

South Australia

Australian Road Rules Variation Rules 2019

under the *Road Traffic Act 1961*

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Part 1—Preliminary

1—Short title

These rules may be cited as the *Australian Road Rules Variation Rules 2019*.

2—Commencement

These rules come into operation on 1 December 2019.

3—Variation provisions

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

Part 2—Variation of *Australian Road Rules*

4—Variation of rule 18—Who is a pedestrian

Rule 18—before the note insert:

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

5—Substitution of rule 44

Rule 44—delete the rule, including the note, and substitute:

44—Division does not apply to entering or leaving a roundabout or lane filtering

This Division does not apply to—

- (a) a driver entering, in or leaving a roundabout; or
- (b) the rider of a motor bike while lane filtering in accordance with rule 151A.

Note 1—

Part 9 deals with giving change of direction signals when entering or leaving a roundabout.

Note 2—

Lane filtering is defined in rule 151A.

6—Variation of rule 45—What is changing direction

- (1) Rule 45(2)(e)—delete paragraph (e) and substitute:
 - (e) moving to the left to, or from, a stationary position;
- (2) Rule 45(3)(e)—delete paragraph (e) and substitute:
 - (e) moving to the right to, or from, a stationary position;

7—Variation of rule 62—Giving way when turning at an intersection with traffic lights

Rule 62(1)—before note 1 insert:

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

8—Variation of rule 63—Giving way at an intersection with traffic lights not operating or only partly operating

Rule 63(3)—before note 1 insert:

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

9—Variation of rule 64—Giving way at a flashing yellow traffic arrow at an intersection

Rule 64—before note 1 insert:

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

10—Variation of rule 65—Giving way at a marked foot crossing (except at an intersection) with a flashing yellow traffic light

- (1) Rule 65(2)(a)—delete paragraph (a) and substitute:
 - (a) give way to any pedestrian on or entering the crossing; and
- (2) Rule 65(2)—after paragraph (c) insert:

and

 - (d) give way to any bicycle rider on or entering the crossing.
- (3) Rule 65(3)—delete "on" and substitute:

or bicycle rider on or entering

11—Variation of rule 69—Giving way at a give way sign or give way line at an intersection (except a roundabout)

- (1) Rule 69(2A)—after paragraph (b) insert:

SA NOTE—

For South Australia, see regulations 9A and 9B of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

- (2) Rule 69(3)—before the note insert:

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

12—Variation of rule 72—Giving way at an intersection (except a T-intersection or roundabout)

- (1) Rule 72(4)(b)—delete paragraph (b) and substitute:

(b) any pedestrian on or entering the slip lane.

- (2) Rule 72(4)—at the foot of subrule (4) before the example insert:

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

- (3) Rule 72—after subrule (4), including the example, insert:

(4A) Subrule (4)(b) does not apply if another law of this jurisdiction does not require a driver who is turning left using a slip lane to give way to a pedestrian on or entering a slip lane.

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

13—Variation of rule 73—Giving way at a T-intersection

- (1) Rule 73(3)—at the foot of subrule (3) insert:

SA NOTE—

For South Australia, see regulations 9A and 9B of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

- (2) Rule 73(5)(b)—delete paragraph (b) and substitute:

(b) any pedestrian on or entering the slip lane.

- (3) Rule 73(5)—at the foot of subrule (5) insert:

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

(4) Rule 73—before subrule (6) insert:

- (5A) Subrule (5)(b) does not apply if another law of this jurisdiction does not require a driver who is turning from a continuing road into a terminating road using a slip lane to give way to a pedestrian on or entering a slip lane.

SA NOTE—

For South Australia, see regulation 9A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

14—Variation of rule 80—Stopping at a children's crossing

(1) Rule 80(2)(b)—delete paragraph (b) and substitute:

- (b) a pedestrian or bicycle rider is on or entering the crossing.

(2) Rule 80(3)—after "pedestrian" insert:

or bicycle rider

(3) Rule 80(4)—delete subrule (4) and substitute:

- (4) If a driver stops at a children's crossing for a pedestrian or bicycle rider, the driver must not proceed until there is no pedestrian or bicycle rider on or entering the crossing.

Offence provision.

15—Variation of rule 81—Giving way at a pedestrian crossing

Rule 81(2)—delete "on" and substitute:

or bicycle rider on or entering

16—Variation of rule 82—Overtaking or passing a vehicle at a children's crossing or pedestrian crossing

Rule 82—delete "at" and substitute:

or bicycle rider on or entering

17—Variation of rule 108—Trucks and buses low gear signs

Rule 108(1)—before the note insert:

SA NOTE—

For South Australia, see regulation 9C of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

18—Variation of rule 115—Driving in a roundabout

(1) Rule 115(1)(c)—delete paragraph (c) and substitute:

- (c) if subrule (3) applies to the driver—over the central traffic island, as near as practicable to the left of the centre of the central traffic island.

(2) Rule 115(3)—after paragraph (b) insert:

and

- (c) the driver can safely drive over the central traffic island.

19—Variation of rule 128A—Entering blocked crossings

Rule 128A(2)—at the foot of subrule (2) insert:

SA NOTE—

For South Australia, see regulations 9A and 9B of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

20—Variation of rule 141—No overtaking etc to the left of a vehicle

- (1) Rule 141(1)—after paragraph (c) insert:

or

- (d) the driver is lane filtering in accordance with rule 151A.

Note—

Lane filtering is defined in rule 151A.

- (2) Rule 141—after subrule (1), including the note, insert:

- (1A) Subrule (1)(d) does not apply if another law of this jurisdiction does not permit a driver to lane filter.

21—Variation of rule 146—Driving within a single marked lane or line of traffic

- (1) Rule 146(1)—after paragraph (e) insert:

- (ea) lane filtering in accordance with rule 151A; or

Note—

Lane filtering is defined in rule 151A.

- (2) Rule 146(2)—after paragraph (e) insert:

or

- (f) the driver is lane filtering in accordance with rule 151A.

Note—

Lane filtering is defined in rule 151A.

22—Variation of rule 147—Moving from one marked lane to another marked lane across a continuous line separating the lanes

- (1) Rule 147—after paragraph (e) insert:

or

- (f) the driver is lane filtering in accordance with rule 151A.

Note—

Lane filtering is defined in rule 151A.

- (2) Rule 147—after its present contents (including the notes) as varied by this rule (now to be designated as subrule (1)) insert:

- (2) Subrule (1)(f) does not apply if another law of this jurisdiction does not permit a driver to lane filter.

23—Insertion of rule 151A

After rule 151 insert:

151A—Lane filtering between vehicles on a motor bike

- (1) A rider of a motor bike is **lane filtering** along a length of road if the rider rides the motor bike between 2 vehicles, each vehicle travelling in—
 - (a) the same direction as the motor bike; and
 - (b) separate, but adjacent, marked lanes or lines of traffic.
- (2) The rider of a motor bike must not unlawfully lane filter along a length of road.
Offence provision.
- (3) For subrule (2), it is unlawful for a rider to lane filter along a length of road if any of the following circumstances apply:
 - (a) the rider is edge filtering;
 - (b) the rider is riding at a speed of more than 30 km/h;
 - (c) the rider is riding in a school zone (unless the rider is permitted to lane filter in a school zone under another law of this jurisdiction);
 - (d) a no filtering sign applies to the length of road;
 - (e) it is not safe to lane filter.

SA NOTE—

For South Australia, see in addition regulation 11C of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

- (4) Subrule (3)(a) does not apply if another law of this jurisdiction allows a rider to edge filter.
- (5) A no filtering sign on a road applies to a length of road starting at the sign and ending at the nearer of the following:
 - (a) if the length of road ends at a T-intersection or dead end—the end of the length of road;
 - (b) the next end no filtering sign that is on the road.
- (6) For this rule, a rider of a motor bike is **edge filtering** along a length of road if—
 - (a) the rider changes direction towards the edge of the road to pass 1 or more vehicles on the road; or
 - (b) the rider changes direction towards the edge of the road to pass between 2 vehicles, 1 of which is stationary.

(7) In this rule—

end no filtering sign means a traffic sign—

- (a) with a symbol displaying a motor bike positioned between 2 vehicles with a black diagonal line across the symbol; and
- (b) with a symbol positioned below the symbol mentioned in paragraph (a) displaying the word "end" in black letters;

no filtering sign means—

- (a) a traffic sign with a symbol displaying a motor bike positioned between 2 vehicles with a red diagonal line across the symbol; or
- (b) a traffic sign displaying the words "no filtering".

24—Variation of rule 155A—Tramways

Rule 155A(4)—tramway sign and end tramway sign—delete the signs and substitute:

Tramway sign



End tramway sign



25—Variation of rule 200—Stopping on roads—heavy and long vehicles

(1) Rule 200(1), note—delete the note and substitute:

Note—

Built-up area and *heavy vehicle* are defined in the dictionary and *shoulder* is defined in rule 12.

(2) Rule 200(3), definition of *heavy vehicle*—delete the definition

26—Variation of rule 231—Crossing a road at pedestrian lights

Rule 231(1)—before the note insert:

SA NOTE—

For South Australia, see regulation 32 of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

27—Variation of rule 236—Pedestrians not to cause a traffic hazard or obstruction

- (1) Rule 236(4), SA NOTE at the foot of subrule (4)—delete the SA NOTE
- (2) Rule 236(5), SA NOTE at the foot of subrule (5)—delete the SA NOTE

28—Variation of rule 239—Pedestrians on a bicycle path or separated footpath

Rule 239(2)—before note 1 insert:

SA NOTE—

For South Australia, see regulation 66A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

29—Variation of rule 240—Wheeled recreational devices and toys not to be used on certain roads

- (1) Rule 240(1)—before the note insert:

SA NOTE—

For South Australia, see regulation 30A(13) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

- (2) Rule 240(2), SA NOTE—delete "regulation 29" and substitute:
regulations 29 and 30A(12)

30—Variation of rule 243—Travelling on rollerblades etc on a bicycle path or separated footpath

- (1) Rule 243(1)—before the note insert:

SA NOTE—

For South Australia, see regulation 66A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

- (2) Rule 243(2)—before the note insert:

SA NOTE—

For South Australia, see regulation 66A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

31—Variation of rule 244C—Motorised scooters not to be used

Rule 244C, SA NOTE—delete the SA NOTE and substitute:

SA NOTE—

For South Australia, see section 161A of the *Road Traffic Act 1961* and regulation 48 of the *Road Traffic (Miscellaneous) Regulations 2014*.

32—Substitution of rule 248

Rule 248—delete the rule and substitute:

248—Riding across a crossing

- (1) A rider of a bicycle riding across a road, or part of a road, on a children's crossing, marked foot crossing or pedestrian crossing must—
- (a) keep to the left of the crossing unless it is impracticable to do so; and
 - (b) give way to any pedestrians on the crossing.

Offence provision.

SA NOTE—

For South Australia, see in addition regulation 32 of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

Note—

Children's crossing is defined in rule 80, *marked foot crossing* is defined in the dictionary and *pedestrian crossing* is defined in rule 81.

- (2) This rule does not apply if another law of this jurisdiction prohibits a rider of a bicycle from riding on a children's crossing, marked foot crossing or pedestrian crossing.

33—Variation of rule 262—Proceeding when bicycle crossing at an intersection or another place on a road

Rule 262—after subrule (4), including the note, insert:

- (4A) If the bicycle crossing lights show a green bicycle crossing light, the rider may cross at the intersection, or another place on the road, even though the traffic lights show a red traffic light or yellow traffic light.

Note—

Bicycle crossing lights, green bicycle crossing light, red traffic light, traffic lights and yellow traffic light are defined in the dictionary.

34—Revocation of rule 262A

Rule 262A—delete the rule

35—Variation of rule 266—Wearing of seatbelts by passengers under 16 years old

- (1) Rule 266(2C)—delete "A passenger does not have to comply with subrules (2), (2A) and (2B) if" and substitute:

The driver does not have to ensure subrule (2), (2A) or (2B) is complied with for a passenger if

- (2) Rule 266(2D)—delete "passenger" and substitute:

driver

- (3) Rule 266(3B)(a)—after "medical condition" insert:

or disability

36—Variation of rule 267—Exemptions from wearing seatbelts

- (1) Rule 267(1), SA NOTE—delete the SA NOTE
- (2) Rule 267(3A)(a)—after "medical condition" insert:

or disability

- (3) Rule 267(4)—delete "medical certificate" wherever occurring and substitute in each case:

certificate

- (4) Rule 267(9), definition of *medical practitioner*—delete the definition

37—Variation of rule 270—Wearing motor bike helmets

Rule 270(3), definition of *approved motor bike helmet*, including the SA

NOTE—delete the definition and the SA NOTE and substitute:

approved motor bike helmet means a helmet—

- (a) made in compliance with—
 - (i) AS 1698; or
 - (ii) AS/NZ 1698; or
 - (iii) the United Nations Economic Commission for Europe standard 22.05 (the *UN standard*); and
- (b) that has an identifying mark certifying compliance with a standard mentioned in paragraph (a); and
- (c) that is in good repair and proper working order and condition.

SA NOTE—

For South Australia, see regulation 38 of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

Examples of a helmet that is in good repair and proper working order and condition—

- 1 A helmet that is scratched or marked but the scratch or mark has not—
 - (a) penetrated the helmet's outer shell; or
 - (b) damaged the helmet's retention system; or
 - (c) damaged the helmet's inner lining.
- 2 A helmet that is damaged to a degree that might reasonably be expected from the normal use of the helmet.

38—Variation of rule 292—Insecure or overhanging load

Rule 292—after its present contents (now to be designated as subrule (1)) insert:

- (2) This rule is not limited by rule 292A.

39—Insertion of rule 292A

After rule 292 insert:

292A—Restricting movement of load

- (1) A driver must not drive or tow a vehicle carrying a load unless the load is restrained by a load restraint system that—
- (a) prevents the load from moving in relation to the vehicle (other than movement allowed under subrule (2)) in the circumstances mentioned in subrule (3); and
 - (b) at a minimum, is capable of withstanding the forces that would result in the circumstances mentioned in subrule (3).

Offence provision.

- (2) A load may move in relation to the vehicle if—
- (a) the vehicle's stability and weight distribution are not adversely affected by the movement; and
 - (b) the load does not become dislodged from the vehicle.

Examples of load movement that may be permitted under subrule (2)—

- 1 A load contained within the sides or enclosure of the vehicle that is restrained from moving horizontally may be able to move vertically.
 - 2 A load of very light objects, or a loose bulk load, that is contained within the sides or enclosure of the vehicle may be able to move horizontally and vertically.
 - 3 A bulk liquid load contained within the sides or enclosure of the vehicle.
- (3) For subrule (1)(b), the circumstances are that the vehicle is subject to—
- (a) any of the following, separately:
 - (i) 0.8g deceleration in a forwards direction;
 - (ii) 0.5g deceleration in a rearwards direction;
 - (iii) 0.5g acceleration in a lateral direction; and
 - (b) if friction or limited vertical displacement is relied on to comply with paragraph (a)—0.2g acceleration in a vertical direction relative to the load.

- (4) In this rule—

g means gravitational acceleration or 9.81 m/s².

SA NOTE—

For South Australia, see regulation 43A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

40—Variation of Schedule 2—Standard or commonly used traffic signs

- (1) Schedule 2—after the item headed "End tram lane sign" insert:

End tramway sign

(rule 155A)



- (2) Schedule 2—after the item headed "Tram lane sign" insert:

Tramway sign

(rule 155A)



41—Variation of Dictionary

- (1) Dictionary—after the definition of *driver's vehicle* insert:

edge filtering see rule 151A(6).

- (2) Dictionary—before the definition of *enter* insert:

end no filtering sign see rule 151A(7).

- (3) Dictionary—before the definition of *high-beam* insert:

heavy vehicle means a vehicle with a GVM of more than 4.5 tonnes.

- (4) Dictionary—after the definition of *land* insert:

lane filtering see rule 151A(1).

- (5) Dictionary—before the definition of *obstruction* insert:

no filtering sign see rule 151A(7).

- (6) Dictionary, definition of *wheeled recreational device*—before the note insert:

SA NOTE—

For South Australia, see in addition regulation 66A of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

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 rules come into operation as set out in these rules.

Made by the Governor

with the advice and consent of the Executive Council
on 7 November 2019

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