

South Australia

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

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 (Road Rules—Ancillary and Miscellaneous Provisions) Variation Regulations 2014*.

2—Commencement

These regulations will come into operation on 2 March 2014.

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

4—Substitution of regulation 11

Regulation 11—delete the regulation and substitute:

11—Exemption from requirements relating to passing or proceeding past tram stopped at tram stop

Where—

- (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.

5—Insertion of regulation 36A

After regulation 36 insert:

36A—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 or 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.

6—Insertion of regulation 37A

After regulation 37 insert:

37A—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 36 of the *Road Traffic (Miscellaneous) Regulations 1999*; or
 - (b) the *Road Traffic (Light Vehicle Standards) Rules 2013*; or

- (c) the *Heavy Vehicle (Vehicle Standards) National Regulation* (South Australia),

that apply to the vehicle.

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 13 February 2014

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