

South Australia

Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Lane Filtering) Variation Regulations 2017

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

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

- 4 Insertion of regulation 11C
11C Lane filtering by rider of motor bike
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Lane Filtering) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 15 April 2017.

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—Insertion of regulation 11C

After regulation 11B insert:

11C—Lane filtering by rider of motor bike

- (1) Despite anything in rule 46 (Giving a left change of direction signal), 48 (Giving a right change of direction signal), 141 (No overtaking etc to the left of a vehicle), 146 (Driving within a single marked lane or line of traffic) or 147 (Moving from one marked lane to another marked lane across a continuous line separating the lanes), those rules do not apply to the rider of a motor bike who is engaged in lane filtering (other than unlawful lane filtering) along a length of road.
- (2) The rider of a motor bike must not engage in unlawful lane filtering.
Maximum penalty: \$2 500.
- (3) For the purposes of this regulation, the rider of a motor bike is engaged in *lane filtering* if the rider rides along a length of road between—
 - (a) 2 adjacent lines of traffic travelling in the same direction as the motor bike; or
 - (b) 2 vehicles (regardless of whether or not the rider remains within a single marked lane) and each vehicle is travelling—
 - (i) in the same direction as the motor bike; and
 - (ii) in separate, but adjacent, marked lanes (neither of which is a bicycle lane, tram lane or tramway).
- (4) For the purposes of this regulation, the rider of a motor bike is engaged in *unlawful lane filtering* if, while engaged in lane filtering along a length of road—
 - (a) the rider is the holder of a P1 licence or a learner's permit (or an interstate licence or learner's permit that has a condition requiring a plate displaying the letter "P" or the letter "L" to be affixed to the motor bike); or
 - (b) the motor bike is a moped and the rider is not the holder of a licence endorsed with the classification R-DATE or R (or an interstate licence that authorises the riding of a motor bike other than a moped); or
 - (c) the rider rides at a speed exceeding 30 kilometres per hour; or
 - (d) the rider rides at a speed that does not exceed that of the vehicles between which the rider is riding; or

**Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Lane Filtering) Variation
Regulations 2017**

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

- (e) the rider rides through a roundabout, school zone, children's crossing or pedestrian crossing; or
 - (f) the rider rides in a manner that does not seek to avoid collisions (including between vehicles with insufficient clearance); or
 - (g) it is not safe to engage in lane filtering.
- (5) In this regulation—

interstate learner's permit has the same meaning as in section 97A of the *Motor Vehicles Act 1959*;

interstate licence, learner's permit, licence and P1 licence have the same respective meanings as in the *Motor Vehicles Act 1959*;

moped has the same meaning as in the *Motor Vehicles Regulations 2010* but does not include a moped with 3 wheels;

motor bike does not include a motor bike with 3 wheels (whether the third wheel supports a sidecar or otherwise);

school zone means a school zone during the times that a lower speed limit applies to a rider than the speed limit that applies to the rider on a length of road immediately adjacent to the school zone.

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 21 March 2017

No 22 of 2017

MRS17/01CS