

South Australia

Road Traffic (Miscellaneous) Variation Regulations 2012

under the *Road Traffic Act 1961*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) Variation Regulations 2012*.

2—Commencement

These regulations will come into operation on the day on which section 4 of the *Road Traffic (Red Light Offences) Amendment Act 2011* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Road Traffic (Miscellaneous) Regulations 1999*

4—Variation of regulation 4—Interpretation

- (1) Regulation 4(1), definition of *level crossing offence*—delete the definition

- (2) Regulation 4(1), definition of **red light offence**—delete the definition and substitute:

red light offence means—

- (a) an offence against rule 56(1), 56(2), 59(1) or 60 of the *Australian Road Rules*; or
- (b) an offence against rule 123(a) of the *Australian Road Rules* constituted of entering a level crossing while twin red lights are operating;

- (3) Regulation 4(2)—delete "and **traffic lights**" and substitute:

, **traffic lights** and **twin red lights**

5—Variation of regulation 14—Apparatus approved as photographic detection devices

Regulation 14(1)(a)—delete ", a level crossing offence"

6—Substitution of regulation 15

Regulation 15—delete the regulation and substitute:

15—Prescribed offences for the purposes of section 79B

- (1) For the purposes of paragraph (b) of the definition of **prescribed offence** in section 79B(1) of the Act, the offences in subregulation (2) are prescribed.
- (2) An offence against—
 - (a) section 46(1) of the Act (Reckless and dangerous driving);
 - (b) a provision of Part 3 of the *Australian Road Rules* (Speed-limits);
 - (c) rule 56(1) of the *Australian Road Rules* (Stopping for a red traffic light);
 - (d) rule 56(2) of the *Australian Road Rules* (Stopping for a red traffic arrow);
 - (e) rule 59(1) of the *Australian Road Rules* (Proceeding through a red traffic light);
 - (f) rule 60 of the *Australian Road Rules* (Proceeding through a red traffic arrow);
 - (g) rule 123(a) of the *Australian Road Rules* (Entering a level crossing when a train or tram is approaching etc) constituted of entering a level crossing while twin red lights are operating;
 - (h) regulation 9A(1) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999* (Speed-limits applying to driving of road trains);
 - (i) regulation 9A(2) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999* (Speed-limits applying to driving of road trains);

- (j) regulation 19B of these regulations (Heavy vehicles and minimum allowable travel time);
- (k) a provision of Part 3, 4 or 5 of the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*.

7—Variation of regulation 17—Operation and testing of photographic detection devices referred to in regulation 14(1)(a) for offences committed at intersections, marked foot crossings or level crossings

- (1) Regulation 17(1)(b) and (c)—delete paragraphs (b) and (c) and substitute:
 - red traffic light* means a red traffic light or red traffic arrow as defined in the *Australian Road Rules*;
 - relevant offence* means—
 - (a) a red light offence; or
 - (b) a speeding offence; or
 - (c) a red light offence and a speeding offence arising out of the same incident,committed at an intersection, marked foot crossing or level crossing.
- (2) Regulation 17(2)(a)—delete "warning lights" and substitute:
 - twin red lights
- (3) Regulation 17(2)(c)—delete "warning lights" and substitute:
 - twin red lights
- (4) Regulation 17(2)(d)—delete "or level crossing"
- (5) Regulation 17(2)(d)—delete "warning lights" wherever occurring and substitute in each case:
 - twin red lights
- (6) Regulation 17(2)(e)—after "traffic lights", first occurring, insert:
 - or twin red lights
- (7) Regulation 17(2)(e)—after "a red traffic light," insert:
 - or the twin red lights commence operating, as the case may be,
- (8) Regulation 17(2)(e)—after "the red traffic light is showing," insert:
 - or the twin red lights are operating, as the case may be,
- (9) Regulation 17(2)(f)—delete "subject to paragraph (g),"
- (10) Regulation 17(2)(h)—delete "or level crossing"
- (11) Regulation 17(2)(i)(iii)—delete "or level crossing"

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 regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 22 March 2012

No 17 of 2012

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