- (4) In this regulation—

**bus only lane** means a bus lane or other marked lane (or portion of such a lane)—

- (a) that is painted red in colour and marked with the words "bus only" in white letters; or
- (b) that—
  - (i) is painted red in colour from the commencement of the lane or portion of lane for a distance of at least 12.5 metres, and marked (on that red painted area) with the words "bus only" in white letters; and
  - (ii) thereafter has—
    - (A) a red line at least 150mm in width marked on or immediately inside the lane boundary on each side of the lane; and
    - (B) further lengths of the lane painted red in colour, and marked "bus only" in white letters in accordance with subparagraph (i), at regular intervals (being intervals not exceeding 200 metres from the end of 1 painted length of lane to the commencement of the next);

*bus only lane road marking* means a road marking described in paragraph (a) or (b) of the definition of *bus only lane*.

#### **14—Exemption from requirements relating to passing or proceeding past tram stopped at tram stop**

If—

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

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

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

#### **15—Taxis not permitted to stop on clearways**

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

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

- (1) For the purposes of rule 179(1) (Stopping in a loading zone)—
  - (a) a commercial vehicle that is dropping off, or picking up, goods is permitted to stop in a loading zone; and
  - (b) a vehicle, other than a commercial vehicle, is permitted to stop in a loading zone if the vehicle is dropping off, or picking up, goods that are difficult to handle because of their weight or size; and
  - (c) a taxi that is dropping off, or (having been hailed or summoned for the purpose) picking up, passengers is permitted to stop in a loading zone provided that the driver does not leave the taxi unattended; and

- (d) a vehicle to which an alcohol interlock is fitted is permitted to stop in a loading zone to enable the driver to take action to comply with alcohol interlock scheme conditions to which the driver's licence of the driver is subject, provided that the vehicle stops for no longer than is necessary in the circumstances.
- (2) In this regulation—

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

### 17—Permits for permit zones

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

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

- (1) For the purposes of rule 197(1) (Stopping on a path, dividing strip, nature strip, painted island or traffic island), the following drivers are permitted to stop on a bicycle path, footpath, shared path, dividing strip or nature strip:
  - (a) the driver of a motorised wheelchair;
  - (b) the rider of a motor bike (with or without a trailer attached) that—
    - (i) is a postal vehicle; and
    - (ii) has an engine capacity not exceeding 125cc,who is engaged in dropping off or picking up postal articles.

- (2) For the purposes of rule 197(1), a driver is permitted to stop on a footpath if the driver is crossing the path to enter a road-related area or adjacent land and is required to open a gate or take some other action to enter the area or land.

### **19—Structures declared to be public postboxes**

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

### **20—Prohibition on parking outside times indicated by permissive parking sign if road is a bicycle, bus or transit lane**

Despite anything in rule 205A (Parking outside times indicated), nothing in that rule permits a driver to park on a length of road, or in an area, that is a bicycle lane, bus lane or transit lane.

### **21—Display of parking permit for people with disabilities**

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

### **22—Parking and payment of parking fees**

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

- (b) if the fee is to be paid by the operation of a parking meter—promptly proceeds to the parking meter for the place where the vehicle is parked and pays in accordance with the instructions on or with the meter; or
- (c) if the fee is to be paid by operation of an electronic device or by an electronic method of payment of a kind determined by the council that is indicated on or with the sign or a meter, ticket or ticket-vending machine—promptly makes the payment in such manner in accordance with the instructions—
  - (i) on or with the sign, meter, ticket or ticket-vending machine; or
  - (ii) accompanying the device or payment method (as the case requires).

### **23—Exemption from requirements relating to making motor vehicles secure**

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

### **24—Lights to be fitted to vehicles**

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

- (a) in the case of a heavy vehicle—those required to be fitted to the vehicle under the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)*; or
- (b) in the case of a light vehicle—those required to be fitted to the vehicle under the *Road Traffic (Light Vehicle Standards) Rules 2018*.

### **25—Dangerous goods and placard loads and towing of vehicles at night etc**

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

### **26—Operation of hazard warning lights if children being dropped off or picked up**

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

### **27—Restrictions on crossing to or from tram stop other than at crossing for pedestrians**

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

- (c) access to the structure from each side of the road is provided by 1 or more crossings for pedestrians,

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

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

Maximum penalty: \$2 500.

- (2) Subregulation (1) does not apply to a pedestrian who crosses the area of road at a crossing for pedestrians in accordance with the Rules.
- (3) In this regulation—  
*road* does not include a road-related area, but does include the shoulder of a road;  
*tram* includes a bus travelling along tram tracks.

## 29—Areas on which wheeled recreational devices and toys prohibited

- (1) For the purposes of rule 240(2) and (3) (Wheeled recreational devices and toys not to be used on certain roads), wheeled recreational devices and wheeled toys are prohibited on an area specified in Schedule 1.
- (2) For the purposes of rule 240(2), wheeled recreational devices are prohibited on a length of footpath to which a no wheeled recreational devices sign applies.
- (3) A no wheeled recreational devices sign applies to a length of footpath beginning at the sign and ending at the nearer of the following:
  - (a) an end no wheeled recreational devices sign;
  - (b) the end of the footpath.
- (4) Part 20 (Traffic control devices and traffic-related items) of the Rules applies in relation to a sign referred to in subregulation (2) or (3) as if this regulation (including the diagrams below) formed part of the Rules.

No wheeled recreational devices sign



End no wheeled recreational devices sign



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

### **30—Operator of electric personal transporter to provide instruction, support**

- (1) The operator of an electric personal transporter must not cause or permit a person to ride the transporter unless the operator—
- (a) has first taken reasonable steps to provide the person with adequate instruction as to—
    - (i) the safe use of the transporter; and
    - (ii) the requirements of the Rules and these regulations as to riding or being carried on the transporter; and
    - (iii) the area in which the transporter may be used; and
  - (b) supervises the use of the transporter by the person to the extent that such supervision is reasonably required.

Maximum penalty: \$2 500.

- (2) Subject to regulation 30B, the operator of an electric personal transporter must not cause or permit—
- (a) a person under the age of 12 years; or
  - (b) a person who is not wearing a safety helmet that complies with this regulation and is properly adjusted and securely fastened,

to ride or be carried on the transporter.

Maximum penalty: \$2 500.

- (3) If an electric personal transporter is involved in a crash in which a person is killed or injured and the operator of the transporter (not being the rider of the transporter) is present at the scene of the crash, the operator—
- (a) must give all possible assistance; and
  - (b) not more than 90 minutes after the crash must report to a police officer at the scene or at a police station for the purpose of providing particulars of the crash.

Maximum penalty: \$2 500.

- (4) It is a defence to a charge of an offence against subregulation (3) to prove that—
- (a) the defendant was unaware that the crash had occurred and that the defendant's lack of awareness was reasonable in the circumstances; or
  - (b) in relation only to a failure to comply with subregulation (3)(a), the defendant—
    - (i) genuinely believed on reasonable grounds that compliance with subregulation (3)(a) would endanger the physical safety of the defendant or another person; and
    - (ii) at the earliest opportunity notified police, ambulance or some other authority responsible for providing emergency services of the crash;  
or
  - (c) in relation only to a failure to comply with subregulation (3)(b), the defendant—

- (i) had a reasonable excuse for the failure to comply; and
  - (ii) reported to a police officer as soon as possible after the crash.
- (5) A safety helmet complies with this regulation if it is a helmet approved for motor bike riders or bicycle riders under regulation 51 of the *Road Traffic (Miscellaneous) Regulations 2014*.

**Note—**

It is an offence to drive an electric personal transporter on a road without the approval of the Minister—see section 161A of the Act and regulation 48 of the *Road Traffic (Miscellaneous) Regulations 2014*.

**30A—Additional rules for persons travelling on wheeled recreational devices that are electric personal transporters**

- (1) This regulation applies despite anything in the Rules (provided that a provision of the Rules applicable to the use of a wheeled recreational device continues to so apply except to the extent of any inconsistency with this regulation).

**Note—**

For examples of rules applicable to the use of wheeled recreational devices, including electric personal transporters, see rules 239A to 244 inclusive.

- (2) Subject to regulation 30B, a person must not ride, or be carried on, an electric personal transporter unless the person is wearing a safety helmet that complies with this regulation and is properly adjusted and securely fastened.

Maximum penalty: \$2 500.

- (3) A person must not ride an electric personal transporter at a speed greater than—
  - (a) 15 kilometres per hour; or
  - (b) if a lesser speed is required in the circumstances to allow the person to stop safely in order to avoid endangering any person—that speed.

Maximum penalty: \$2 500.

- (4) A person must not ride an electric personal transporter without due care or attention or without reasonable consideration for other persons.

Maximum penalty: \$2 500.

- (5) A person must not ride an electric personal transporter unless the person has proper control of the transporter.

Maximum penalty: \$2 500.

- (6) A person who rides an electric personal transporter must not cause or permit another person to ride or be carried on the transporter at the same time.

Maximum penalty: \$2 500.

- (7) A person who has possession or control of an electric personal transporter must not cause or permit a person under the age of 12 years to ride or be carried on the transporter.

Maximum penalty: \$2 500.



- (8) A person must not ride an electric personal transporter within 2 metres of the rear of a moving motor vehicle continuously for more than 200 metres.  
Maximum penalty: \$2 500.
- (9) A person must not, on a footpath or other road-related area, ride an electric personal transporter abreast of another wheeled recreational device or a vehicle or wheeled toy.  
Maximum penalty: \$2 500.
- (10) A person who rides an electric personal transporter on a footpath or other road-related area must, if it is necessary to do so for the purpose of averting danger, give warning (by a warning device or other means) to pedestrians or other persons using the footpath or other road-related area.  
Maximum penalty: \$2 500.
- (11) A person who rides an electric personal transporter on a children's crossing, marked foot crossing or pedestrian crossing on a road—
- (a) must keep to the left of the crossing unless it is impracticable to do so; and
  - (b) must keep to the left of any oncoming bicycle rider or person riding an electric personal transporter; and
  - (c) must give way to any pedestrian on the crossing; and
  - (d) must not stay on the crossing for longer than necessary to cross the road safely.
- Maximum penalty: \$2 500.
- (12) A person who rides an electric personal transporter is exempt from compliance with rule 240(2)(b) (Wheeled recreational devices and toys not to be used on certain roads) and regulation 29(5) (Areas on which wheeled recreational devices and toys prohibited), but must not ride at night, or in hazardous weather conditions causing reduced visibility, unless the transporter, or the person riding the transporter, displays—
- (a) a flashing or steady white light that is clearly visible for at least 200 metres from the front of the transporter; and
  - (b) a flashing or steady red light that is clearly visible for at least 200 metres from the rear of the transporter; and
  - (c) a red reflector that is clearly visible for at least 50 metres from the rear of the transporter when light is projected onto it by a vehicle's headlight on low-beam.
- Maximum penalty: \$2 500.
- (13) A person who rides an electric personal transporter is exempt from compliance with rule 240(1) (Wheeled recreational devices and toys not to be used on certain roads) if—
- (a) there is an obstruction on a footpath, nature strip, bicycle path or shared path adjacent to a road (an *adjacent area*); and
  - (b) because of the obstruction it is impracticable to travel on the adjacent area; and

- (c) the person who rides the transporter travels less than 50 metres along the road to avoid the obstruction.
- (14) A safety helmet complies with this regulation if it is a helmet approved for motor bike riders or bicycle riders under regulation 51 of the *Road Traffic (Miscellaneous) Regulations 2014*.

### **30B—Use of helmets on electric personal transporters**

- (1) A requirement under regulation 30(2) or 30A(2) that a person be wearing a safety helmet does not apply if that person—
  - (a) is of the Sikh religion; and
  - (b) is wearing a turban.
- (2) It is a defence to a charge of an offence against regulation 30(2) or 30A(2) for the defendant to prove that there were in the circumstances of the case special reasons justifying non-compliance with the requirements of the provision.

### **31—Entering a bicycle storage area**

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

### **32—Additional requirements applicable to riders of bicycles on crossings**

- (1) Despite anything in rule 248 (Riding across a crossing), it will be taken to be a requirement of subrule (1) of that rule that a rider of a bicycle riding across a road, or part of a road, on a children's crossing, marked foot crossing or pedestrian crossing must, in addition to complying with paragraphs (a) and (b) of subrule (1)—
  - (a) keep to the left of any oncoming bicycle rider or person riding an electric personal transporter, on the crossing; and
  - (b) not stay on the crossing for longer than necessary to cross the road safely.
- (2) Despite anything in the Rules, the rider of a bicycle who crosses a road or part of a road on a marked foot crossing may cross—
  - (a) in accordance with rule 231 (Crossing a road at pedestrian lights) (and for that purpose rule 231 applies to the rider as if references to a pedestrian in the rule include a reference to the rider of a bicycle); or
  - (b) if there are bicycle crossing lights as well as pedestrian lights at the crossing—in accordance with rule 231 or in accordance with rules 260 (Stopping for a red bicycle crossing light), 261 (Stopping for a yellow bicycle crossing light) and 262 (Proceeding when bicycle crossing at an intersection or another place on a road).

### **34—Sikhs exempt from wearing bicycle helmets**

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

### **35—Approved booster seats, child restraints and child safety harnesses**

For the purposes of rule 266 (Wearing of seatbelts by passengers under 16 years old), booster seats, child restraints and child safety harnesses are approved if approved under the *Road Traffic (Miscellaneous) Regulations 2014*.

### **36—Wearing of seatbelts by passengers under 16 years old**

Despite anything in rule 266(5C) (Wearing of seatbelts by passengers under 16 years old), the exemption in subrule (5C) only applies to the driver of a correctional vehicle, juvenile justice vehicle or sheriff's vehicle if—

- (a) the vehicle has 2 or more rows of seats and the passenger is not in the front row of seats or there is not a seating position available for the passenger in another row of seats; or
- (b) the vehicle has a caged, or other secured, area designed for the carriage of passengers and the passenger occupies a seating position in that area.

### **37—Exemptions from wearing seatbelts**

For the purposes of rule 267(3) (Exemptions from wearing seatbelts), a certificate stating that a specified person is not required to wear a seatbelt, indefinitely or for a specified period, may be issued by the Minister on any ground the Minister considers appropriate.

### **38—Approved motor bike helmets**

Despite anything in the definition of *approved motor bike helmet* in rule 270(3) (Wearing motor bike helmets), a helmet is an approved motor bike helmet for the purposes of that definition and the Rules only if the helmet—

- (a) is approved for motor bike riders under regulation 51 of the *Road Traffic (Miscellaneous) Regulations 2014*; and
- (b) complies with paragraph (c) of the definition of *approved motor bike helmet* in rule 270(3).

### **39—Additional crashes that are required to be reported to police**

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

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

### **40—Requirement to stop and report crashes to police in accordance with Rules not applicable where person killed or injured**

Despite anything in the Rules or these regulations, where a crash is an accident to which section 43 of the Act applies, a driver involved in the crash is not required to comply with rule 287 (Duties of a driver involved in a crash) apart from the requirement in subrule (2) that the driver give the driver's required particulars, within the required time and, if practicable, at the scene of the crash, to the persons indicated by subrule (2)(a), (b) and (c).

#### **41—Crashes required to be reported to police may instead be reported to persons authorised by Commissioner of Police**

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

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

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

#### **42—Information required to be reported to police about crashes**

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

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

#### **43—Exemptions for operators of traffic speed analysers or photographic detection devices**

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

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

#### **43A—Exemption for light vehicle drivers from load restraint requirement in rule 292A**

Despite anything in rule 292A (Restricting movement of load), that rule does not apply to the driver of a light vehicle.

**Note—**

For the driver of a light vehicle, see Schedule 1 clause 7A of the *Road Traffic (Light Vehicle Mass and Loading Requirements) Regulations 2013*.

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

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

Maximum penalty: \$2 500.

- (2) In this regulation—

***corresponding permit or licence*** means—

- (a) a learner licence, provisional licence or probationary licence issued under the *Road Transport (Driver Licensing) Act 1999* of the Australian Capital Territory; or
- (b) a learner licence or provisional licence issued under the *Road Transport Act 2013* of New South Wales; or
- (c) a learner licence or licence that is provisional issued under the *Motor Vehicles Act 1949* of the Northern Territory; or
- (d) a learner licence, provisional licence or probationary licence issued under the *Transport Operations (Road Use Management) Act 1995* of Queensland; or
- (e) a learner licence or provisional licence issued under the *Vehicle and Traffic Act 1999* of Tasmania; or
- (f) a learner permit or probationary driver licence issued under the *Road Safety Act 1986* of Victoria; or
- (g) a learner's permit or provisional licence issued under the *Road Traffic Act 1974* of Western Australia;

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

- (a) who is the holder of a learner's permit or P1 licence within the meaning of the *Motor Vehicles Act 1959* that authorises him or her to drive a vehicle of that class on a road; or
- (b) who—
  - (i) is the holder of a corresponding permit or licence issued under a law of another State or a Territory of the Commonwealth that authorises him or her to drive a vehicle of that class on a road; and

- (ii) is prohibited by the law of that State or Territory from driving a vehicle of that class on a road in that State or Territory without displaying an "L" plate or a red "P" plate (as the case may be) on the vehicle;

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

**mobile phone** has the same meaning as in rule 300;

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

**use** has the same meaning as in rule 300.

#### 45—Exemptions for road workers etc

- (1) Despite anything in the Rules, **roadworks**, for the purposes of rule 310 (Exemption for road workers etc) includes—
  - (a) an assessment or investigation by an authorised person of compliance with a provision of Part 2 Division 2 of the Act in relation to a work area or work site; and
  - (b) any work (pursuant to a roadworks permit, or an approval of the Minister, under Part 2 Division 2 of the Act) on a portion of road that is a work area or a work site.
- (2) For the purposes of rule 310(3) and (4) (Exemption for road workers etc), the Minister may, by notice in writing or notice in the Gazette, authorise speed zoning tests, or installation or maintenance work or traffic surveys, subject to specified conditions.
- (3) In this regulation—

**roadworks permit**, **work area** and **work site** have the same respective meanings as in section 20 of the Act.

#### 46—Vehicles that may be towed away etc

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

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

#### 47—Exemptions for postal vehicles

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

#### 48—Exemption for breakdown vehicles

- (1) For the purposes of rule 313B (Exemption for breakdown vehicles), a provision of the Rules specified in subregulation (2) does not apply to the driver of a breakdown vehicle if—
  - (a) the driver is engaged in repairing a disabled vehicle, or is assisting a person to gain access to a vehicle in which the person has locked his or her vehicle access key; and
  - (b) the driver is unable to comply with the provision; and
  - (c) the breakdown vehicle is displaying a flashing light; and
  - (d) the driver is acting safely.
- (2) For the purposes of subregulation (1), the following provisions of the Rules are specified:
  - (a) rule 137 (Keeping off a dividing strip);
  - (b) rule 138 (Keeping off a painted island);
  - (c) rule 147 (Moving from one marked lane to another marked lane across a continuous line separating the lanes);
  - (d) rule 288(1) (Driving on a path);
  - (e) rule 289 (Driving on a nature strip);
  - (f) rule 290 (Driving on a traffic island).
- (3) Despite anything in rule 313B (Exemption for breakdown vehicles), the provisions of Part 12 of the Rules (Restrictions on stopping and parking) also do not apply to the driver of a breakdown vehicle in the circumstances referred to in subregulation (1).
- (4) In this regulation—

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

  - (a) a breakdown worker; and
  - (b) driving the vehicle in the course of his or her duties as a breakdown worker.
- (5) For the purposes of this regulation and rule 313B (Exemption for breakdown vehicles)—

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

#### 49—Approved bicycle helmets

For the purposes of the Rules and the definition of **approved bicycle helmet** in the dictionary at the end of the Rules, helmets are approved bicycle helmets if approved for bicycle riders under the *Road Traffic (Miscellaneous) Regulations 2014*.

## 50—Approved seatbelts

- (1) For the purposes of the Rules and the definition of *approved seatbelt* in the dictionary at the end of the Rules, a seatbelt is an approved seatbelt if it complies with, and is fitted to a vehicle in compliance with, the vehicle standards applicable to the vehicle in which it is fitted.
- (2) In this regulation—  
*vehicle standards*, in relation to a vehicle, means the requirements specified in—
  - (a) regulation 49 of the *Road Traffic (Miscellaneous) Regulations 2014*; or
  - (b) the *Road Traffic (Light Vehicle Standards) Rules 2018*; or
  - (c) the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)*,  
that apply to the vehicle.

## 51—Authorised persons

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

**Note—**

*Authorised officer* is defined in the Act.

## 52—Bicycle storage area

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

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

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

but does not include any stop line.

## 53—Correctional worker and correctional vehicle

- (1) For the purposes of the Rules and the definition of *correctional worker* in the dictionary at the end of the Rules, an employee or officer of the Department for the purposes of the *Correctional Services Act 1982* is a correctional worker.
- (2) Despite anything in the definition of *correctional vehicle* in the dictionary at the end of the Rules, a correctional worker will only be taken to be driving a vehicle in the course of his or her duties as a correctional worker for the purposes of that definition and the Rules if a passenger in the vehicle is a prisoner, young offender or other person in the custody of the worker.

## 54—Emergency workers

- (1) For the purposes of the Rules and the definition of *emergency worker* in the dictionary at the end of the Rules, the following are emergency workers:
  - (a) members of an emergency services organisation within the meaning of the *Fire and Emergency Services Act 2005*;



- (b) authorised officers under the *Emergency Management Act 2004*;
  - (c) persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—
    - (i) SA Ambulance Service Inc; or
    - (ii) St John Ambulance Australia South Australia Incorporated, or any other persons engaged in the provision of emergency ambulance services under section 57(1) of that Act;
  - (d) persons engaged in the provision of emergency ambulance services under section 57(2)(a) of the *Health Care Act 2008*;
  - (e) members of the Australian Federal Police or Australian Border Force;
  - (f) members of the armed forces of the Commonwealth engaged in police, fire fighting or ambulance duties or duties in connection with the urgent disposal of explosives or any emergency;
  - (g) employees of Airservices Australia engaged in fire fighting duties or duties in connection with any emergency.
- (2) For the purposes of subregulation (1)(e), a person is a member of the Australian Border Force if—
- (a) —
    - (i) the person is covered by paragraph (a) of the definition of ***Immigration and Border Protection worker*** in section 4 of the *Australian Border Force Act 2015* of the Commonwealth; and
    - (ii) he or she is in the Australian Border Force (as defined in that Act); or
  - (b) —
    - (i) the person is covered by paragraph (b), (c) or (d) of the definition of ***Immigration and Border Protection worker*** in section 4 of the *Australian Border Force Act 2015* of the Commonwealth; and
    - (ii) his or her services have been made available to the Australian Border Force or he or she is performing services for the Australian Border Force.

## 55—Hazard warning lights

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

- (a) in the case of a heavy vehicle—lights of a kind referred to in the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)*;
- (b) in the case of a light vehicle—lights of a kind referred to in the *Road Traffic (Light Vehicle Standards) Rules 2018*.

## 56—Juvenile justice worker and juvenile justice vehicle

- (1) For the purposes of the Rules and the definition of *juvenile justice worker* in the dictionary at the end of the Rules, a person who is an employee or officer of the Department for the purposes of the *Young Offenders Act 1993* is a juvenile justice worker.
- (2) Despite anything in the definition of *juvenile justice vehicle* in the dictionary at the end of the Rules, a juvenile justice worker will only be taken to be driving a vehicle in the course of his or her duties as a juvenile justice worker for the purposes of that definition and the Rules if a passenger in the vehicle is a prisoner, young offender or other person in the custody of the worker.

## 57—Mechanical signalling devices

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

- (a) in the case of a heavy vehicle—mechanical signalling devices conforming to the requirements of the *Heavy Vehicle (Vehicle Standards) National Regulation (South Australia)* are mechanical signalling devices;
- (b) in the case of a light vehicle—mechanical signalling devices conforming to the requirements of the *Road Traffic (Light Vehicle Standards) Rules 2018* are mechanical signalling devices.

## 57A—Medical certificate

For the purposes of the Rules and the definition of *medical certificate* in the dictionary at the end of the Rules—

- (a) medical certificates are exempt from displaying an expiry date; and
- (b) a reference to a medical certificate includes a reference to such a certificate—
  - (i) issued before the commencement of the definition (including before the commencement of the Rules); or
  - (ii) issued in another State or a Territory of the Commonwealth.

## 58—Oversize vehicles

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

## 59—Parking permits for people with disabilities

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

## 60—Police officers

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

### 61—Portable warning triangles

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

### 62—Public buses

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

### 63—Public holidays

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

### 64—Sheriff's officer and sheriff's vehicle

- (1) For the purposes of the Rules and the definition of *sheriff's officer* in the dictionary at the end of the Rules, a person appointed as a sheriff's officer under the *Sheriff's Act 1978* or the *Courts Administration Act 1993* is a sheriff's officer.
- (2) Despite anything in the definition of *sheriff's vehicle* in the dictionary at the end of the Rules, a sheriff's officer will only be taken to be driving a vehicle in the course of his or her duties as a sheriff's officer for the purposes of that definition and the Rules if a passenger in the vehicle is a prisoner, young offender or other person in the custody of the officer.

### 65—Stop line

- (1) Despite the definition of *stop line* in the dictionary at the end of the Rules, a stop line does not for the purposes of the Rules or that definition include a stub line.
- (2) In this regulation—  
*stub line* has the same meaning as in the *Road Traffic (Miscellaneous) Regulations 2014*.

### 66—Taxis

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

### 66A—Wheeled recreational device

Despite anything in the definition of *wheeled recreational device* in the dictionary at the end of the Rules, for the purposes of that definition and the Rules (apart from rule 287 (Duties of a driver involved in a crash) and rule 300 (Use of mobile phones))—

- (a) an electric personal transporter is a wheeled recreational device; and

- (b) a reference in the Rules to "rollerblades, rollerskates or a similar wheeled recreational device" will be taken to include a reference to an electric personal transporter.

**Note—**

It is an offence to drive an electric personal transporter on a road without the approval of the Minister—see section 161A of the Act and regulation 48 of the *Road Traffic (Miscellaneous) Regulations 2014*.

## **67—Penalties for offences against Rules**

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

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

## **68—Evidentiary provisions**

- (1) In proceedings for offences against the Rules or these regulations, an allegation in an information that—
  - (a) a specified speed limit applied to a specified length of road; or
  - (b) a specified length of road was, or was not, in a school zone or shared zone; or
  - (c) a specified length of road was, or was not, in a built-up area; or
  - (d) a specified form of crossing was at a specified place; or
  - (e) a specified vehicle lawfully displayed a do not overtake turning vehicle sign or a give way to buses sign; or
  - (f) a specified fee was not paid for parking a specified vehicle in a specified place; or
  - (g) a specified ticket was not displayed in a specified part of a specified vehicle; or
  - (h) specified information was on or with a specified traffic control device; or
  - (i) a specified traffic control device applied to a specified length of road, portion of road or area; or
  - (j) a specified traffic control device applied to a specified person in a specified place,is proof of the matters so alleged in the absence of proof to the contrary.
- (2) In proceedings for an offence against rule 287 (Duties of a driver involved in a crash), an apparently genuine document produced by the prosecution purporting to be signed by the Commissioner of Police and to certify that the required particulars for a specified person had not been given to a police officer before a specified day and time in relation to a specified crash (whether the crash is specified by reference to the approximate time and place of the crash or to the person or persons involved, or otherwise so as to reasonably identify it) is proof of the matters so certified in the absence of proof to the contrary.

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

(regulation 29)

### 1—Description of area

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

*Southern Expressway* means Road Number 6780 Southern Expressway between—

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

## Schedule 2—Transitional provisions

### Part 1—Preliminary

#### 1—Interpretation

In this Schedule—

*the revoked regulations* means the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999*;

*the revoked Rules* means the *Australian Road Rules* (No 219 of 1999, see *Gazette 11.11.1999 p1643*), as varied.

### Part 3—Transitional provisions

#### 3—Transitional provisions

- (1) An exemption from a specified provision of the revoked Rules—
  - (a) given by the Minister under regulation 7 of the revoked regulations; and
  - (b) in force immediately before the commencement of these regulations, continues in force as an exemption from that provision of the Rules given by the Minister under regulation 6 of these regulations, subject to—
    - (c) the conditions (if any) specified in the notice of exemption; and
    - (d) variation or revocation under regulation 6.

- (2) A determination—
- (a) made by a council under regulation 14 of the revoked regulations (or continued in force as such a determination by regulation 52 of the revoked regulations); and
  - (b) in force immediately before the commencement of these regulations,
- continues in force as a determination made by the council under regulation 17 of these regulations, subject to variation under that regulation.
- (3) A permit in respect of a permit zone—
- (a) issued by a council under regulation 14 of the revoked regulations (or continued in force as such a permit by regulation 52 of the revoked regulations); and
  - (b) in force immediately before the commencement of these regulations,
- continues in force as a permit issued by the council under regulation 17 of these regulations, subject to the conditions (if any) of the permit.
- (4) A determination of a council in respect of fees for parking payable by the operation of parking ticket-vending machines or parking meters—
- (a) made by the council under regulation 19 of the revoked regulations (or continued in force as such a determination by regulation 52 of the revoked regulations); and
  - (b) in force immediately before the commencement of these regulations,
- continues in force as a determination made by the council under regulation 22 of these regulations, subject to variation under that regulation.
- (5) A certificate—
- (a) issued by the Minister or a medical practitioner under regulation 28(2) of the revoked regulations; and
  - (b) in force immediately before the commencement of these regulations,
- continues in force as a certificate issued by the Minister or medical practitioner under regulation 37(2) of these regulations, indefinitely or for a specified period, as stated in the certificate.
- (6) An authorisation—
- (a) given by the Commissioner of Police under regulation 30A of the revoked regulations; and
  - (b) in force immediately before the commencement of these regulations,
- continues in force as an authorisation given by the Commissioner under regulation 41 of these regulations, subject to variation or revocation under that regulation.
- (7) A notice authorising speed zoning tests, or installation or maintenance work or traffic surveys—
- (a) issued by the Minister under regulation 34 of the revoked regulations; and
  - (b) in force immediately before the commencement of these regulations,

continues in force as a notice by the Minister under regulation 45 of these regulations, subject to the specified conditions (if any) of the authorisation.

## Legislative history

### Notes

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

### Legislation revoked by principal regulations

The *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014* revoked the following:

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

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2014	207	<i>Gazette 31.7.2014 p3794</i>	1.9.2014: r 2
2015	210	<i>Gazette 8.10.2015 p4559</i>	25.10.2015: r 2
2016	5	<i>Gazette 14.1.2016 p104</i>	14.1.2016: r 2
2016	218	<i>Gazette 8.9.2016 p3683</i>	8.9.2016: r 2
2016	275	<i>Gazette 8.12.2016 p4927</i>	8.12.2016: r 2
2016	289	<i>Gazette 15.12.2016 p5025</i>	15.12.2016 except rr 5—7—15.4.2017: r 2
2017	22	<i>Gazette 21.3.2017 p936</i>	15.4.2017: r 2
2017	95	<i>Gazette 22.6.2017 p2244</i>	14.7.2017: r 2
2017	351	<i>Gazette 19.12.2017 p5242</i>	1.6.2018: r 2
2018	8	<i>Gazette 23.1.2018 p379</i>	23.1.2018: r 2
2018	248	<i>Gazette 13.12.2018 p4284</i>	13.12.2018: r 2
2019	14	<i>Gazette 14.2.2019 p481</i>	14.2.2019: r 2
2019	26	<i>Gazette 21.3.2019 p941</i>	1.5.2019: r 2
2019	178	<i>Gazette 27.6.2019 p2562</i>	1.7.2019: r 2
2019	230	<i>Gazette 7.11.2019 p3772</i>	1.12.2019: r 2
2020	274	<i>Gazette 24.9.2020 p4665</i>	24.1.2021: r 2
<b>2022</b>	<b>103</b>	<b><i>Gazette 24.11.2022 p6698</i></b>	<b>12.12.2022: r 2</b>



## Provisions varied

New entries appear in bold.

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

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>25.10.2015</i>
r 3		
electric personal transporter	inserted by 289/2016 r 4	15.12.2016
	substituted by 14/2019 r 4	14.2.2019
<i>medical practitioner</i>	<i>deleted by 275/2016 r 4</i>	<i>8.12.2016</i>
r 9		
r 9(1)	varied by 274/2020 r 4	24.1.2021
r 9A	inserted by 289/2016 r 5	15.4.2017
	(d), (i)—(k) deleted by 230/2019 r 4(1), (2)	1.12.2019
	varied by 230/2019 r 4(3)	1.12.2019
r 9B	inserted by 289/2016 r 5	15.4.2017
	(a), (c) and (e) deleted by 230/2019 r 5(1), (2), (4)	1.12.2019
	varied by 230/2019 r 5(3)	1.12.2019
r 9C	inserted by 26/2019 r 4	1.5.2019
rr 11A and 11B	inserted by 210/2015 r 4	25.10.2015
r 11C	inserted by 22/2017 r 4	15.4.2017
	substituted by 230/2019 r 6	1.12.2019
r 12	substituted by 289/2016 r 6	15.4.2017
r 13	substituted by 218/2016 r 4	8.9.2016
<b>r 22</b>		
<b>heading</b>	<b>amended by 103/2022 r 3(1)</b>	<b>12.12.2022</b>
<b>r 22(1)</b>	<b>amended by 103/2022 r 3(2)</b>	<b>12.12.2022</b>
<b>r 22(2)</b>	<b>amended by 103/2022 r 3(3)</b>	<b>12.12.2022</b>
<b>r 22(3)</b>	<b>amended by 103/2022 r 3(4)</b>	<b>12.12.2022</b>
r 24	varied by 8/2018 r 4	23.1.2018
<i>r 28</i>	<i>deleted by 95/2017 r 4</i>	<i>14.7.2017</i>
r 30	substituted by 14/2019 r 5	14.2.2019
rr 30A and 30B	inserted by 14/2019 r 5	14.2.2019
r 32	substituted by 210/2015 r 5	25.10.2015
	substituted by 289/2016 r 7	15.4.2017
	substituted by 230/2019 r 7	1.12.2019
<i>r 33</i>	<i>deleted by 210/2015 r 5</i>	<i>25.10.2015</i>
<i>r 37 before substitution by 230/2019</i>		

<i>r 37(1)</i>	<i>deleted by 248/2018 r 4(1)</i>	<i>13.12.2018</i>
<i>r 37(2)</i>	<i>varied by 248/2018 r 4(2)</i>	<i>13.12.2018</i>
<i>r 37</i>	<i>substituted by 230/2019 r 8</i>	<i>1.12.2019</i>
<i>r 38</i>	<i>substituted by 230/2019 r 9</i>	<i>1.12.2019</i>
<i>r 43A</i>	<i>inserted by 230/2019 r 10</i>	<i>1.12.2019</i>
<i>r 45</i>	<i>substituted by 351/2017 r 4</i>	<i>1.6.2018</i>
<i>r 50</i>		
<i>r 50(2)</i>		
<i>vehicle standards</i>	<i>varied by 8/2018 r 5</i>	<i>23.1.2018</i>
<i>r 51</i>	<i>substituted by 275/2016 r 5</i>	<i>8.12.2016</i>
<i>r 54</i>		
<i>r 54(1)</i>	<i>r 54 varied and redesignated as r 54(1) by 5/2016 r 4(1), (2)</i>	<i>14.1.2016</i>
	<i>varied by 178/2019 r 4</i>	<i>1.7.2019</i>
<i>r 54(2)</i>	<i>inserted by 5/2016 r 4(2)</i>	<i>14.1.2016</i>
<i>r 55</i>	<i>varied by 8/2018 r 6</i>	<i>23.1.2018</i>
<i>r 57</i>	<i>varied by 8/2018 r 7</i>	<i>23.1.2018</i>
<i>r 57A</i>	<i>inserted by 275/2016 r 6</i>	<i>8.12.2016</i>
<i>r 66A</i>	<i>inserted by 289/2016 r 8</i>	<i>15.12.2016</i>
	<i>substituted by 14/2019 r 6</i>	<i>14.2.2019</i>
<b>r 68</b>		
<b>r 68(1)</b>	<b>amended by 103/2022 r 4</b>	<b>12.12.2022</b>
Sch 2		
<i>Pt 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>25.10.2015</i>

## Historical versions

25.10.2015  
14.1.2016  
8.9.2016  
8.12.2016 (electronic only)  
15.12.2016  
15.4.2017  
14.7.2017  
23.1.2018  
1.6.2018  
13.12.2018  
14.2.2019  
1.5.2019  
1.7.2019  
1.12.2019  
24.1.2021