

South Australia

Australian Road Rules Variation Rules 2004

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Australian Road Rules*

- 4 Variation of rule 25—Speed-limit elsewhere
- 5 Variation of rule 29—Making a left turn as indicated by a road marking
- 6 Variation of rule 33—Making a right turn
- 7 Variation of rule 48—Giving a right change of direction signal
- 8 Variation of rule 56—Stopping for a red traffic light or arrow
- 9 Substitution of rule 57
 - 57 Stopping for a yellow traffic light or arrow
- 10 Variation of rule 59—Proceeding through a red traffic light
- 11 Variation of rule 61—Proceeding when traffic lights or arrows at an intersection change to yellow or red
- 12 Variation of rule 69—Giving way at a give way sign or give way line at an intersection (except a roundabout)
- 13 Variation of rule 74—Giving way when entering a road from a road-related area or adjacent land
- 14 Variation of rule 77—Giving way to buses
- 15 Variation of rule 91—No left turn and no right turn signs
- 16 Variation of rule 104—No trucks signs
- 17 Variation of rule 109—What is a roundabout
- 18 Variation of rule 111—Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction
- 19 Variation of rule 117—Giving a change of direction signal when changing marked lanes or lines of traffic in a roundabout
- 20 Variation of rule 119—Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout
- 21 Insertion of rule 128A
 - 128A Entering blocked crossings
- 22 Variation of rule 129—Keeping to the far left side of a road
- 23 Variation of rule 134—Exceptions to keeping to the left of a dividing line
- 24 Variation of rule 136—Driving on a one-way service road
 - 136 Driving on a one-way service road
- 25 Variation of rule 138—Keeping off a painted island
- 26 Variation of rule 141—No overtaking etc to the left of a vehicle
- 27 Variation of rule 148—Giving way when moving from one marked lane or line of traffic to another marked lane or line of traffic
- 28 Variation of rule 150—Driving on or across a continuous white edge line

29	Variation of rule 158—Exceptions to driving in special purpose lanes etc
30	Variation of rule 160—Passing or overtaking a tram that is not at or near the left side of a road
31	Variation of rule 165—Stopping in an emergency etc or to comply with another rule
32	Variation of rule 170—Stopping in or near an intersection
33	Variation of rule 176—Stopping on a clearway
34	Variation of rule 179—Stopping in a loading zone
35	Variation of rule 198—Obstructing access to and from a footpath, driveway etc
36	Variation of rule 200—Stopping on roads—heavy and long vehicles
37	Insertion of rule 203A 203A Stopping in a slip lane
38	Variation of rule 205—Parking for longer than indicated
39	Variation of rule 208—Parallel parking on a road (except in a median strip parking area)
40	Variation of rule 209—Parallel parking in a median strip parking area
41	Variation of rule 210—Angle parking
42	Substitution of rule 213 213 Making a motor vehicle secure
43	Variation of rule 235—Crossing a level crossing
44	Variation of rule 240—Wheeled recreational devices and toys not to be used on certain roads
45	Variation of rule 242—Travelling in or on a wheeled recreational device or toy on a footpath or shared path
46	Substitution of rule 244 244 Wheeled recreational devices or wheeled toys being towed etc
47	Variation of rule 246—Carrying people on a bicycle
48	Substitution of rule 248 248 No riding across a road on a crossing
49	Variation of rule 268—How persons must travel in or on a motor vehicle
50	Variation of rule 270—Wearing motor bike helmets
51	Variation of rule 271—Riding on motor bikes
52	Variation of rule 287—Duties of a driver involved in a crash
53	Insertion of rule 313A 313A Exemption for garbage truck drivers etc
54	Variation of rule 322—References to traffic control devices and traffic-related items on a road etc
55	Variation of rule 334—How parking control signs apply to a length of road
56	Variation of rule 341—Road markings
57	Variation of Schedule 3—Other permitted traffic signs
58	Variation of Dictionary

Part 1—Preliminary

1—Short title

These rules may be cited as the *Australian Road Rules Variation Rules 2004*.

2—Commencement

These rules come into operation on the day on which they are made.

3—Variation provisions

In these rules, a provision under a heading referring to the variation of specified rules varies the rules so specified.

Part 2—Variation of *Australian Road Rules*

4—Variation of rule 25—Speed-limit elsewhere

Rule 25(2)—delete "60" and substitute:

50

5—Variation of rule 29—Making a left turn as indicated by a road marking

Rule 29—after "as indicated by the road marking" insert:

unless the driver is turning, at B lights or traffic arrows, in accordance with Division 2 of Part 17

6—Variation of rule 33—Making a right turn

Rule 33(1)—after "this rule" insert:

unless the driver is turning, at B lights or traffic arrows, in accordance with Division 2 of Part 17

7—Variation of rule 48—Giving a right change of direction signal

Rule 48—after subrule (3) insert:

(3A) Subrule (3) does not apply to the rider of a bicycle that is stopped in traffic but not parked.

8—Variation of rule 56—Stopping for a red traffic light or arrow

(1) Rule 56(1)(c)—delete "nearest or only traffic lights." and substitute:

nearest or only traffic lights;

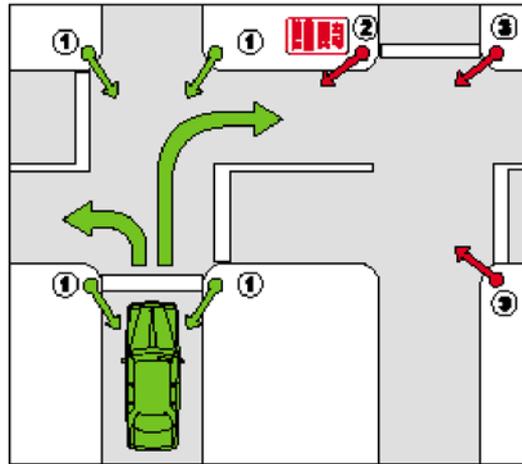
(2) Rule 56(1)—after paragraph (c) insert:

and must not proceed past the stop line, *stop here on red signal sign* or nearest or only traffic lights (as the case may be) until the traffic lights show a green or flashing yellow traffic light or no traffic light.

- (3) Rule 56(1), example—delete the example and substitute:

Example for subrule (1) (b)—

Stopping at a stop here on red signal sign



In this example the driver may go straight ahead, or turn right or left, if there is a green traffic light showing at 1. However, the driver must not go beyond the *stop here on red signal sign* at 2 if there is a red traffic light showing on the road the driver is entering (see 2 and 3).

- (4) Rule 56—after subrule (1), including the example, insert:

(1A) However, if the traffic lights are at an intersection with a *left turn on red after stopping sign* and the driver is turning left at the intersection, the driver may turn left after stopping.

Note—

Rule 62 deals with the give way rules applying to a driver turning left at an intersection after stopping at a *left turn on red after stopping sign*.

- (5) Rule 56(2)(c)—delete "nearest or only traffic arrows." and substitute:

nearest or only traffic arrows;

- (6) Rule 56(2)—after paragraph (c) insert:

and must not proceed past the stop line, *stop here on red arrow sign* or nearest or only traffic arrows (as the case may be) until the traffic arrows show a green or flashing yellow traffic arrow or no traffic arrow.

9—Substitution of rule 57

Rule 57—delete the rule and substitute:

57—Stopping for a yellow traffic light or arrow

- (1) A driver approaching or at traffic lights showing a yellow traffic light must stop:
- (a) if there is a stop line at or near the traffic lights and the driver can stop safely before reaching the stop line—as near as practicable to, but before reaching, the stop line; or

- (b) if there is no stop line at or near the traffic lights and the driver can stop safely before reaching the traffic lights—as near as practicable to, but before reaching, the nearest or only traffic lights; or
- (c) if the traffic lights are at an intersection and the driver cannot stop safely in accordance with paragraph (a) or (b), but can stop safely before entering the intersection—before entering the intersection;

and must not proceed past the stop line or nearest or only traffic lights, or into the intersection (as the case may be), until the traffic lights show a green or flashing yellow traffic light or no traffic light.

Offence provision.

Note—

Enter, intersection, stop line and *yellow traffic light* are defined in the dictionary.

- (2) A driver approaching or at traffic arrows showing a yellow traffic arrow who is turning in the direction indicated by the arrow must stop:
 - (a) if there is a stop line at or near the traffic arrows and the driver can stop safely before reaching the stop line—as near as practicable to, but before reaching, the stop line; or
 - (b) if there is no stop line at or near the traffic arrows and the driver can stop safely before reaching the traffic arrows—as near as practicable to, but before reaching, the nearest or only traffic arrows; or
 - (c) if the traffic arrows are at an intersection and the driver cannot stop safely in accordance with paragraph (a) or (b), but can stop safely before entering the intersection—before entering the intersection;

and must not proceed past the stop line or nearest or only traffic arrows, or into the intersection (as the case may be), until the traffic arrows show a green or flashing yellow traffic arrow or no traffic arrow.

Offence provision.

Note—

Enter, intersection, stop line and *yellow traffic arrow* are defined in the dictionary.

- (3) If the traffic lights or traffic arrows (as the case may be) are at an intersection and the driver is not able to stop safely under subrule (1) or (2) (as the case may be) and enters the intersection, the driver must leave the intersection as soon as the driver can do so safely.

Offence provision.

Note 1—

Intersection does not include a road-related area—see the definition in the Dictionary.

Note 2—

This rule applies to a driver turning left using a slip lane only if the yellow traffic light or yellow traffic arrow (as the case may be) applies to the slip lane—see Part 20, Divisions 2 and 3, especially rules 330 and 345.

Note 3—

Rule 58 deals with when a driver does not have to stop at a yellow traffic light.

10—Variation of rule 59—Proceeding through a red traffic light

- (1) Rule 59(1), including the notes—delete subrule (1), including the notes, and substitute:

- (1) If traffic lights at an intersection or marked foot crossing are showing a red traffic light, a driver must not enter the intersection or marked foot crossing.

Offence provision.

Note 1—

Enter, intersection, marked foot crossing and *red traffic light* are defined in the dictionary.

Note 2—

Rules 56 and 57 deal with stopping for a red or yellow traffic light, and proceeding while the light remains red or yellow. Rule 60 deals with proceeding through a red traffic arrow.

- (2) Rule 59(3)—delete "subrule 58(1)" and substitute:

rule 58(1)

11—Variation of rule 61—Proceeding when traffic lights or arrows at an intersection change to yellow or red

- (1) Rule 61(2)—delete "or arrows" and substitute:

or traffic arrows (as the case may be)

- (2) Rule 61(4)—delete "subrule 58(1)" and substitute:

rule 58(1)

- (3) Rule 61(5)—delete "or arrows" and substitute:

or traffic arrows (as the case may be)

12—Variation of rule 69—Giving way at a give way sign or give way line at an intersection (except a roundabout)

- (1) Rule 69(1)—after "intersection" insert:

(except a roundabout)

- (2) Rule 69(1), note 1—delete note 1 and substitute:

Note 1—

Give way line and *intersection* are defined in the dictionary, and *roundabout* is defined in rule 109. This rule also applies to *T-intersections*—see the definition of *intersection*.

- (3) Rule 69(2)—delete "The driver" and substitute:

Unless the driver is turning left using a slip lane, the driver

- (4) Rule 69—after subrule (2) insert:

(2A) If the driver is turning left using a slip lane, the driver must give way to:

- (a) any vehicle on the road the driver is entering, or turning right at the intersection into the road the driver is entering (except a vehicle making a U-turn at the intersection); and
- (b) any other vehicle or pedestrian on the slip lane.

13—Variation of rule 74—Giving way when entering a road from a road-related area or adjacent land

Rule 74(1)(d)—delete paragraph (d) and substitute:

(d) for a driver entering the road from a road-related area:

- (i) any pedestrian on the road-related area; and
- (ii) any other vehicle ahead of the driver's vehicle or approaching from the left or right.

14—Variation of rule 77—Giving way to buses

Rule 77(1)—after "or left line of traffic," insert:

or in a bicycle lane on the far left side of the road,

15—Variation of rule 91—No left turn and no right turn signs

Rule 91—after subrule (2) insert:

- (3) However, a driver may make a U-turn at the intersection if there is a *U-turn permitted sign* at the intersection.

16—Variation of rule 104—No trucks signs

Rule 104—after subrule (3) insert:

- (4) However, a driver may drive a truck on a road past a *no trucks sign* if the destination of the truck lies beyond that sign and:

- (a) there is no other route by which the truck could reach that destination; or

- (b) any other route by which the truck could reach that destination would require the truck to pass another *no trucks sign*.

17—Variation of rule 109—What is a roundabout

Rule 109(a)—delete paragraph (a) and substitute:

- (a) either:
 - (i) one or more marked lanes, all of which are for the use of vehicles travelling in the same direction around a central traffic island; or
 - (ii) room for 1 or more lines of traffic travelling in the same direction around a central traffic island; and

18—Variation of rule 111—Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction

- (1) Rule 111(1)—delete "2 or more lines of traffic" and substitute:

room for 2 or more lines of traffic (other than motor bikes, bicycles, motorised wheelchairs or animals)

- (2) Rule 111(2)—delete "or left line of traffic" and substitute:

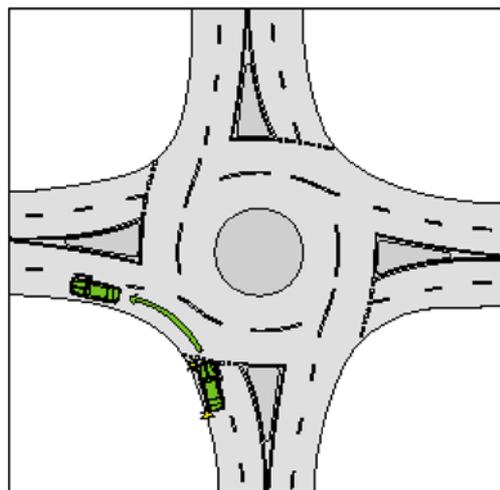
or, if the road is not a multi-lane road, as near as practicable to the left side of the road

- (3) Rule 111(2), example—delete the example and substitute:

Example—

Example 1

Leaving a roundabout less than halfway around it



- (4) Rule 111(3)—delete "or right line of traffic" and substitute:

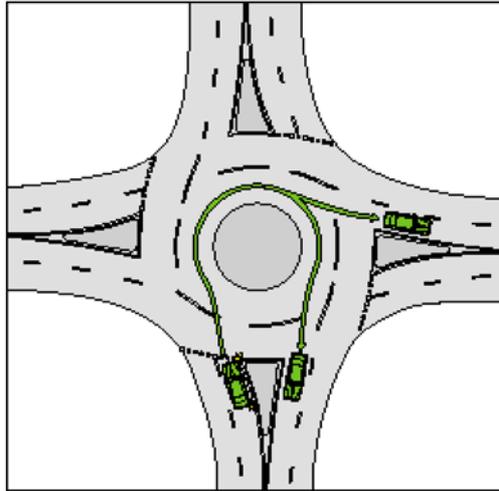
or, if the road is not a multi-lane road, from the left of, parallel to, and as near as practicable to, the dividing line or median strip

- (5) Rule 111(3), example—delete the example and substitute:

Example—

Example 2

Leaving a roundabout more than halfway around it



- (6) Rule 111(4)—delete "or line of traffic" and substitute:

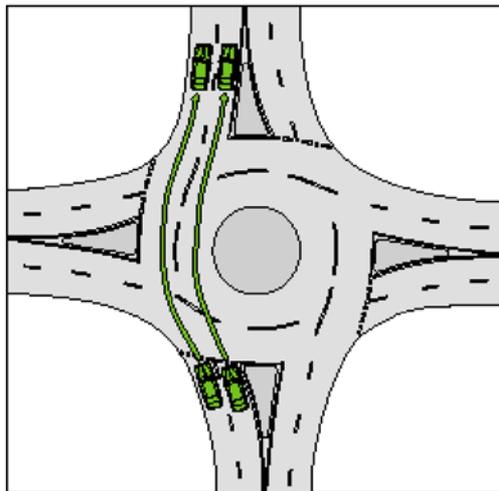
or, if the road is not a multi-lane road, anywhere on the part of the road on which vehicles travelling in the same direction as the driver may travel

- (7) Rule 111(4), example—delete the example and substitute:

Example—

Example 3

Leaving a roundabout halfway around it

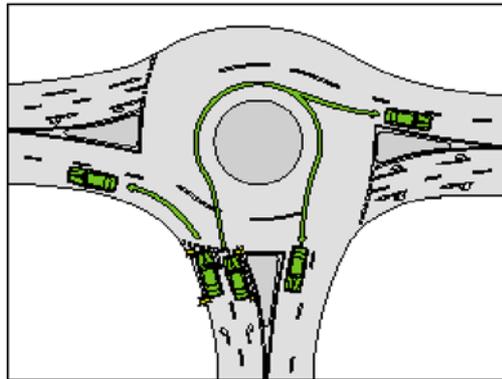


- (8) Rule 111(5)—at the foot insert:

Examples—

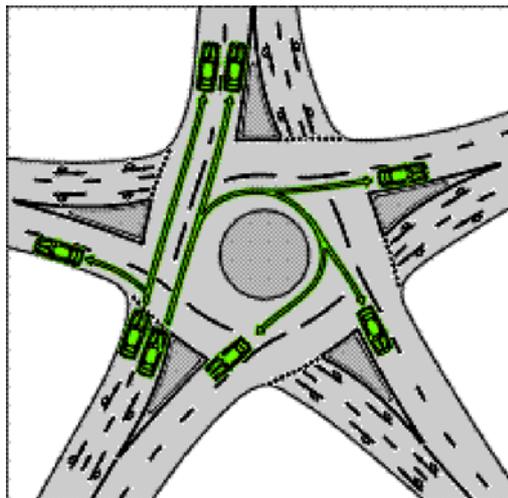
Example 4

Roundabout with 3 entry points



Example 5

Roundabout with 5 entry points



Note 1 for examples 4 and 5—

Rule 116 requires a driver to obey traffic lane arrows when driving in or leaving a roundabout.

Note 2 for examples 4 and 5—

The rules in Part 11 about driving in marked lanes, and moving from one marked lane or line of traffic to another marked lane or line of traffic, apply to a driver driving in a roundabout—see rules 146 to 148.

- (9) Rule 111(7), examples and notes—delete the examples and notes
- (10) Rule 111—after subrule (7) insert:
- (8) Despite subrule (2), a driver may approach and enter the roundabout from the marked lane next to the left lane as well as, or instead of, the left lane if:
- (a) the driver's vehicle, together with any load or projection, is 7.5 metres long, or longer; and

- (b) the vehicle displays a *do not overtake turning vehicle sign*; and
 - (c) any part of the vehicle is within 50 metres of the nearest point of the roundabout; and
 - (d) it is not practicable for the driver to leave the roundabout less than halfway around it from within the left lane; and
 - (e) the driver can safely occupy the next marked lane and can safely leave the roundabout less than halfway around it by occupying the next marked lane, or both lanes.
- (9) Despite subrule (3), a driver may approach and enter the roundabout from the marked lane next to the right lane as well as, or instead of, the right lane if:
- (a) the driver's vehicle, together with any load or projection, is 7.5 metres long, or longer; and
 - (b) the vehicle displays a *do not overtake turning vehicle sign*; and
 - (c) any part of the vehicle is within 50 metres of the nearest point of the roundabout; and
 - (d) it is not practicable for the driver to leave the roundabout more than halfway around it from within the right lane; and
 - (e) the driver can safely occupy the next marked lane and can safely leave the roundabout more than halfway around it by occupying the next marked lane, or both lanes.
- (10) In this rule:

left lane means:

- (a) the marked lane nearest to the far left side of the road; or
- (b) if there is an obstruction (for example, a parked car or roadworks) in that marked lane—the marked lane nearest to that marked lane that is not obstructed.

marked lane, for a driver, does not include a special purpose lane in which the driver is not permitted to drive.

right lane means:

- (a) the marked lane nearest to the dividing line or median strip on the road; or
- (b) if there is an obstruction (for example, a parked car or roadworks) in that marked lane—the marked lane nearest to that marked lane that is not obstructed.

19—Variation of rule 117—Giving a change of direction signal when changing marked lanes or lines of traffic in a roundabout

- (1) Rule 117(1)—delete "a line of traffic" and substitute:
a part of the roundabout where there is room for another line of traffic

- (2) Rule 117(2)—delete "a line of traffic" and substitute:

a part of the roundabout where there is room for another line of traffic

20—Variation of rule 119—Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout

Rule 119—delete "2 or more lines of traffic," and substitute:

room for 2 or more lines of traffic (other than motor bikes, bicycles, motorised wheelchairs or animals),

21—Insertion of rule 128A

After rule 128 insert in Division 1:

128A—Entering blocked crossings

A driver must not enter a children's crossing, marked foot crossing or pedestrian crossing if the driver cannot drive through the crossing because the crossing, or a road beyond the crossing, is blocked.

Offence provision.

Examples—

The crossing, or a road beyond the crossing, may be blocked by congested traffic, a disabled vehicle, a collision between vehicles or between a vehicle and a pedestrian, or by a fallen load on the road.

Note—

Children's crossing, enter, marked foot crossing and pedestrian crossing are defined in the dictionary.

22—Variation of rule 129—Keeping to the far left side of a road

Rule 129(1)—delete "(except a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction as the driver)" and substitute:

(except a multi-lane road)

23—Variation of rule 134—Exceptions to keeping to the left of a dividing line

Rule 134(2), except the notes—delete subrule (2), except the notes, and substitute:

- (2) If the dividing line is a broken dividing line only, or a broken dividing line to the left of a single continuous dividing line, the driver may drive to the right of the dividing line:
- (a) to overtake another driver; or
 - (b) to perform a U-turn, unless another rule would prohibit the driver performing the U-turn.

24—Variation of rule 136—Driving on a one-way service road

Rule 136, except the diagram and the note for the diagram—delete the rule, except the diagram and the note for the diagram, and substitute:

136—Driving on a one-way service road

A driver on the part of the road that is a service road (except a service road to which a *two-way sign* applies) must drive in the same direction as a vehicle travelling on the part of the road closest to the service road is required to travel.

Offence provision.

Note—

Service road is defined in the dictionary.

25—Variation of rule 138—Keeping off a painted island

Rule 138(2)—delete "a painted island" and substitute:

a painted island for up to 50 metres

26—Variation of rule 141—No overtaking etc to the left of a vehicle

Rule 141(1)—after paragraph (b) insert:

or

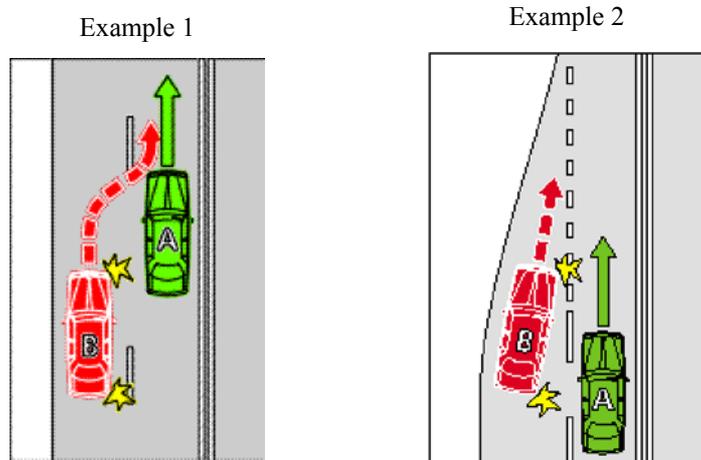
- (c) the vehicle is stationary and it is safe to overtake to the left of the vehicle.

27—Variation of rule 148—Giving way when moving from one marked lane or line of traffic to another marked lane or line of traffic

- (1) Rule 148(1), example—delete the example and substitute:

Examples—

Giving way when moving from one marked lane to another marked lane



In these examples, vehicle B must give way to vehicle A

- (2) Rule 148(2)—delete "(whether or not the line of traffic is ending)"

28—Variation of rule 150—Driving on or across a continuous white edge line

Rule 150—after subrule (2) insert:

- (3) For this rule, a driver drives over a continuous white edge line on a road if:
 - (a) for a line on the far left side of the road—the driver's vehicle is wholly or partly to the left of the line; or
 - (b) for a line on the far right side of the road—the driver's vehicle is wholly or partly to the right of the line.

29—Variation of rule 158—Exceptions to driving in special purpose lanes etc

Rule 158(1)(d)—delete "or a line of traffic," and substitute:

or part of the road where there is room for a line of traffic (other than motor bikes, bicycles, motorised wheelchairs or animals),

30—Variation of rule 160—Passing or overtaking a tram that is not at or near the left side of a road

Rule 160(2)—delete "of the tram" and substitute:

of the tram, unless the driver is permitted to do so by a traffic sign or road marking

31—Variation of rule 165—Stopping in an emergency etc or to comply with another rule

- (1) Rule 165(c)—after "emergency," insert:

or to assist a disabled vehicle,
- (2) Rule 165, note—delete the note and substitute:

Note 1—

See rule 125 (in Part 11) for the offence of unreasonably obstructing the path of another vehicle or a pedestrian.

Note 2—

Driver's vehicle is defined in the dictionary.

32—Variation of rule 170—Stopping in or near an intersection

Rule 170(1)—delete subrule (1) and substitute:

- (1) A driver must not stop in an intersection unless:
 - (a) the driver is permitted to stop at that place under the Australian Road Rules; or
 - (b) the intersection is a T-intersection without traffic lights and the driver stops along the continuous side of the continuing road at the intersection.

Offence provision.

Note—

Continuing road, intersection and *T-intersection* are defined in the dictionary.

33—Variation of rule 176—Stopping on a clearway

Rule 176—after subrule (1) insert:

(1A) In subrule (1):

road does not include a road-related area.

Note—

Road-related area is defined in rule 13.

34—Variation of rule 179—Stopping in a loading zone

Rule 179(2)—after paragraph (b) insert:

or

(c) for a driver who is permitted to stop in the loading zone under another law of this jurisdiction that provides for a shorter period—that period.

35—Variation of rule 198—Obstructing access to and from a footpath, driveway etc

(1) Rule 198(2)(a)—delete paragraph (a) and substitute:

(a) the driver:

(i) is dropping off, or picking up, passengers; and

(ii) does not leave the vehicle unattended; and

(iii) completes the dropping off, or picking up, of the passengers, and drives on, as soon as possible and, in any case, within 2 minutes after stopping; or

(2) Rule 198—after subrule (2), including the example, insert:

(3) For this rule, a driver leaves a vehicle *unattended* if the driver leaves the vehicle so that the driver is over 3 metres from the closest point of the vehicle.

36—Variation of rule 200—Stopping on roads—heavy and long vehicles

(1) Rule 200(2)—after "under" insert:

subrule (2A) or

(2) Rule 200—after subrule (2) insert:

(2A) The driver of a heavy vehicle, or long vehicle, other than a bus, is permitted to stop on a length of road in a built up area for longer than 1 hour if, throughout the period when the vehicle is stopped on the length of road, the driver is engaged in dropping off, or picking up, goods.

37—Insertion of rule 203A

After rule 203 insert:

203A—Stopping in a slip lane

A driver must not stop in a slip lane unless:

- (a) a parking control sign applies to the place where the driver stops; and
- (b) the driver is permitted to stop at that place under the Australian Road Rules.

Offence provision.

Note—

Parking control sign and *slip lane* are defined in the dictionary.

38—Variation of rule 205—Parking for longer than indicated

Rule 205—after its present contents (now to be designated as subrule (1)) insert:

- (2) For subrule (1), a driver parks continuously on a length of road, or in an area, to which a *permissive parking sign* applies, from the time when the driver parks on the length of road, or in the area, until the driver, or another driver, moves the vehicle off the length of road, or out of the area, to which the *permissive parking sign* applies.

39—Variation of rule 208—Parallel parking on a road (except in a median strip parking area)

Rule 208(2), except the note—delete subrule (2), except the note, and substitute:

- (2) The driver must position the vehicle to face:
 - (a) in the direction of travel of vehicles in the marked lane or line of traffic on, or next to, the part of the road where the driver parks; or
 - (b) if there is no traffic on, or next to, that part of the road—in the direction in which vehicles could lawfully travel on that part of the road.

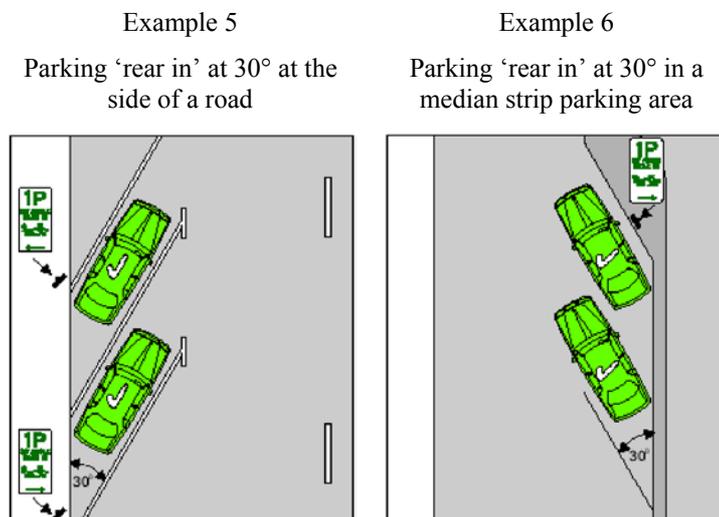
40—Variation of rule 209—Parallel parking in a median strip parking area

Rule 209(2)(a)—delete paragraph (a) and substitute:

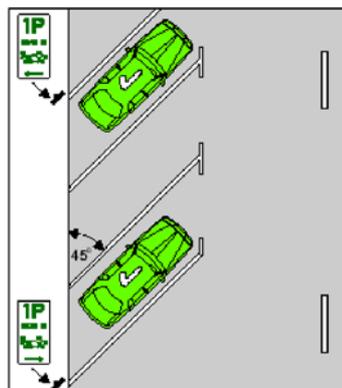
- (a) to face:
 - (i) in the direction of travel of vehicles in the marked lane or line of traffic to the left of the driver; or
 - (ii) if there is no traffic to the left of the driver—in the direction in which vehicles could lawfully travel on that part of the road; and

- (2B) Subrules (2) and (2A) do not apply if the road marking, or information on the parking control sign, includes the words ‘rear in’ or similar words.
- (3) Rule 210(3)—delete "information on or with"
- (4) Rule 210(3)(b)—delete paragraph (b) and substitute:
- (b) if the vehicle is parked on the side of the road:
 - (i) if the road marking, or information on the parking control sign, includes the words ‘rear in’ or ‘front in’, or similar words—must position the vehicle so that the front of the vehicle is nearest the centre of the road, or the rear of the vehicle is nearest the centre of the road, in accordance with the road marking or sign; or
 - (ii) otherwise—may position the vehicle either way around.
- (5) Rule 210(4), including the examples—delete subrule (4), including the examples, and substitute:
- (4) If the road marking, or information on the parking control sign, includes the words ‘rear in’, or similar words, the driver must position the driver’s vehicle:
 - (a) so that the vehicle is at an angle as near as practicable to:
 - (i) the angle indicated by the road marking or parking control sign; or
 - (ii) if the road marking or parking control sign does not indicate an angle—45°; and
 - (b) if the vehicle is parked on the side of the road—with the front of the vehicle nearest to the centre of the road.
- (4A) Subrule (4) does not apply if the parking control sign or road marking indicates that the vehicle must be positioned at an angle of 90°.

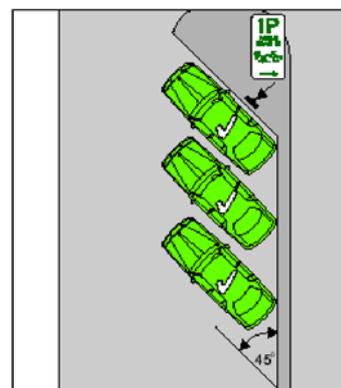
Examples for subrule (4)—



Example 7

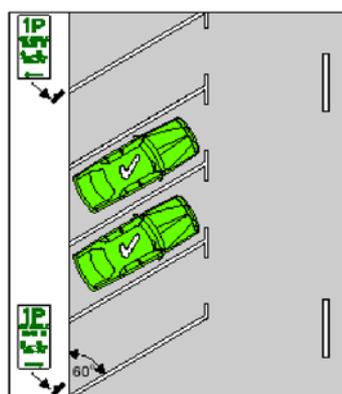


Example 8



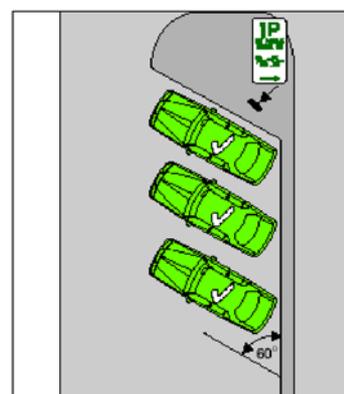
Example 9

Parking 'rear in' at 60° at the side of a road



Example 10

Parking 'rear in' at 60° in a median strip parking area



42—Substitution of rule 213

Rule 213—delete the rule and substitute:

213—Making a motor vehicle secure

- (1) This rule applies to the driver of a motor vehicle who stops and leaves the vehicle on a road, except so far as the driver is exempt from this rule under another law of this jurisdiction.

Note—

Motor vehicle is defined in the dictionary.

- (2) Before leaving the vehicle, the driver must apply the parking brake effectively or, if weather conditions (for example, snow) would prevent the effective operation of the parking brake, effectively restrain the motor vehicle's movement in another way.

Offence provision.

- (3) If the driver will be over 3 metres from the closest part of the vehicle, the driver must switch off the engine before leaving the vehicle.

Offence provision.

- (4) If the driver will be over 3 metres from the closest part of the vehicle, and:
- (i) there is no-one left in the vehicle; or
 - (ii) there is only a child or children under 16 years old left in the vehicle;

the driver must remove the ignition key before leaving the vehicle.

Offence provision.

- (5) If:
- (a) the driver will be over 3 metres from the closest part of the vehicle; and
 - (b) there is no-one left in the vehicle; and
 - (c) the doors of the vehicle can be locked;

the driver must also lock the doors of the vehicle immediately after leaving the vehicle.

Offence provision.

43—Variation of rule 235—Crossing a level crossing

Rule 235(2), example heading—delete example heading and substitute:

Example for subrule (2)(e)—

44—Variation of rule 240—Wheeled recreational devices and toys not to be used on certain roads

Rule 240(1), except the note—delete subrule (1), except the note, and substitute:

- (1) A person must not travel in or on a wheeled recreational device or wheeled toy on:
- (a) a road with a dividing line or median strip; or
 - (b) a road on which the speed-limit is greater than 60 kilometres per hour; or
 - (c) a one-way road with more than 1 marked lane.

Offence provision.

45—Variation of rule 242—Travelling in or on a wheeled recreational device or toy on a footpath or shared path

- (1) Rule 242(2)—after "a *shared path sign*" insert:

or shared path road marking

- (2) Rule 242(2)(a)—after "*sign*" insert:

or end shared path road marking

- (3) Rule 242(2)(c)—after "*sign*" insert:

or bicycle path road marking

- (4) Rule 242(2), note—delete the note and substitute:

Note—

Bicycle and *no bicycles road marking* are defined in the dictionary, *road-related area* is defined in rule 13, and *bicycle path road marking* and *separated footpath* are defined in rule 239.

- (5) Rule 242—after subrule (2), including the diagrams and notes, insert:

- (3) In this rule:

end shared path road marking means a shared path road marking with the word ‘end’.

shared path road marking means a road marking consisting of a pedestrian symbol above a bicycle symbol.

46—Substitution of rule 244

Rule 244—delete the rule and substitute:

244—Wheeled recreational devices or wheeled toys being towed etc

- (1) A person must not travel in or on a wheeled recreational device or wheeled toy that is being towed by a vehicle.

Offence provision.

- (2) A person travelling in or on a wheeled recreational device or wheeled toy must not hold onto a vehicle while the vehicle is moving.

Offence provision.

- (3) A person travelling in or on a wheeled recreational device or wheeled toy must not travel within 2 metres of the rear of a moving motor vehicle continuously for more than 200 metres.

Offence provision.

Note—

Vehicle is defined in rule 15.

47—Variation of rule 246—Carrying people on a bicycle

Rule 246—insert at the foot:

Example—

A single-seat bicycle with a child’s seat attached is designed to carry 2 people, 1 on the bicycle seat and 1 on the attached child’s seat.

48—Substitution of rule 248

Rule 248—delete the rule and substitute:

248—No riding across a road on a crossing

- (1) The rider of a bicycle must not ride across a road, or part of a road, on a children's crossing or pedestrian crossing.

Offence provision.

Note—

Children's crossing is defined in rule 80, and *pedestrian crossing* is defined in rule 81.

- (2) The rider of a bicycle must not ride across a road, or part of a road, on a marked foot crossing, unless there are bicycle crossing lights at the crossing showing a green bicycle crossing light.

Offence provision.

Note—

Marked foot crossing is defined in the dictionary.

49—Variation of rule 268—How persons must travel in or on a motor vehicle

Rule 268—after subrule (4) insert:

- (4A) The driver of a motor vehicle must not drive with a passenger who is under 16 years old in or on a part of the vehicle that is not a part designed primarily for the carriage of passengers or goods.

Offence provision.

- (4B) The driver of a motor vehicle must not drive with a passenger who is under 16 years old in or on a part of the vehicle that is a part designed primarily for the carriage of goods if the part is:

- (a) not enclosed; or
(b) declared under another law of this jurisdiction to be a part of the vehicle in or on which persons must not be carried.

Offence provision.

50—Variation of rule 270—Wearing motor bike helmets

Rule 270(3), definition of *passenger*—delete the definition and substitute:

passenger, of a motor bike, includes a person on a passenger seat of the motor bike (including the pillion seat), or in a sidecar.

51—Variation of rule 271—Riding on motor bikes

- (1) Rule 271(2)—delete "sidecar" and substitute:

sidecar or on a seat designed for a passenger, other than a pillion seat)

- (2) Rule 271(3)—delete "sidecar" and substitute:

sidecar or other seat designed for a passenger)

- (3) Rule 271(4)—delete "sidecar" and substitute:
sidecar or other seat designed for a passenger, other than a pillion seat)
- (4) Rule 271(5)—delete subrule (5) and substitute:
- (5) The rider of a motor bike must not ride with more passengers in a sidecar, or on a seat designed for a passenger, than the sidecar, or seat, is designed to carry.
- Offence provision.

52—Variation of rule 287—Duties of a driver involved in a crash

- (1) Rule 287(2)—delete "(or the driver's representative) must give" and substitute:
must stop at the scene of the crash and give
- (2) Rule 287(3)—delete "(or the driver's representative)"

53—Insertion of rule 313A

After rule 313 insert in Part 19:

313A—Exemption for garbage truck drivers etc

Another law of this jurisdiction may provide that a provision of the Australian Road Rules that is specified in the other law does not apply to the driver of a garbage or waste disposal truck while:

- (a) the driver is engaged in the collection of waste or garbage; and
- (b) the driver is unable to comply with the provision; and
- (c) the garbage or waste disposal truck is displaying a flashing light; and
- (d) the driver is acting safely.

54—Variation of rule 322—References to traffic control devices and traffic-related items on a road etc

Rule 322(1)—after example 2 insert:

- 3 *A do not overtake turning vehicle sign* attached to a vehicle on a road is taken to be a *do not overtake turning vehicle sign* on the road.

55—Variation of rule 334—How parking control signs apply to a length of road

- (1) Rule 334(1)—delete "parking control sign" and substitute:
permissive parking sign, bicycle parking sign or motor bike parking sign, or a zone sign mentioned in Division 5 of Part 12,
- (2) Rule 334(1) note—delete the note and substitute:
- Note 1—**

Parking bay and *with* are defined in the dictionary.

Note 2—

Rule 201 deals with *bicycle parking signs*, rule 202 deals with *motor bike parking signs*, and rule 204 deals with *permissive parking signs*.

56—Variation of rule 341—Road markings

Rule 341—after example 2 insert:

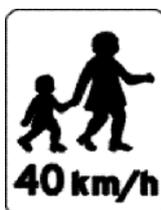
- 3 At an intersection, or on a roundabout, road markings indicating the edge of a marked lane for use by traffic coming from another direction do not apply to the driver.

57—Variation of Schedule 3—Other permitted traffic signs

- (1) Schedule 3—before the item headed "Separated footpath sign" insert:

School zone sign

(rule 23)



- (2) Schedule 3, item headed "Speed-limit sign"—delete the item

58—Variation of Dictionary

- (1) Dictionary, definition of *bicycle*—delete "1 or more" and substitute:
2 or more
- (2) Dictionary, definition of *bicycle*, (a)—delete paragraph (a) and substitute:
 - (a) includes a pedicab, penny-farthing and tricycle; but
- (3) Dictionary, definition of *intersection*, (b)—delete paragraph (b) and substitute:
 - (b) the place where any slip lane between the roads meets the road into which traffic on the slip lane may turn;
- (4) Dictionary—after definition of *level crossing* insert:

line of traffic means:

- (a) 2 or more vehicles travelling in line along a road (whether or not the vehicles are actually moving, but not including vehicles in a marked lane); or
- (b) a single vehicle, other than a vehicle that is part of a line of traffic under paragraph (a), that is travelling along a road (whether or not the vehicle is actually moving, but not including a vehicle in a marked lane).

Examples—

- 1 A vehicle travelling along a road (except in a marked lane) in line behind another vehicle (the *leading vehicle*) forms part of a line of traffic with the leading vehicle.

- 2 A vehicle travelling along a road (except in a marked lane) with no other vehicles in the vicinity constitutes a line of traffic by itself.
- 3 Two vehicles travelling in the same direction on a road (except in a marked lane), but not in line, are 2 lines of traffic.
- (5) Dictionary, definition of ***overtake***, (b)—delete paragraph (b) and substitute:
- (b) moving into an adjacent marked lane or part of the road on which there is room for a line of traffic (whether or not the lane or part of the road is for drivers travelling in the same direction); and
- (6) Dictionary, definition of ***T-intersection***—after "an intersection" insert:
- , other than a roundabout,
- (7) Dictionary—after definition of ***tram lane*** insert:
- tram stop*** means a portion of a road that is designated by a public transport operator as a tram stop, and near which is erected a sign inscribed with the words 'tram stop' or 'hail trams here', or words to similar effect.
- (8) Dictionary, definition of ***wheeled recreational device***, (a)—after "skateboard" insert:
- , scooter, unicycle
- (9) Dictionary, definition of ***wheeled recreational device***, (b)—after "trolley," insert:
- a motor-assisted device (whether or not the motor is operating),

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these rules come into operation as set out in these rules.

Made by the Governor

with the advice and consent of the Executive Council
on 4 November 2004

No 232 of 2004

MTRAN15/04CS