

South Australia

Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) 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 (Road Rules—Ancillary and Miscellaneous Provisions) Variation Regulations 2016*.

2—Commencement

- (1) Subject to subregulation (2), these regulations come into operation on the day on which they are made.
- (2) Regulations 5, 6 and 7 will come into operation 4 months after the day on which these regulations are made.

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 2014

4—Variation of regulation 3—Interpretation

Regulation 3—after the definition of *crossing for pedestrians* insert:

electric personal transporter means a vehicle that—

- (a) has 2 wheels that operate on a single axis; and
- (b) is designed to be self-balancing while a person is using the vehicle; and
- (c) is propelled by 1 or more electric motors; and
- (d) when propelled only by its motor or motors—
 - (i) is not capable of exceeding 12 kilometres per hour on level ground; or
 - (ii) is not capable of exceeding 20 kilometres per hour on level ground and has a control that, when engaged, prevents the vehicle from exceeding 12 kilometres per hour on level ground; and
- (e) is no more than 850 mm wide at its widest point; and
- (f) weighs 60 kg or less when the vehicle is not carrying a person or other load;

5—Insertion of regulations 9A and 9B

After regulation 9 insert:

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
- (d) rule 65 (Giving way at a marked foot crossing (except at an intersection) with a flashing yellow traffic light); 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
- (i) rule 80 (Stopping at a children's crossing); or
- (j) rule 81 (Giving way at a pedestrian crossing); or
- (k) rule 82 (Overtaking or passing a vehicle at a children's crossing or pedestrian crossing); 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, 65, 69, 72(4), 73(3), 73(5), 80, 81, 82 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—

- (a) rule 65 (Giving way at a marked foot crossing (except at an intersection) with a flashing yellow traffic light); or
- (b) rule 69 (Giving way at a give way sign or give way line at an intersection (except a roundabout)); or
- (c) rule 72(4) (Giving way at an intersection (except a T-intersection or roundabout)); or
- (d) rule 73(3) or (5) (Giving way at a T-intersection); or
- (e) rule 81 (Giving way at a pedestrian crossing); 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.

6—Substitution of regulation 12

Regulation 12—delete the regulation and substitute:

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.

7—Substitution of regulation 32

Regulation 32—delete the regulation and substitute:

32—Exemption from prohibition of riding bicycle on crossings

- (1) Riders of bicycles in South Australia are exempt from compliance with rule 248 (No riding across a road on a crossing).
- (2) Despite anything in the Rules, the rider of a bicycle riding 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 on the crossing; 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.

- (3) Despite anything in the Rules, the rider of a bicycle who crosses a road or part of a road at 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 the bicycle crossing lights.

8—Insertion of regulation 66A

After regulation 66 insert:

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 the Rules and that definition, an electric personal transporter is a wheeled recreational device.

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*.

Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Variation Regulations 2016
Variation of Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014—Part 2

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 15 December 2016

No 289 of 2016

MTR/16/069