

South Australia

Road Traffic (Miscellaneous) Variation Regulations 2016

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 2016*.

2—Commencement

These regulations will come into operation on 28 April 2016.

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 2014*

4—Variation of regulation 51—Safety helmets for riders of motor bikes and bicycles (section 162B of Act)

- (1) Regulation 51(1) and (2)—delete subregulations (1) and (2) and substitute:
 - (1) A helmet is approved for motor bike riders if—
 - (a) it complies with a prescribed standard as in force—
 - (i) at the time the helmet was manufactured in, or imported into, Australia (as the case may be); or
 - (ii) at any later time; and
 - (b) bears a relevant certification mark.

- (2) A person must not sell, or offer for sale, a helmet for use by a motor bike rider or passenger on a motor bike unless the helmet complies with subregulation (1)(a).

Maximum penalty: \$2 500.

- (2) Regulation 51(5)—delete subregulation (5) and substitute:

- (5) In this regulation—

prescribed standard means—

- (a) Australian Standard 1698—1988—*Protective helmets for vehicle users (AS 1698—1988)*; or
- (b) Australian/New Zealand Standard 1698:2006—*Protective helmets for vehicle users (AS/NZS 1698:2006)*; or
- (c) United Nations Economic Commission for Europe Regulation No 22 *Uniform provisions concerning the approval of protective helmets and their visors for drivers and passengers of motor cycles and mopeds*, incorporating the 05 series of amendments, (**ECE 22.05**),

as in force from time to time;

relevant certification mark means—

- (a) where the mark relates to compliance with AS 1698—1988 or AS/NZS 1698:2006—
- (i) a prescribed certification mark; or
- (ii) the certification mark of a body declared by the Minister by notice in the Gazette to be an approved body for the purpose of certifying compliance with the relevant standard; or
- (b) where the mark relates to compliance with ECE 22.05—an international approval mark in accordance with ECE 22.05.

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 28 April 2016

No 25 of 2016

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