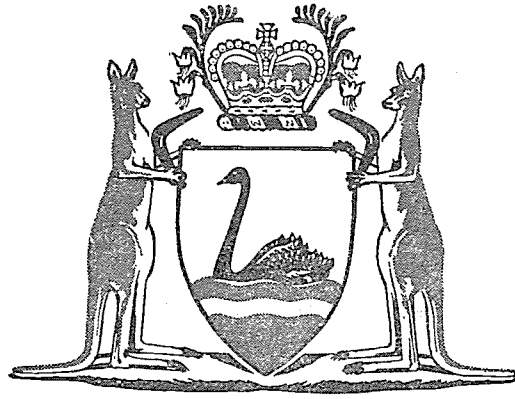


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ROAD TRAFFIC ACT 1974.

ROAD TRAFFIC CODE 1975.

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ROAD TRAFFIC CODE 1975.

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- 1901. Penalties.
[*Schedule deleted.*]

Reprinted pursuant to the Reprinting of Regulations Act 1954, by authority of the Attorney General dated 19 October 1983.

ROAD TRAFFIC ACT 1974.

ROAD TRAFFIC CODE 1975.

PART I.—PRELIMINARY.

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|---|---|
| 101. These regulations may be cited as the Road Traffic Code 1975. | Citation. |
| 102. These regulations are divided into Parts, as follows— | Arrange-
ment. |
| Part I.—Preliminary. | Amended by
G.G. 11/5/79,
p. 1220. |
| Part II.—Scope and Effect of Regulations. | |
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| Part VII.—Pedestrians and Pedestrian Crossings. | |
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| Part XI.—Stopping and Parking Vehicles. | |
| Part XII.—Lighting, Warning Signs, Equipment, Etc. | |
| Part XIII.—Bicycles, Toy Vehicles and Horses. | |
| Part XIV. ¹ | |
| Part XV. ² | |
| Part XVI.—Miscellaneous. | |
| Part XVII. ³ —Unattended and Unauthorized Vehicles and Stock on Roads. | |
| Part XVIII. ³ —Special Regulations Applying to Specific Localities. | |
| Part XIX. ³ —Penalties. | |
| 103. (1) In these regulations, unless the context requires otherwise— | Definitions. |
| “articulated vehicle” means a motor vehicle having at its rear a portion on wheels that is pivoted to, and part of which is superimposed on and supported by, the front portion of the vehicle; | Amended by
G.G. 31/10/75,
p. 4030;
G.G. 18/2/77,
p. 488;
G.G. 1/4/77,
p. 922;
G.G. 10/11/77,
p. 4135;
G.G. 14/4/78,
p. 1111;
G.G. 23/11/79,
p. 3647;
G.G. 15/1/81,
p. 99;
G.G. 1/5/81,
p. 1374; |
| “bicycle” means any two-wheeled, or three-wheeled, vehicle that is designed to be propelled solely by human power; | G.G. 4/9/81,
p. 3833;
G.G. 2/2/82,
pp. 398-9;
G.G. 8/10/82,
p. 4025. |
| “built-up area” means the territory contiguous to and including any road— | |

¹ The provisions relating to passing stationary trams and safety zones contained in Part XIV of the draft National Road Traffic Code are not applicable in this State.

² Part XV of the draft National Road Traffic Code concerning careless and dangerous driving and driving under the influence of liquor or drugs is contained in the Road Traffic Act 1974, ss. 61-64.

³ Parts XVII, XVIII and XIX are additional to the provisions of the draft National Road Traffic Code.

- (a) on which there is provision for lighting by means of street lamps; or
 - (b) which is built up with structures devoted to business, industry or dwelling houses at intervals of less than 100 metres for a distance of one half kilometre or more;
- or
- (c) beyond a sign indicating "BUILT-UP AREA" erected at the roadside to face drivers approaching a development consisting of dwelling houses, or business or industrial structures;

"bus lane" means a marked lane of a carriageway bounded on each side by a yellow line, or on one side by a yellow line and on the other by the pavement edge or kerb and designated as such by signs erected adjacent to the lane or the word "BUS" marked along the pavement within the lane;

"carriageway" means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the standing or parking of vehicles; and, where a road has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

"centre", in relation to a carriageway, means a line or a series of lines, marks, or other indications placed at, or near, the middle of the carriageway or, in the absence of any such lines, marks or other indications, the middle of the main, travelled portion of the carriageway;

"children's crossing" means a portion of a carriageway between two parallel broken or unbroken lines, each approximately 150 millimetres wide and not more than five metres apart marked across, or partly across the carriageway and near which a fluorescent red-orange flag or sign bearing the words, "CHILDREN CROSSING—STOP", in black letters, is displayed and, where the lines are so marked partly across a carriageway, includes the portion of the carriageway between the prolongations of those lines;

"competent authority" means any government department, government instrumentality, statutory authority or municipality;

"de-restriction sign" means substantially a rectangular sign that—

- (a) is erected near the boundary of a carriageway; and
- (b) consists of a black circle crossed by a black diagonal bar set upon a white background;

"dipped" in relation to the main beam of light projected by the headlamp of a motor vehicle, means directed downwards, as prescribed by the Vehicle Standards Regulations 1977, as amended from time to time;

"dipping device" means a device by which the driver of a motor vehicle, while retaining his normal driving position, can cause the main beam or beams of light from the headlamp or headlamps of his vehicle to be dipped;

"dual use path" means a footway or length thereof at both ends of which are erected traffic signs indicating that persons may ride bicycles on the footway or length thereof between those traffic signs;

"emergency vehicle" means a motor vehicle—

- (a) conveying a member of the police force on urgent official duty;

- (aa) that has conveyed a member of the police force on urgent official duty and is stationary at any place where the urgent official duty is being carried out;
- (b) of a fire brigade travelling to, or on duty at, any place, in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger;
- (c) being an ambulance, answering an urgent call or conveying to hospital any injured or sick person urgently requiring treatment;
- (d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorized to carry a siren or bell for use as a warning instrument; or
- (e) duly authorized as an emergency vehicle for the purposes of these regulations, by the Board;

“footway” includes every footpath, lane or other place—

- (a) intended for the use of pedestrians only or, in the case of a dual use path, for the use of pedestrians and bicyclists only; or
- (b) habitually used by pedestrians and not by vehicles or, in the case of a dual use path, by pedestrians and bicyclists and not by vehicles other than bicycles;

“freeway” means a road or portion of a road that is designated as a freeway by signs erected thereon or adjacent thereto;

“hours of darkness” means the hours falling between sunset, on one day, and sunrise, on the succeeding day;

“intersection” means the area contained within the prolongation or connection of the lateral boundaries of two carriageways that meet one another at, or approximately at, right angles, or the area within which vehicles, travelling by, on or from different carriageways that meet at any other angle, may come into conflict;

“laden mass” in relation to a vehicle has the same meaning as that term has in the Vehicle Standards Regulations 1977;

“laned carriageway” means a carriageway divided by lines into two or more marked lanes for vehicular traffic;

“marked cross-walk” means a portion of a carriageway between two parallel broken or unbroken lines marked across, or partly across, the carriageway and, where the lines are so marked partly across the carriageway, includes the portion of the carriageway between the prolongations of the lines;

“median strip” means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two one-way carriageways for vehicles proceeding in opposing directions;

“motor cycle” means a motor vehicle that has two wheels or, where a sidecar is attached thereto, has three wheels;

“No Parking Area” means a portion of a carriageway that lies—

- (a) between two consecutive white signs inscribed with the words, “No Parking”, in red lettering, and each with an arrow pointing generally towards the other of them; or

- (b) between a white sign, inscribed with the words "No Parking", in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

"No Standing Area" means a portion of a carriageway—

- (a) between two consecutive white signs inscribed with the words, "No Standing", in red lettering, and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words, "No Standing", in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

"one-way carriageway" means a carriageway on which vehicles are permitted to travel in one direction, only;

"park" means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with the provisions of any law or of immediately taking up or setting down persons or goods;

"parking area" means a portion of a carriageway—

- (a) between two consecutive white signs inscribed with the word, "Parking", in green lettering, and each with an arrow pointing generally towards the other of them; or
- (b) extending, from a white sign inscribed with the word, "Parking", in green lettering, in the general direction indicated by an arrow inscribed on the sign to any other sign inscribed with the words, "No Parking", or, "No Standing", in red lettering, or to a dead end or an area in which the parking or standing of vehicles is prohibited;

"pedestrian" means any person on foot or on or in a toy vehicle or in a perambulator;

"pedestrian mall" means any road or portion of a road that is designated as a pedestrian mall by signs erected thereon or adjacent thereto;

"pedestrian crossing" means a portion of a carriageway—

(a) defined—

(i) by alternate black and white stripes; or

(ii) by white or yellow stripes (according to the colour of the carriageway) and the portions of the carriageway lying between those stripes,

in such a manner that each stripe is approximately parallel to the centre of the carriageway; and

(b) near each end of which may be erected, on each side of the carriageway, so as to be clearly visible to an approaching driver, a pedestrian crossing (walking legs) sign, as specified in Australian Standard No. E.36-1960, R.12, of the Standards Association of Australia;

"property line" means a lateral boundary of a road;

"regulation" means one of these regulations;

"restriction sign" means a substantially rectangular sign that—

(a) is erected near the boundary of a carriageway; and

- (b) consists of black numerals set within a red circle upon a white background;
- “roundabout” means an intersection that is laid out for the movement of vehicular traffic, in one direction, around a traffic island;
- “service vehicle” means a vehicle used or intended to be used for the purpose of picking up or setting down goods or merchandising in a pedestrian mall;
- “special purpose vehicle” means a public utility service truck, a tow truck, a motor break-down service vehicle or a vehicle being used by a governmental or local authority in connection with its functions, but does not include an emergency vehicle;
- “speed zone” means a length of carriageway defined at its beginning by means of a restriction sign and at its end by means of—
- (a) a de-restriction sign;
 - (b) another restriction sign; or
 - (c) the termination of the carriageway at an intersection where the carriageway meets another road but does not continue through and beyond that road;
- “stand”, in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law;
- “stop line” means a line marked across, or partly across, a carriageway near a traffic-control signal, stop sign, children’s crossing or railway level crossing flashing light signals;
- “stop sign” means an octagonal sign inscribed with the word “Stop”;
- “the Act” means the Road Traffic Act 1974;
- “tow truck” has the same meaning as is given to that expression in the Tow Truck Regulations 1975;
- “traffic-control signal” means any device, however operated, for the control or regulation of traffic by the use of a word or words, a symbol or symbols, a coloured light or coloured lights or any combination of those things;
- “traffic island” means any physical provision, other than lines marked on a carriageway, made at or near an intersection, to guide vehicular traffic;
- “traffic sign” means a sign, mark, structure or device placed, or erected, on or near a road, for the purpose of regulating, guiding or directing traffic;
- “trailer” means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side-car;
- “train” means a railway locomotive or rolling stock;
- “two-way carriageway” means any carriageway that is not a one-way carriageway;
- “U turn” means a turn by which a vehicle, facing or travelling on a carriageway in one direction, is made to face or travel in the opposite, or substantially in the opposite, direction, whether on the same or on another carriageway; and
- “vehicle” has the same meaning as that term has in the Act, and, in Parts IV to XI, inclusive and in Part XVIII of these regulations, includes an animal driven or ridden.

(2) Without limiting the operation of section 13 or 110 of the Act, any reference in regulation 202, regulation 205 or regulation 1620 to a member of the Police Force shall be construed as including a reference to any person who—

- (a) has been appointed to be a Warden under section 13 of the Act;
- (b) is authorized by the Road Traffic (Licensing) Regulations 1975, as in force from time to time under the Act to perform the duties of controlling vehicles and pedestrians at children's crossings and pedestrian crossings; and
- (c) is at the relevant time performing any of the duties referred to in paragraph (b) of this subregulation.

Delineation of parking areas, etc.

104. A reference in regulation 103 to a portion of a carriageway between two traffic signs, or between a sign and a dead end, is a reference to the space extending towards its centre, marked on the adjacent carriageway; or, where a space is not so marked, if the sign is, or the signs are—

- (a) erected at or near the boundary of a carriageway and not inscribed with the words, "angle parking", the reference is limited to the area of the carriageway that is within three metres of its boundary; and
- (b) erected at or near the boundary of a carriageway and inscribed with the words "angle parking", the reference is limited to the area of the carriageway within five metres of its boundary.

Direction of arrows on signs.

105. For the purposes of the application of the definitions "No Parking Area", "No Standing Area", and "Parking Area" in regulation 103 an arrow inscribed on a traffic sign erected at an angle to the boundary of a carriageway is deemed to be pointing in the direction in which it would point, if the sign were turned through an angle of less than 90 degrees, until parallel to the boundary.

PART II.—SCOPE AND EFFECT OF REGULATIONS.

Scope of regulations.

201. Unless the context requires otherwise, these regulations apply to persons, vehicles and things on roads, only, and where a provision of these regulations requires, or prohibits, the doing of any act or thing, that requirement or prohibition relates to the doing of that act or thing, on a road.

Obedience to patrolmen or firemen.
Amended by G.G. 1/5/81, p. 1374; G.G. 2/2/82, p. 399.

202. (1) Every pedestrian and driver shall obey the signal by hand or the reasonable oral direction given by—

- (a) a member of the Police Force;
- (b) a uniformed fireman, if the signal or direction given by him is given for the purpose of facilitating the movement of a fire engine or emergency vehicle; or
- (c) an ambulance officer, if the signal given by him is given for the purpose of facilitating the movement of an ambulance that is an emergency vehicle,

notwithstanding that the signal or oral direction given by any of them appears to require the pedestrian or driver to act in contravention of these regulations.

(2) It is a defence to any complaint of a breach of these regulations that the defendant was, at the time of the alleged offence, acting in conformity with a signal or direction given under subregulation (1) of this regulation.

Construction traffic exempt from regulations.

203. Except for regulation 202, these regulations do not apply to drivers operating vehicles on the site of road construction and maintenance works, while the vehicles are actually engaged in work upon the road surface.

204. (1) Notwithstanding anything to the contrary in these regulations the driver of an emergency vehicle may, in the course of his duties and when it is expedient and safe to do so—

Exemptions for emergency vehicles and certain special purpose vehicles.

- (a) on reducing speed and sounding a warning device, proceed past a traffic-control signal displaying a red or amber signal or past a stop sign, without stopping or proceed contrary to the directions of a traffic sign;
- (b) on sounding a warning device, drive in any direction on any part of a road or overtake or pass on either side of another vehicle;
- (c) stop, stand or park the vehicle, at any place, at any time; or
- (d) exceed the speeds prescribed by Part X of these regulations.

(2) Notwithstanding anything to the contrary in these regulations, the driver of a special purpose vehicle may, in the course of his duties and when it is expedient and safe to do so—

- (a) stop, stand or park the vehicle at any place, at any time; or
- (b) exceed the speeds prescribed by Part X of these regulations whilst engaged in speed zoning activities authorized by the Minister.

205.⁴ A person shall not obstruct any member of the Police Force who is exercising any of the powers vested in him, or performing any of the duties imposed upon him, under the provisions of the Act or these regulations, or of any by-laws under the Act.

No obstruction of patrolmen. Amended by G.G. 2/2/82, p. 399.

PART III.—ERECTION AND OPERATION OF TRAFFIC-CONTROL SIGNALS AND TRAFFIC SIGNS.

301. (1) The Commissioner of Main Roads may erect, establish or display, and may alter or take down any traffic sign or traffic-control signal.

Power to erect traffic-control signals and traffic signs. Amended by G.G. 31/12/75, p. 4705; G.G. 2/2/82, p. 399.

(2) The Commissioner of Main Roads may authorize the Council of any municipality to erect, establish, display, alter or take down any particular traffic sign or traffic control-signal or of traffic signs or traffic-control signals of a class or type of classes or types specified in his instrument of authorization.

(3) A person shall not, without the consent of the Commissioner of Main Roads, remove, take down, damage, deface or interfere with any traffic sign or traffic-control signal.

(4) A person shall not erect, establish, place, maintain or display, on a road, or in the view of any person on a road, anything that—

- (a) is a false representation of, or a colourable imitation of, a traffic sign or traffic-control signal;
- (b) interferes with the effectiveness of, or of any part of, a traffic sign or traffic-control signal;
- (c) prevents an approaching driver from clearly distinguishing the whole, or part, of a traffic sign or traffic-control signal;
- (d) distracts his attention from a traffic sign or traffic-control signal; or
- (e) not being a traffic sign, displays a word or direction ordinarily associated with a traffic sign.

(5) Notwithstanding any other provision of these regulations, a traffic sign or traffic-control signal that was erected prior to the coming into operation of these regulations, shall be a valid and effective traffic sign or traffic-control signal for the purposes of these regulations.

⁴The provisions of this regulation are not included in the draft National Road Traffic Code.

(6) The provisions of this regulation do not apply to the erection of road direction signs by any duly incorporated association or union of motorists approved by the Minister.

(7) Notwithstanding the foregoing provisions of this regulation, where, for the purpose of temporarily controlling traffic it is expedient to do so, a member of the Police Force or Warden, may erect or cause to be erected, signs regulating the parking or standing of vehicles and any sign so erected shall be a valid and effective traffic sign for the purposes of these regulations.

Limits on operation of signs.

302. (1) Traffic signs associated with a No Parking Area, No Standing Area, Parking Area or a sign of a kind referred to in regulation 402, is limited in its operation and effect in respect of days, periods of the day, classes of persons, classes of vehicles or circumstances, to the extent, if any, shown on the sign.

(2) The first three letters of any day of the week, when used on a traffic sign, indicate that day of the week.

All traffic control signals and traffic signs to be operative.

303. (1) Where a traffic sign or traffic-control signal of a kind referred to in these regulations is in existence on a road, it takes effect and operates as a traffic sign or traffic-control signal duly established for the purposes of these regulations.

(2) A traffic sign or traffic-control signal marked, erected, established or displayed on or near a road is, in the absence of evidence to the contrary, presumed to be a traffic sign or traffic-control signal marked, erected, established or displayed under the authority of these regulations.

Inscriptions on signs to have effect according to their tenor.

304. An inscription on a traffic sign operates and has effect according to its tenor and a person who contravenes the directions of the inscription on a traffic sign commits an offence.

Operation of signs on holidays.

305. Where a traffic sign of a type referred to in these regulations indicates that an instruction applies on any particular day or days of the week, then that instruction does not apply on a day appointed to be observed as a public holiday in the district in which the sign is erected, unless the sign specifically indicates that it applies on public holidays.

Display of dazzling lights, etc.

306.⁵

Temporary closure of or restriction on the use of roads.

307. Where, for the more effective control of traffic, it appears to the Commissioner of Main Roads to be necessary or expedient to close a road or portion of a road or to set apart a road or portion of a road for traffic travelling in one direction or for traffic of a particular class, the Commissioner may, with the authority of the Minister and after giving such notice as the Minister may direct, do any of those things by means of traffic signs.

PART IV.—OBEDIENCE TO TRAFFIC-CONTROL SIGNALS AND SIGNS.

Obedience to traffic-control signals.

401. (1) Every person shall comply with the directions of a traffic-control signal that is applicable to him.

(2) A traffic-control signal facing a driver and displaying—

Amended by
G.G. 31/10/75,
p. 4030;
G.G. 14/11/75,
p. 4184.
Erratum
G.G. 21/4/78,
p. 1220.
Amended by
G.G. 10/10/80,
p. 3462;
G.G. 31/12/80,
p. 4428;
G.G. 1/5/81,
p. 1375;
G.G. 2/2/82,
p. 399;
G.G. 29/4/83,
p. 1299.

(a) a circular green signal is a direction that he may proceed straight ahead or, subject to subregulation (1) of regulation 402 and subregulations (1) and (2) of regulation 603, turn right or turn left;

(b) a steady circular amber signal or an amber arrow, is a direction that he may not proceed beyond the stop line associated with the signal or the stop line of the lane associated with the signal or in the absence of a stop line, at a point adjacent to the nearest appropriate traffic signal, unless his vehicle is so close to the stop line, or traffic signal,

⁵ The provisions of regulation 306 of the draft National Road Traffic Code concerning the display of dazzling lights are contained in section 87 of Road Traffic Act 1974.

when the circular amber signal or amber arrow first appears, that he cannot safely stop his vehicle before passing over the stop line;

- (c) a flashing amber signal is a direction that he may proceed beyond the stop line associated with the signal, or in the absence of a stop line at a point adjacent to the nearest signals, if he—
- (i) does not conflict or interfere with pedestrians crossing the roadway;
 - (ii) complies with the provisions of subregulation (1) of regulation 402, regulation 602 and subregulation (1) of regulation 603; and
 - (iii) complies with the provisions of subregulation (1) of regulation 1620 where a member of the Police Force is in attendance regulating traffic;
- (d) a circular red signal, alone, is a direction that he may not proceed beyond the stop line associated with the signal, or in the absence of a stop line at a point adjacent to the nearest appropriate traffic signal and a red arrow signal is a direction that he may not proceed beyond the associated stop line or traffic signal, as the case may be, in the direction indicated by the arrow;
- (da) the letter "B" coloured white on a black background is an instruction, where the driver is the driver of an omnibus, that he may proceed straight ahead or, subject to subregulation (1) of regulation 402 and subregulations (1) and (2) of regulation 603, turn right or turn left;
- (e) a green arrow, in conjunction with a circular red or amber signal, is an indication that oncoming traffic has been required to come to a halt and is a direction that he may proceed, but only in the direction indicated by the arrow.

(3) The display of a green arrow on a traffic-control signal is a direction to a driver facing it that opposing traffic has been stopped to enable him to proceed, or that traffic does not conflict with his proceeding, in the direction indicated by the arrow; and, where the arrow has not come into operation, the display of a circular green signal, alone, is a direction to a driver facing it that he may make the turn that would otherwise be indicated by the arrow, but only if the movement can be made with safety, in the face of oncoming traffic.

(4) Where separate traffic-control signals are erected over each lane of a laned carriageway, then, irrespective of the location of the centre of the carriageway with respect to lane markings, a driver shall drive only in those lanes over which a green signal is displayed, and shall not drive in any lane over which a red signal is displayed.

(5) A traffic-control signal facing a pedestrian and displaying—

- (a) the word "WALK" in green or white lettering or a symbol similar to the illustration in the following diagram and coloured green is a direction that he may proceed across the carriageway, irrespective of other signals displayed;



(b) a circular green signal unaccompanied by—

- (i) the words "DONT WALK" in red lettering; or
- (ii) a symbol similar to the illustration in the diagram following paragraph (c) of this subregulation and coloured red,

is a direction that he may proceed across the carriageway;

(c) the words "DONT WALK" in red lettering or a symbol similar to the illustration in the following diagram and coloured red, whether flashing or steady, is a direction that he may not enter upon the carriageway, irrespective of other signals displayed and, if the words or symbol appear while he is on the carriageway, that he is to proceed, at once, to the nearest footway;



(d) a red or an amber circular signal, unaccompanied by—

- (i) the word "WALK" in green or white lettering; or
- (ii) a symbol similar to the illustration in the diagram following paragraph (a) of this subregulation and coloured green,

is a direction that he shall not enter upon the carriageway and that, if he is already on the carriageway, he is to quit it with reasonable despatch.

Obedience
to traffic
signs.

Amended by
G.G. 19/9/75,
p. 3603;
G.G. 31/10/75,
p. 4030;
G.G. 31/12/75,
p. 4705;
G.G. 20/2/76,
p. 463;
G.G. 10/11/77,
p. 4135.

402. (1) A driver shall not turn his vehicle at an intersection contrary to the instruction on a traffic sign or a traffic-control signal erected to face an approaching driver, at or near the intersection, and inscribed with the words, "No Turns", "No Left Turn", "No Right Turn" or "No U Turn".

(2) A person shall not drive a vehicle on a road which has been lawfully set apart for traffic to move in one specified direction, except in the direction specified.

(3) Where a traffic sign inscribed with the words, "No Entry", is erected over or adjacent to a carriageway, to face an approaching driver, the driver shall not proceed on that carriageway beyond the sign.

(4) Where a marked lane at an approach to an intersection—

(a) has the words, "Right Turn Only", or, "Left Turn Only", marked on a traffic sign by the side of, or over, the lane; or

(b) has an arrow or arrows marked on the surface of the lane, a driver entering the intersection from that lane shall drive only in the direction indicated by the words, arrow or arrows.

(5) Where a traffic sign inscribed with the words, "No Overtaking or Passing", is erected to face an approaching driver, the driver shall not—

(a) pass the sign while any vehicle travelling in the opposite direction is between the sign and a similar sign facing in the opposite direction; or

(b) while between the sign and a similar sign facing in the opposite direction, overtake or pass a vehicle travelling in the same direction.

(6) Where a traffic sign is erected near a bridge to face an approaching driver, then—

- (a) if the sign is inscribed with the words, "No Overtaking on Bridge", the driver shall not overtake a vehicle, while between the sign and the far end of the bridge;
- (b) if the sign is inscribed with the words "Bridge Load Limit . . . t Gross" together with numerals before the letter "t", the driver shall not drive his vehicle upon the bridge if the laden mass of the vehicle plus the laden mass of any attached trailer exceeds the mass in tonnes indicated on the sign;
- (c) if the sign is inscribed with the words, "Speed Limit on Bridge", followed by numerals and the letters "km/h" the driver shall not exceed the speed in kilometres per hour indicated by the sign, while he is between it and the far end of the bridge.

(7) Where a traffic sign, erected to face an approaching driver is inscribed either with the words, "Keep Left", or with the words, "Keep Right", a driver shall pass to the left or to the right of that sign, as the case may require.

(8) Where a stop sign is erected to face a driver approaching an intersection, such a driver shall stop his vehicle as nearly as possible to, but without passing over, the stop line associated with the sign or, in the absence of a stop line, shall stop his vehicle, without entering the intersection, at the point nearest to it from which he has a clear view of traffic approaching on the intersecting road; and in proceeding therefrom shall give way to every vehicle travelling along, or, turning from, the intersecting road.

(9) Where a traffic sign inscribed with the words "Give Way"⁶, is erected to face a driver approaching an intersection, the driver shall give way to every vehicle travelling along, or turning from, the intersecting road.

(10) Where a traffic sign inscribed with the words, "No U Turn", is erected adjacent to a carriageway to face an approaching driver, the driver shall not make a U turn while he is between the sign and the far side of the first intersection beyond the sign; and a driver who enters the carriageway between the sign and the intersection and travels towards the intersection shall not make a U turn, before he has passed over the intersection.

403. A person shall not drive a vehicle along or into a bus lane except for the shortest distance necessary for the purpose of—

- (a) entering or leaving the carriageway in which the bus lane is situated; or
- (b) changing from one lane on the carriageway on which the bus lane is situated to another lane on that carriageway,

unless the vehicle is an omnibus, an emergency vehicle or a special purpose vehicle.

Driving
in bus lane.
Inserted by
G.G. 18/2/77,
p. 488.

PART V.—DRIVING ON THE LEFT AND OVERTAKING.

501. Except where these regulations provide otherwise, a driver shall keep his vehicle as close as practicable to the left boundary of the carriageway, except where two or more lanes marked on the carriageway are available exclusively for vehicles travelling in the same direction.

Keeping as
far left as
practicable.

502. (1) When overtaking a moving vehicle, a driver shall, except as provided in subregulations (2) and (3) of this regulation, pass to the right of that vehicle, at a safe distance.

Overtaking.

⁶ For the meaning of giving way, see regulation 601.

(2) Where a carriageway is a one-way carriageway, or has two or more marked lanes for vehicles travelling in the same direction, a driver may overtake and pass to the left of another vehicle, if conditions permit him to do so with safety.

(3) A driver overtaking a vehicle making, or apparently about to make, a right turn shall pass to the left of it and of any vehicle that may be stationary behind it.

(4) After overtaking a vehicle, a driver shall not drive in front of it, until his vehicle is safely clear.

(5) When a driver overtakes a vehicle on a two-way carriageway, he shall not drive to the right of the centre of the carriageway, unless the right side of the carriageway is free of oncoming traffic sufficiently far ahead to permit the overtaking movement to be completed with safety.

(6) The driver of a vehicle on a road shall not race with, or endeavour, by unnecessarily fast driving, to pass any other vehicle.

Use of
centre and
right lanes
of three-
lane
carriageways.

503.⁷

Passing
vehicles.

504. A driver passing a vehicle travelling in the opposite direction shall keep to his left of that vehicle.

Moving to
left for
overtaking
vehicles.

505. (1) Except where overtaking on the left is permitted, the driver of a vehicle being overtaken shall move to the left in favour of the overtaking vehicle, and shall not increase the speed of his vehicle, until it has been completely passed by the overtaking vehicle.

(2) A driver shall not drive a vehicle on a road in such a manner as to prevent another vehicle from overtaking and passing him.

Driving in
lanes on
carriageways.

506. (1) A driver shall drive his vehicle as nearly as practicable entirely within a single marked lane or in a single line of traffic and shall not move laterally from any such lane or line of traffic until he can do so with safety.

(2) Where, on the approach side of an intersection, a portion of the road is divided longitudinally by single, continuous lines, into two or more lanes, a person shall not drive a vehicle across any of those lines.

(3) The provisions of subregulation (2) of this regulation do not apply to a driver intending to make a left turn, if his vehicle is more than eight metres, in length.

Driving
through
round-
abouts.

507. A driver passing through a traffic roundabout shall drive to the left of the central traffic island.

Keeping
left of
double lines.

508. Where a carriageway is marked with a double longitudinal line comprising—

(a) two continuous lines; or

(b) a continuous line on the left of a broken or dotted line,

a driver shall not permit any portion of his vehicle to travel on, over, or to the right of, the double longitudinal line, except for the purpose of making a right turn or a U turn, where permissible.

Following
too closely.
Amended by
G.G. 25/9/81,
p. 4097.

509. (1) In this regulation, "long vehicle" means a vehicle of more than eight metres in length, inclusive of any projection and of its load, or a vehicle with dual wheels on any axle or a vehicle towing another vehicle.

⁷ The provisions of this regulation to be found in the draft National Road Traffic Code are not applicable in this State.

(2) Except when overtaking and passing, the driver of a long vehicle when following another long vehicle shall, wherever conditions permit, keep his vehicle not less than sixty metres behind the other vehicle.

(3) This regulation does not apply to a long vehicle in a built-up area or to a long vehicle on a carriageway provided with two or more marked lanes available exclusively for vehicles travelling in the same direction as that in which the long vehicle is travelling.

(4) Except when overtaking and passing, the driver of any vehicle shall, when following another vehicle, keep such distance behind it, as will enable him to stop his vehicle in an emergency with safety and without running into the vehicle in front of him.

510. Where a road is divided by a median strip, a driver shall not drive his vehicle upon the carriageway on his right. Driving on divided road.

511. Except where these regulations otherwise provide, a driver on a two-way carriageway shall not permit any portion of his vehicle to travel on or over or to the right of the centre of the carriageway when— Passing when road ahead is obscured.

(a) approaching a crest of a gradient; or

(b) approaching, or upon, a curve,

unless he can see ahead for a distance sufficient to enable him to do so with safety or without interfering with the progress of any oncoming vehicle.

PART VI.—RIGHT OF WAY AND GIVING WAY.

601. Where any of these regulations require a driver to give way to a person or vehicle, the requirement takes effect when there is a reasonable possibility that, if he proceeded, his vehicle would collide or come into conflict with, or create any other dangerous situation with regard to, that person or vehicle; and, in that event, he is obliged to slow down to such an extent, or, as the circumstances may require, stop and remain stationary for such time, as may be necessary to allow the person or vehicle to continue on his or its course. Requirement of giving way.

602. Subject to subregulations (8) and (9) of regulation 402 and to regulations 603 and 609 the driver of a vehicle that is approaching, or has arrived at, an intersection shall give way to a vehicle on his right that is approaching, or has arrived at, that intersection, by or from another road. Right of way at intersections.

603. (1) Subject to subregulations (8) and (9) of regulation 402 and to regulation 608, a driver who intends to turn, is turning or has turned at an intersection shall, if turning to the right, give way to any other vehicle that has entered, or is approaching, the intersection, from the opposite direction. Right of way during turns.

(2) A driver turning to the right or left at an intersection shall give way to all pedestrians.

(3) A driver making a U turn shall give way to all other vehicles and to all pedestrians.

(4) Except as provided by this regulation, the provisions of regulation 602 apply to turning vehicles.

604. (1) A driver who is about to drive, or is driving, a vehicle into, or out from, a parking area or the boundary of a carriageway shall give way to all other vehicles and to all pedestrians. Movements to or from parked position.

(2) A driver shall not drive a vehicle in reverse out of a parking area established across the centre of a carriageway, if the carriageway or parking area in front of his vehicle is free from obstruction.

- Action on approach of emergency vehicles. 605. A driver shall give way to, and make every reasonable effort to give a clear and uninterrupted passage to, every emergency vehicle sounding or flashing a warning device.
- Entering or leaving a road or carriageway. Amended by G.G. 15/1/81, p. 99. 606. (1) A driver entering a road or carriageway from land abutting the road or carriageway shall give way to—
 (a) all vehicles travelling in either direction along the carriageway; and
 (b) all vehicles turning or intending to turn preparatory to leaving the carriageway at the point that the driver is entering that carriageway,
 unless instructed to the contrary by a traffic-control signal.
 (2) A driver turning or intending to turn preparatory to leaving a carriageway shall give way to all vehicles travelling in the opposite direction along that carriageway.
 (3) A driver entering or leaving a road or carriageway shall give way to all pedestrians and bicyclists, unless instructed to the contrary by a traffic-control signal.
- No entry to choked intersection. 607. (1) A driver shall not enter upon, or attempt to cross, an intersection, whether or not it is controlled by a traffic-control signal, if the intersection or the carriageway beyond it is blocked by vehicles.
 (2) The provisions of subregulation (1) of this regulation apply notwithstanding the instruction of a traffic-control signal to proceed.
- Right of way in roundabouts. 608. The driver of a vehicle entering a roundabout shall give way to a vehicle that is within the roundabout.
- Right of way at three-way intersections. 609. (1) This regulation applies to any intersection at which one road (in this regulation referred to as "the terminating road") meets another road (in this regulation referred to as "the continuing road") but does not continue through and beyond that other road.
 (2) Subject to subregulations (8) and (9) of regulation 402 the driver of a vehicle that is approaching, or has arrived at, an intersection to which this regulation applies by or from the terminating road shall give way to—
 (a) all vehicles travelling in either direction along the continuing road; and
 (b) all vehicles turning or intending to turn preparatory to leaving the continuing road to enter the terminating road.
- PART VII.—PEDESTRIANS AND PEDESTRIAN CROSSINGS.**
- Pedestrian crossings. 701. (1) A driver shall give way to a pedestrian who is on a pedestrian crossing.
 (2) A driver shall not permit any portion of his vehicle to enter upon a pedestrian crossing if a vehicle headed in the same direction is stopped on the approach side of, or upon, the pedestrian crossing, apparently for the purpose of complying with subregulation (1) of this regulation.
- Dual use paths. Inserted by G.G. 15/1/81, p. 99. 701A. A bicyclist who is on a dual use path shall give way to a pedestrian who is on, or is crossing, the dual use path.
- Duties of pedestrians on footways and crossings. Amended by G.G. 8/9/78, p. 3302. 702. (1) A pedestrian shall keep to the left side, when on a footway, marked cross-walk or pedestrian crossing.
 (2) When a pedestrian crosses a carriageway or portion of a carriageway, he shall—
 (a) keep left of pedestrians crossing in the opposite direction;

- (b) cross as nearly as practicable by the shortest and most direct route to the carriageway boundary, except where there is a marked crosswalk, in which case he shall keep within the boundaries of that marked crosswalk; and
- (c) where provided, cross at a traffic-control signal in operation, a pedestrian crossing or a children's crossing.

703. A person shall not—

- (a) impede or prevent the free passage of any other pedestrian or a vehicle upon a footway or carriageway;
- (b) proceed from a footway towards a vehicle for the purpose of boarding it, until it has stopped;
- (c) alight from, or board, a moving vehicle; or
- (d) remain on a pedestrian crossing, children's crossing or marked cross-walk longer than is necessary for the purpose of passing over the carriageway with reasonable despatch.

Restriction
of pedestrians
on carriage-
ways and
crossings.

704. (1) A pedestrian shall not proceed along a carriageway where a footway exists on the road and is in a fit condition for use.

Pedestrians
on carriage-
ways.

(2) A pedestrian proceeding along a carriageway shall, where practicable, travel on the carriageway or side of the carriageway used by vehicles travelling in the opposite direction, and shall keep as close as possible to the boundary of the carriageway on his right.

Amended by
G.G. 8/9/78,
p. 3302.

(3) Notwithstanding the provisions of subregulation (2) of this regulation where a vehicle approaches a pedestrian on a carriageway, on the same side as the pedestrian, then the pedestrian shall, if possible, immediately move off the carriageway, and shall not move back onto the carriageway, until the vehicle has passed him.

(4) A pedestrian shall not proceed along a carriageway abreast of more than one other pedestrian, except in a procession or parade authorized by the local authority.

(5) A pedestrian shall not enter upon any portion of a carriageway within twenty metres of—

- (a) a traffic-control signal in operation;
- (b) a pedestrian crossing; or
- (c) a children's crossing,

except for the purpose of alighting from or boarding an omnibus at an authorized stopping place, or crossing a carriageway or portion of a carriageway in accordance with the provisions of paragraph (b) or (c) of subregulation (2) of regulation 702.

(6) Nothing in the foregoing provisions of this regulation applies in respect of a carriageway from which vehicles are for the time being excluded.

(7) Where—

- (a) an underpass or overpass is provided specifically for the purpose of enabling pedestrians to cross a carriageway; and
- (b) access to both entrances to the underpass or overpass may be gained from the road of which the carriageway is a portion,

a pedestrian shall not, except by using the underpass or overpass—

- (c) cross any portion of the carriageway; or
- (d) enter any portion of the carriageway for the purpose of crossing the carriageway,

within 120 metres of any entrance to the underpass or overpass.

Children's crossings.

705. (1) A driver shall stop his vehicle before it reaches a children's crossing or a pedestrian crossing, if a fluorescent red-orange flag or sign bearing the legend "CHILDREN CROSSING—STOP", in black lettering, is displayed to face approaching drivers; and shall not permit any portion of his vehicle to enter upon the children's crossing or pedestrian crossing, while any pedestrian is on it or while the sign is displayed.

(2) Where there is a stop line on the approach side of a children's crossing, any stop made under the provisions of this regulation, shall be made before reaching, and as nearly as practicable to, the stop line.

(3) A driver shall not permit any portion of his vehicle to enter upon a children's crossing, or to cross any stop line on the approach side of a children's crossing, if any vehicle headed in the same direction is stopped on the approach side of, or upon the children's crossing, apparently for the purpose of complying with the provisions of this regulation.

Obstruction by pedestrians.

706.⁸ A person on a footway shall not propel a perambulator or children's stroller abreast of any other vehicle on the footway, while other pedestrians are using the footway.

Blind pedestrian.

707. (1) Every person shall give way to a pedestrian displaying a walking stick or cane that is predominantly white.

(2) A person, other than a blind person, shall not display a walking stick or cane that is predominantly white.

PART VIII.—TURNING, STARTING AND STOPPING.

Left turns.
Amended by
G.G. 15/8/75,
p. 2966.

801. (1) A driver who is about to make a left turn from a carriageway—

- (a) at an intersection; or
- (b) to enter land abutting that carriageway,

shall so drive his vehicle that, when it reaches the intersection or other point at which the turn is to be made, it is—

- (c) to the left of any vehicle that is abreast of his own and travelling in the same direction; and
- (d) as near as practicable to the left hand edge or boundary of the carriageway.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, a driver who, on a laned carriageway, is immediately to the right of a vehicle that is in a lane set aside exclusively for left-turning vehicles may turn his vehicle to the left, at an intersection, if that movement can be made with safety.

Right turns.
Amended by
G.G. 15/8/75,
p. 2967;
G.G. 2/2/82,
p. 399.

802. (1) Subject to subregulation (1b) of this regulation, a driver who is about to make a right turn at an intersection shall—

- (a) where he is travelling on a two-way carriageway, approach and enter the intersection so that his vehicle is to the left of, parallel with, and as near as practicable to, the centre of the carriageway; and
- (b) where he is travelling on a one-way carriageway approach and enter the intersection so that his vehicle is parallel with, and as near as practicable to, the right boundary of the carriageway.

⁸ The provisions of this regulation are not included in the draft National Road Traffic Code.

(1a) Subject to subregulation (1b) of this regulation, a driver who is about to make a right turn to enter land abutting a carriageway shall—

- (a) where he is travelling on a two-way carriageway, approach the point at which the turn is to be made so that his vehicle is to the left of, parallel with, and as near as practicable to, the centre of the carriageway;
- (b) where he is travelling on a one-way carriageway, approach the point at which the turn is to be made so that his vehicle is parallel with and as near as practicable to, the right boundary of the carriageway.

(1b) Subregulations (1) and (1a) of this regulation do not apply where a vehicle is in a marked lane that has a sign alongside or over it or markings on its surface indicating that a right turn shall, or may be, made by vehicles in that lane.

(2) A driver making a right turn at an intersection shall make the turn so that, wherever practicable, his vehicle passes to his right of the centre of the intersection, and so that—

- (a) where the carriageway being entered is a two-way carriageway, his vehicle enters it to his left of the centre of the carriageway; and
- (b) where the carriageway being entered is a one-way carriageway, his vehicle enters it as nearly as practicable to the boundary of the carriageway on his right.

(3) For the purposes of subregulation (2) of this regulation, a vehicle is deemed to enter a carriageway at the point where the front of the vehicle crosses the prolongation of the edge of the carriageway it is leaving.

(4) Notwithstanding the foregoing provisions of this regulation, a driver who is about to make, or is making, a right turn at an intersection—

- (a) where markers, marks or signs are so placed as to indicate that a different course from that specified in this regulation is to be travelled, shall not turn his vehicle at the intersection otherwise than as indicated by the markers, marks or signs; and
- (b) where a member of the Police Force is controlling or directing traffic, shall make the turn before reaching the middle of the road into which he is turning by passing either to the front, or to the rear of, the member of the Police Force, as he may be directed.

803. (1) A driver shall not turn right or left, or diverge right or left, or make a U turn, or stop or suddenly decrease speed, without giving warning of his intentions, by a signal as prescribed by this regulation.

Drivers
to give
signals.
Amended by
G.G. 25/5/79,
pp. 1383-4.

(2) A driver shall give the signal prescribed by this regulation, where he intends—

- (a) to turn right or left or make a U turn—
 - (i) if his vehicle is travelling—continuously for thirty metres immediately before making the turn; and
 - (ii) if his vehicle is stationary—continuously before making the turn;
- (b) to diverge to the right or left—continuously for thirty metres immediately before so diverging; and
- (c) to stop or suddenly reduce speed—while his brakes are being applied.

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(3) A driver who is required to give a signal of intention to turn, or diverge, right or left, or to make a U turn shall, where the vehicle is equipped with the appropriate flashing lamp signalling device or illuminated indicator in working order, give the signal by means of that flashing lamp signalling device or illuminated indicator.

(4) A driver who is required to give a signal of intention to turn, or diverge, right, or to make a U turn, shall, where the vehicle is not equipped with an appropriate flashing lamp signalling device or illuminated indicator in working order, give the signal—

- (a) by means of a hand-shaped signalling device; or
- (b) by fully extending his right arm and hand horizontally beyond the right side of his vehicle and approximately at right angles to the centre line of the vehicle.

(4a) A rider of a bicycle or a rider or driver of a moped which is not equipped with an appropriate flashing lamp signalling device or illuminated indicator in working order, who is required to give a signal of intention to turn or diverge left, shall give a signal by fully extending his left arm and hand horizontally beyond the left side of his vehicle and approximately at right angles to the centre line of the vehicle.

(5) A driver who is required to give a signal of intention to stop or to reduce speed suddenly shall, where the vehicle is equipped with a stop lamp or lamps in working order, give the signal by means of that stop lamp or those lamps.

(6) A driver who is required to give a signal of intention to stop or to reduce speed suddenly shall, where the vehicle is not equipped with a stop lamp or lamps in working order, give the signal—

- (a) by means of a hand-shaped signalling device; or
- (b) by extending his right arm beyond the right side of his vehicle with the upper arm horizontal and the forearm and fingers pointing upwards.

(7) Nothing in this regulation—

- (a) prevents a driver who complies with subregulation (3) or (5) of this regulation from also giving the arm and hand signal that he would be required to give if his vehicle were not equipped with the appropriate flashing lamp signalling device, illuminated indicator or stop lamp or lamps as the case may be;
- (b) requires the driver of a vehicle which is not a bicycle or a moped to give a signal of intention to turn or diverge left if his vehicle is not equipped with a flashing lamp signalling device or illuminated indicator capable of being used to give such a signal.

Use of
signalling
devices.

804. (1) A driver shall not permit a signalling device to be operated, except for the purpose of giving a signal in accordance with the provisions of these regulations.

(2) A driver shall not permit a signalling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put into operation.

U turns.
Amended by
G.G. 1/2/80,
p. 300.

805. A driver shall not drive his vehicle so as to make a U turn—

- (a) unless the turn can be made with safety or without interfering with the movement of other traffic; or
- (b) within 30 metres of a traffic-control signal.

PART IX.—RAILWAY LEVEL CROSSINGS.

901. (1) A driver approaching a railway level crossing shall stop his vehicle so that the front of it is on the approach side of and safely clear of the nearest rail of the railway, where—

- (a) he is directed or instructed to stop by a railway employee and he shall not proceed except in accordance with the railway employee's direction;
- (b) an approaching train is visible or emits an audible signal and there is danger of collision between his vehicle and the train, and he shall not proceed until he has ascertained that in the circumstances it is safe to do so;
- (c) a stop sign facing the driver is erected at or near the level crossing, and he shall proceed only if it is safe to do so;
- (d) twin alternating red lights are flashing or a wig-wag signal is moving or a warning bell is ringing at or near the level crossing, and he shall not proceed until the lights, signal or bell have ceased to flash, move or ring unless otherwise directed or instructed by a railway employee;
- (e) by reason of traffic congestion he is not immediately able to lawfully drive his vehicle over and clear of the level crossing, and he shall not proceed until he can so drive his vehicle over and clear of the level crossing.

Stopping
at level
crossings.
Amended by
G.G. 30/6/78,
p. 2142;
G.G. 20/10/78,
p. 3762.

(2) The driver of a vehicle that is carrying any explosive, inflammable, corrosive or poisonous gas, liquid or material of any kind (other than fuel in the fuel tank of the vehicle) shall stop the vehicle before passing over a railway level crossing that is not equipped with twin alternating red lights, a wig-wag signal or gates, booms or other barriers for closing the crossing to road traffic and shall not proceed until he has ascertained that he may do so without danger of conflict with a train.

(3) A person shall not drive a vehicle through, around or under any gate, boom or barrier at a railway level crossing or enter upon the crossing while the gate, boom or barrier is closed or is being opened or closed to road traffic.

PART X.—SPEED RESTRICTIONS.

1001. (1) A person shall not drive a vehicle at a speed exceeding 110 kilometres per hour and shall not drive a vehicle,—

- (a) in a built-up area, at a speed exceeding 60 kilometres per hour, except within a speed zone in which a higher speed is permitted; or
- (b) in a speed zone, at a speed exceeding, in kilometres per hour, that indicated by the numerals on the restriction sign, at the beginning of the speed zone.

(2) Subject to any other provisions of these regulations, prescribing a maximum speed for any vehicle lower than that prescribed by this subregulation, a person shall not—

- (a) drive a goods vehicle, the total mass of which, taking into account any trailer attached and including the total load carried, is more than 4.5 tonnes—
 - (i) on the Eyre Highway, at a speed exceeding 90 kilometres per hour; or
 - (ii) in any other part of the State, at a speed exceeding 80 kilometres per hour;
- (b) drive a vehicle to which a trailer or other vehicle is attached at a speed exceeding—
 - (i) where the mass of the trailer or other vehicle including any load is not more than 750 kilograms, 100 kilometres per hour; or

Speed
limits.
Amended by
G.G. 31/12/75,
p. 4705;
G.G. 10/11/77,
p. 4135;
G.G. 14/4/78,
p. 1111;
G.G. 29/5/81,
p. 1610;
G.G. 2/2/82,
p. 399;
G.G. 14/1/83,
p. 214.

(ii) where the mass of the trailer or other vehicle including any load is more than 750 kilograms, 80 kilometres per hour;

(c) drive a vehicle licensed for the carriage of nine or more passengers at a speed exceeding 90 kilometres per hour.

[*(d) deleted by G.G. 31/12/75, p. 4705.*]

[*(e) deleted by G.G. 31/12/75, p. 4705.*]

(3) The several speeds prescribed by subregulation (2) of this regulation apply to the respective classes of vehicle therein mentioned, notwithstanding the existence of speed zones that permit higher speeds for other classes of vehicles.

(4) The provisions of this regulation do not justify the driver of a vehicle driving at a speed that—

(a) may constitute driving carelessly, recklessly or at a speed, or in a manner, that is dangerous to the public, having regard to all the circumstances; or

(b) exceeds any maximum speed applicable to the vehicle and fixed by, or under, the Act or any regulation.

(5) In this regulation “goods vehicle” means any motor vehicle constructed, equipped or fitted, primarily, for the conveyance of goods or merchandise, and includes a tractor that is designed and used for drawing other vehicles, although not constructed or designed for carrying any load independently or for carrying any part of the load of the vehicle that it draws.

[*(6) repealed by G.G. 14/4/78, p. 1111.*]

(7) Notwithstanding the existence of speed zones that permit higher speeds, a person, being obliged by regulations made under the Act to display, on a motor vehicle driven by him, plates, issued by the Board, bearing the letter “P”, in red on a white ground, shall not drive any motor vehicle at a speed exceeding 80 kilometres per hour.

Motor cyclist with pillion passenger.

1002.⁹

Restrictions where road under repair, etc.

Substituted by G.G. 18/2/77, p. 488.

Amended by G.G. 17/8/79, p. 2488.

1003. Where—

(a) portion of a road is subject to work being done on, over or under it; or

(b) a survey is being conducted at any point on a road,

by a competent authority, the driver of a vehicle that is approaching or passing the place at which the work is being done or the survey is being conducted—

(c) shall comply with a direction given by a person who is apparently a servant of the authority;

(d) shall not drive a vehicle—

(i) over or past any portion of the road that lies between a sign bearing the direction, “Slow—30 kilometres per hour” and a sign bearing the direction, “End of 30 km/h limit”, at a speed exceeding 30 kilometres per hour;

or

(ii) over or past any portion of the road that lies between a sign bearing the direction, “Slow—50 kilometres per hour” and a sign bearing the direction, “End of 50 km/h limit”, at a speed exceeding 50 kilometres per hour.

⁹ Regulation 1002 of the draft National Road Traffic Code relates to the speed of motor cycles carrying a pillion passenger and is not applicable in this State. The draft National Road Traffic Code does not contain the provisions here inserted as regulation 1003.

PART XI.—STOPPING AND PARKING VEHICLES.

1101. (1) A person shall not stand a vehicle—

Vehicles
not to be
left in
certain areas.

- (a) in a No Standing Area;
- (b) in a parking area, except in a manner indicated by the inscription on the sign or signs associated with the parking area;
- (c) in a parking area contrary to any limitation in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the area; or
- (d) in a defined area marked, "M/C", unless it is a motor cycle without a sidecar.

(2) The provisions of paragraph (a) of subregulation (1) of this regulation do not apply to a person in charge of an omnibus who stops or stands the omnibus within eighteen metres of the approach side, or nine metres of the departure side, of a sign inscribed with the words "Bus Stop" or "Hail Bus Here" for the sole purpose of taking up or setting down passengers.

(3) A person shall not stand a vehicle in a Loading Zone unless it is—

- (a) a motor wagon engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers; and then, only, if it does not have a trailer attached.

(4) A person shall not park a vehicle in a No Parking Area.

(5) A person shall not park a vehicle, on any portion of a road—

- (a) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
- (b) if the vehicle is exposed for sale.

(6) A person shall not stand a motor cycle without a side-car in a parking stall unless the traffic sign, "M/C", is marked on that stall.

1102. Subject to the provisions of regulation 1103, a person standing a vehicle on a carriageway shall stand it—

Method of
parking
vehicles.

- (a) on a two-way carriageway, so that it is as near as practicable to, and parallel with, the left boundary of the carriageway;
 - (b) on a one-way carriageway, so that it is as near as practicable to, and parallel with, either boundary of the carriageway;
 - (c) so that it is not less than 1.2 metres from any other vehicle, except a motor cycle parked in accordance with these regulations;
 - (d) so that at least three metres of the width of the carriageway, between the vehicle and the farther boundary of the carriageway, or between it and a vehicle standing on the far side of the carriageway, is available for the passage of other vehicles;
 - (e) so that it does not cause undue obstruction on the carriageway;
- and
- (f) so that it is entirely within the confines of any parking bay marked on the carriageway.

Method of
parking in
parking
areas.

1103. (1) A person shall not stand a vehicle partly within and partly outside a parking area.

(2) Where the traffic sign or signs associated with a parking area not inscribed with the words, "Angle Parking", then—

(a) where the parking area is adjacent to the boundary of a carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to, and parallel with, that boundary; and

(b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway, unless a sign associated with the parking area, indicates or marks on the carriageway indicate, that vehicles are to stand in a different position.

(3) Where a traffic sign associated with a parking area is inscribed with the words "Angle Parking", a person standing a vehicle in the parking area, shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway, unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.

(4) Subregulation (3) of this regulation does not apply to a person standing a motor cycle in a parking area.

Prohibited
standing
places.

1104. (1) A person shall not stand a vehicle so that any portion of the vehicle is—

(a) between any other standing vehicle and the centre of the carriageway;

(b) on or adjacent to a median strip;

(c) in front of a right-of-way, passage or private drive or so close thereto as to deny vehicles reasonable access to, or egress from, the right-of-way, passage or private drive;

(d) in front of a footway constructed across a reservation;

(e) alongside, or opposite, any excavation in, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;

(f) on, or within nine metres of, any portion of a carriageway bounded on one or both sides of a traffic island;

(g) on any footway or pedestrian crossing;

(h) upon a bridge or other elevated structure or within a tunnel or underpass;

(i) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of the carriageway nearer to the continuous line, unless there is a distance of at least three metres clear between the vehicle and the double longitudinal line; or

(j) upon an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

(2) The provisions of paragraph (c), (f) and (h) of subregulation (1) of this regulation do not apply to a motor vehicle that stands in a bus stand marked on the carriageway, for the purpose of setting down or taking up passengers.

(3) A person shall not stand a vehicle so that any portion of the vehicle is—

(a) within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or

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(b) within three metres of a public letter pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the pillar box.

(4) A person shall not stand a vehicle so that any portion of the vehicle is within six metres of the nearer property line of any road intersecting the road on the side on which the vehicle is standing.

(5) A person shall not stand a vehicle so that any portion of the vehicle is within nine metres of the departure side of—

(a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless the vehicle is an omnibus stopped to take up or set down passengers; or

(b) a children's crossing established on a two-way carriageway.

(6) A person shall not stand a vehicle so that any portion of the vehicle is within eighteen metres of—

(a) the approach side of a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless the vehicle is an omnibus stopped to take up or set down passengers;

(b) the approach side of a pedestrian crossing or children's crossing;
or

(c) the nearest rail of a railway level crossing.

(7) The provisions of paragraph (c) of subregulation (6) of this regulation do not apply to a person engaged on the installation or maintenance of warning devices at a railway level crossing, where the standing of the vehicle is necessary for that purpose.

1105.¹⁰Restrictions
on standing
on trams.

1106. (1) A person shall not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is more than eight metres in length—

Restriction
on parking
of long
vehicles.
Amended by
G.G. 14/4/78,
p. 1111.

(a) on a carriageway in a built-up area, for any period exceeding one hour; or

(b) on a carriageway outside a built-up area, except in a truck bay or other area set aside for the parking of goods vehicles.

(2) Nothing in this regulation mitigates the limitations or conditions imposed by any other regulation or by any by-law or traffic sign relating to the parking or standing of vehicles.

1107.¹¹ A person shall not stand a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of fifty metres, within a built-up area, and from a distance of 150 metres, outside a built-up area.

Restriction
on standing
vehicle on
crests,
curves, etc.
Amended by
G.G. 14/4/78,
p. 1111.

1108. Where, in any particular case, the parking or standing of a vehicle constitutes an offence against by-laws in force in a municipal district under the provisions of section 231 of the Local Government Act 1960, the parking or standing of that vehicle shall not constitute an offence against this Code.

Offence
against
by-law
not offence
against this
Code.

¹⁰ The provisions of this regulation to be found in the draft National Road Traffic Code are not applicable in this State.

¹¹ The provisions of this regulation are not included in the draft National Road Traffic Code.

PART XII.—LIGHTING, WARNING SIGNS, EQUIPMENT, ETC.

Lights on moving motor vehicles.
Amended by G.G. 10/11/77, p. 4135.

1201. A person shall not drive a motor vehicle or a combination of a motor vehicle and trailer, during the hours of darkness, unless it is equipped with such lamps and reflectors as are prescribed by the Vehicle Standards Regulations 1977, as amended from time to time, as those to be carried by that vehicle or combination, and the lamps are alight.

Dipping of headlamps.

1202. (1) The driver of a motor vehicle equipped with a dipping device shall cause the main beams of light projected by the headlamps of the motor vehicle to be dipped where the motor vehicle is approached by any other vehicle travelling in the opposite direction—

- (a) when the other vehicle reaches a point 200 metres from the motor vehicle; or
- (b) immediately the main beams of light projected by the headlamps of the other vehicle are dipped,

whichever is the sooner, and shall cause the beams of his vehicle to remain dipped until the other vehicle has passed.

(2) A person shall not drive a motor vehicle that is not equipped with a dipping device, during the hours of darkness, unless the main beams of light projected by the headlamps are adjusted to the dipped position and, then only, at a speed not exceeding 60 kilometres per hour.

Lights on stationary motor vehicles.
Amended by G.G. 10/11/77, p. 4135; G.G. 23/11/79, p. 3648.

1203. (1) Subject to the provisions of regulations 1209 and 1210, a person shall not leave a lamp, having a power exceeding seven watts and showing to the front, lighted on a vehicle that is stationary on a carriageway, unless—

- (a) the vehicle is stationary for the purpose of—
 - (i) avoiding conflict with other traffic;
 - (ii) complying with the provisions of any law; or
 - (iii) taking up or setting down passengers; or
- (b) the vehicle is an emergency vehicle.

(2) A person shall not stand a motor vehicle or a trailer, on, or partly on, a carriageway, during the hours of darkness, unless there are fitted to the motor vehicle or the trailer such lamps and reflectors as are prescribed by the Vehicle Standards Regulations 1977, as amended from time to time, and the lamps so fitted are alight.

(3) Subregulation (2) of this regulation does not apply in respect of the lighting of lamps—

- (a) where the street lighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of 200 metres; or
- (b) on a motor cycle not connected to a side-car, forecar or trailer, standing as near as practicable to, and parallel with, the boundary of the carriageway.

Portable warning signs for disabled heavy vehicles.
Amended by G.G. 10/11/77, p. 4135; G.G. 14/4/78, p. 1111.

1204. (1) In this regulation "heavy vehicle" means a vehicle of which the mass, together with any attached trailer and the total load carried (if any), exceeds four tonnes.

(2) A person shall not drive a heavy vehicle on a road outside a built-up area, or cause or permit a heavy vehicle to be so driven, unless there are carried on the vehicle three portable warning signs complying with the standard specification for portable warning signs set out in Australian Standard No. E.38-1962 of the Standards Association of Australia and the signs are in good order.

(3) Whenever a disabled heavy vehicle is stationary on a carriageway, outside a built-up area, during the hours of darkness, the driver or person in charge of the vehicle shall immediately place, and leave, on the carriageway three portable warning signs such as are mentioned in subregulation (2) of this regulation, one in advance of the vehicle, one to the rear of it and one beside it, on the side nearer to the centre of the carriageway.

(4) The portable warning signs placed on the carriageway in compliance with subregulation (3) of this regulation shall be placed so as to give reasonable warning to an approaching driver and, wherever practicable, so that at least one sign is visible to such a driver, at a distance of not less than 200 metres.

(5) The signs placed in advance and to the rear of the vehicle, in compliance with subregulation (3) of this regulation, shall be placed at a distance, of between fifty metres and 150 metres, from the vehicle.

(6) Nothing in this regulation affects—

- (a) any duty imposed by these regulations to display lighted lamps on stationary vehicles;
- (b) motor omnibuses of the Metropolitan (Perth) Passenger Transport Trust; or
- (c) fire brigade vehicles.

1205. (1) A person shall not ride or push a bicycle, during the hours of darkness, unless it is fitted with the lamps, and where required, a reflector, as prescribed by the Vehicle Standards Regulations 1977, as amended from time to time, and the lamps are alight.

Lights and other equipment on bicycles.
Amended by G.G. 10/11/77, p. 4135.

(2) A person shall not ride a bicycle, unless it is equipped with a brake and a bell, as prescribed by the Vehicle Standards Regulations 1977, as amended from time to time.

1206. A person shall not drive an animal-drawn vehicle, or permit it or any trailer drawn by it to be, upon a carriageway, during the hours of darkness, unless the vehicle or trailer is equipped with appropriate lamps and reflectors as prescribed by the Vehicle Standards Regulations 1977, as amended from time to time, and the lamps are alight.

Lights on animal-drawn vehicles.
Amended by G.G. 10/11/77, p. 4135.

1207. (1) In fog or mist or under other abnormal atmospheric conditions restricting visibility, the display of light from a fog lamp or fog lamps is sufficient compliance with any obligation to display a light from a head lamp or head lamps under regulation 1201.

Fog lamps.
Amended by G.G. 10/11/77, p. 4135.

(2) A person shall not drive a motor vehicle, other than a motor cycle, displaying light from a single fog lamp, unless two lighted lamps, complying with the requirements of the Vehicle Standards Regulations 1977, as amended from time to time, are fitted to the front of the vehicle.

(3) A person shall not drive a motor vehicle displaying light from a fog lamp or fog lamps, if any other lamp of a power exceeding seven watts and capable of showing a white light to the front is alight.

(4) In this regulation "fog lamp" means a fog lamp as prescribed by the Vehicle Standards Regulations 1977, as amended from time to time.

1208. (1)¹² A person shall not tow a vehicle, during the hours of darkness, unless it is equipped with the appropriate lights as prescribed by the Vehicle Standards Regulations 1977, as amended from time to time, and the lamps are alight.

Lights on towed vehicles.
Amended by G.G. 10/11/77, p. 4135; G.G. 4/9/81, p. 3833.

¹² For the towing of vehicles, generally, see regulation 1612.

(2) The driver of a tow truck shall not tow a vehicle unless it is fitted with the equipment referred to in regulation 5 (2) of the Tow Truck Regulations 1975, as amended from time to time, and such equipment is operating correctly in accordance with the Vehicle Standards Regulations 1977, as amended from time to time.

Spot lamps.
Amended by
G.G. 14/4/78,
p. 1111.

1209. (1) A person shall not cause or permit a spot lamp or search lamp fitted or connected to any vehicle to be lighted, unless—

- (a) the vehicle is stationary and the lamp is used only for the purpose of examining or making adjustments or repairs to a vehicle and the light from the lamp is projected not more than six metres from its source; or
- (b) the vehicle is outside a built-up area and the lamp is lighted and used only for the purpose of reading a road sign.

(2) The provisions of subregulation (1) of this regulation do not apply to an emergency vehicle or a special purpose vehicle being used in connection with its functions.

Restriction
on flashing
warning
lights.

Amended by
G.G. 31/12/75,
p. 4705;
G.G. 10/11/77,
p. 4135.

1210. (1) Subject to subregulation (2) of this regulation, the use, on a vehicle, of a lamp displaying intermittent flashes is prohibited, but the prohibition does not extend to—

- (a) the use, upon an emergency vehicle, other than an emergency vehicle conveying a traffic inspector, of a lamp displaying intermittent red or blue flashes; or
- (b) the use of a lamp or lamps displaying intermittent amber flashes, upon—
 - (i) an emergency vehicle conveying a traffic inspector, or a vehicle conveying a person who is authorized by the Commissioner of Transport under section 49 of the Transport Commission Act 1966,^{12A} or regulation 37 of the Transport Commission Regulations 1967,^{12B} and who is acting in the course of his duties;
 - (ii) a special purpose vehicle occupying a hazardous position on a road, while stationary or manoeuvring at a speed not exceeding 10 kilometres per hour;
 - (iii) a disabled motor vehicle (not being a motor cycle) that is stationary on the main travelled portion of the carriageway and is displaying the flashes from both sides of the front and of the rear of the vehicle by means of a flashing lamp turn signalling device fitted in compliance with the Vehicle Standards Regulations 1977; and
 - (iv) pilot vehicles escorting oversize loads.

(2) This regulation does not prohibit the use of a flashing lamp signalling device on a vehicle, in accordance with regulation 804.

Fallen
loadings
from heavy
vehicles.

1211.¹³ (1) In this regulation the expression "heavy vehicle", has the same meaning as it has in regulation 1204.

(2) Where the load or any portion of the load that has fallen from a heavy vehicle is lying upon a carriageway, during the hours of darkness, the driver shall, if unable to comply with the provisions of subregulation (4) of regulation 1609, forthwith place, and leave, on the carriageway three portable warning signs such as are mentioned in subregulation (2) of regulation 1204, in such positions as to give reasonable warning to drivers approaching from either direction, and so that, where practicable, at least one sign, is visible to any such driver, at a distance of 200 metres.

^{12A} For an alternative short title for this Act, see Transport Commission Act Amendment Act (No. 2) 1979, s. 1 (3).

^{12B} Now cited as the Transport Regulations 1967.

¹³ The provisions of this regulation are not included in the draft National Road Traffic Code.

(3) A driver is not required to place the signs referred to in subregulation (2) of this regulation, where street lighting in the vicinity renders the fallen object clearly visible to a driver approaching in either direction, at a distance of 200 metres.

1212.¹⁴ A person shall not drive or stand a vehicle—

- (a) having a mascot, toy or similar article attached to the wind-shield, or to the rear or other window of the vehicle; or
- (b) having a mascot, toy or similar article attached to the interior of the vehicle in such a position as to obstruct or be likely to obstruct the vision, or to distract or to be likely to distract the attention, of a person while driving the vehicle.

Mascots
or toys
prohibited
on vehicles.

PART XIII.—BICYCLES, TOY VEHICLES AND ANIMALS.

1301. (1) A person riding a bicycle shall not ride otherwise than astride a permanent and regular seat attached to it.

Riding
bicycles.

(2) A person shall not use a bicycle to carry, at any one time, more persons than the number for which it is designed and equipped.

(3) A person shall not ride a bicycle without having at least one hand on the handle-bars.

(4) Wherever a separate carriageway or a separate portion of a carriageway is provided exclusively for the use of cyclists and is in a reasonable condition for use, a rider of a bicycle shall use that carriageway or portion of a carriageway and no other.

(5) A person shall not ride a bicycle within two metres of the rear of a motor vehicle, over a distance of more than 200 metres.

(6) A person shall not leave a bicycle in or upon a road so as to become an obstruction.

1302. (1) A person riding a bicycle or a toy vehicle shall not attach himself to, or permit himself to be drawn by, any other vehicle.

Towing of
bicycles,
etc.

(2) The driver of a vehicle shall not permit a person riding a bicycle or a toy vehicle to attach himself to, or be drawn by, the vehicle.

1303. (1) Except on a carriageway or a portion of a carriageway set aside exclusively for bicycles and subject to subregulation (1a) of this regulation a person shall not ride a bicycle so that it is travelling abreast of more than one other bicycle.

Riding
more than
two abreast.
Amended by
G.G. 15/1/81,
p. 100.

(1a) A person shall not ride a bicycle on a dual use path so that the bicycle is travelling abreast of any other bicycle on the dual use path.

(2) Subregulation (1) of this regulation does not prevent a cyclist from overtaking and passing other persons riding bicycles abreast.

(3) A bicycle is deemed to be abreast of another bicycle if any part of it is by the side of any part of the other.

1304. (1) A person riding an animal shall not lead more than one other animal.

Leading
animals.

(2) A person shall not lead an animal, while riding in a motor vehicle, or more than two animals while riding in any other vehicle.

(3) A person shall not tie an animal to a moving vehicle for the purpose of making it walk or run behind or alongside the vehicle.

1305.¹⁵ A person shall not—

- (a) play any game; or
- (b) ride on a roller skate or any vehicle that is mounted on small wheels or rollers and not fitted with an efficient mechanism for braking,

Games and
roller
skates.

on any part of a road.

¹⁴ See note 12.

¹⁵ The provisions of this regulation are not included in the draft National Road Traffic Code.

Proper
control of
animals
and bicycles.

1306. A person shall not on any road or place to which the public is permitted, whether on payment of a fee or otherwise, to have access—

- (a) drive or ride an animal or bicycle while under the influence of alcohol, drugs or alcohol and drugs to such an extent as to be incapable of having proper control of the animal or bicycle;
- (b) drive or ride an animal or bicycle recklessly or without due care and attention.

PART XIV.¹⁶—PASSING SAFETY ZONES.

PART XV.¹⁷—CARELESS AND DANGEROUS DRIVING AND DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS.

PART XVI.—MISCELLANEOUS.

Leaving
motor
vehicles
unattended.

1601. (1) A driver of a motor vehicle shall not permit it to stand unattended without first—

- (a) stopping the engine;
- (b) locking the ignition, if any;
- (c) removing the ignition key, if any;
- (d) effectively applying the brake; and
- (e) when the motor vehicle is standing upon a grade, turning the front wheels to the kerb or the side of the carriageway nearer to the motor vehicle, in such a manner as would prevent the vehicle rolling downhill.

(2) A person having the control of, or being in charge of, a vehicle to which is fitted any appliance capable of being raised or lowered shall not permit the vehicle to stand unattended unless—

- (a) the appliance has been placed in its lowest practicable position; and
- (b) every precaution has been taken to prevent injury to persons or damage to property arising from the inherent nature of the appliance and the fact of the vehicle being unattended.

(3) For the purposes of subregulation (2) of this regulation, "appliance" includes a fork lift, loader, push-bar, scraper, blade, jib or similar device.

Driving
backwards.

1602. A person shall not drive a motor vehicle in reverse—

- (a) unless he can do so with safety; or
- (b) for a greater distance than is reasonable, having regard to the circumstances.

Driving on
footways
and median
strips.
Amended by
G.G. 2/4/76,
p. 1049;
G.G. 15/1/81,
p. 100.

1603. (1) A person shall not drive—

- (a) a vehicle on a footway which is not a dual use path; or
- (b) a vehicle, other than a bicycle, on a dual use path,

except to cross it by the shortest route on entering or leaving a driveway or lane.

(2) A person shall not drive a vehicle on a median strip, except at a place designed and constructed or improved for use by vehicular traffic.

¹⁶ The provisions of Part XIV of the National Road Traffic Code relating to tram-cars and safety zones are not applicable in this State.

¹⁷ Provisions similar to those of Part XV of the National Road Traffic Code are to be found under sections 59 to 71 (both inclusive) of the Road Traffic Act 1974.

1604. (1) A person shall not drive a vehicle, unless—
- (a) he is in such a position behind the steering wheel that he has full control over the vehicle;
- (b) he can obtain a full and uninterrupted view of the road and any traffic ahead and on each side of him; and
- (c) he can obtain, in a rear-vision mirror or mirrors attached to the vehicle, a clear reflected view of every overtaking vehicle.
- (2) A person shall not act in any manner or occupy such a position on a moving vehicle as will occasion him—
- (a) to interfere with or impede the driver in controlling the vehicle; or
- (b) to prevent the driver and his signals from being clearly seen by the drivers of vehicles, or by pedestrians, in the immediate vicinity.
1605. (1) A person while driving, or travelling in or on, a motor vehicle other than a motor cycle, shall not permit any part of his body or limbs—
- (a) to be upon or in contact with any external part of the vehicle;
- (b) to extend or protrude beyond or through any external door, window or other opening of the vehicle; or
- (c) to extend or protrude beyond or hang over any side or the front, rear or any other external portion of the vehicle.
- (2) This regulation does not prevent a driver from giving any signal authorized or prescribed by these regulations.
- 1606.¹⁸ (1) A motor cycle shall not be used upon a road for the carriage of more than one person in addition to the driver.
- (2) A motor cycle shall not be used upon a road for the carriage of a passenger, unless—
- (a) the motor cycle is provided with foot-rests and a seat, as prescribed by the Vehicle Standards Regulations 1977, as amended from time to time, for use by the passenger; and
- (b) the passenger is sitting upon the prescribed seat, astride the motor cycle, facing forward and using the prescribed foot-rests.
1607. (1) A person shall not drive a motor cycle unless—
- (a) he is wearing securely on his head a protective helmet of a type and standard prescribed in subregulation (2) of this regulation; and
- (b) where any other person of or over the age of six years is riding or being carried on the motor cycle, that other person is wearing securely on his head a protective helmet of a type and standard prescribed in subregulation (2) of this regulation.
- (2) For the purposes of subregulation (1) of this regulation a protective helmet shall—
- (a) be of a type and standard specified in Australian Standard E33-1968 (Protective Helmets for Motor Cyclists) published and reprinted in 1968 by the Standards Association of Australia as amended by Amendment No. 1 so published by the Standards Association of Australia in November, 1968;

Positions
of drivers
and
passengers.

Body or
limbs
protruding
from
vehicles.

Pillion
riding on
motor
cycles.
Amended by
G.G. 10/11/77,
p. 4135.

Drivers and
pillion
passengers
upon motor
cycles to
wear
protective
helmets.
Amended by
G.G. 31/12/75,
p. 4705;
G.G. 30/1/76,
p. 231;
G.G. 18/2/77,
p. 488;
G.G. 19/5/78,
p. 1547;
G.G. 2/2/82,
p. 399.

¹⁸ The provisions of this regulation are not included in the draft National Road Traffic Code. See note to regulation 1612.

- (b) be of a type and standard specified in Australian Standard E43-1968 (Protective Helmets for Racing Motor Cyclists) published in 1968 by the Standards Association of Australia as amended by Amendment No. 1 so published by the Standards Association of Australia in November, 1968; or
- (c) be of a type and standard specified in AS1698-1974 Australian Standard Specification for Protective Helmets for Vehicle Users published in 1974 by the Standards Association of Australia; and
- (d) where fitted with an eye shield, the eye shield shall comply with Australian Standard 1609-1974 (Automotive Eye Protection).

[(3) deleted by G.G. 30/1/76, p. 231.]

(4) The provisions of subregulation (1) of this regulation do not apply so as to require the wearing of a protective helmet by a person who has for reasons relating to his medical condition or for any other reason which the Board considers sufficient; been exempted in writing by the Board from that requirement.

Riding motor cycles "No hands".

Inserted by G.G. 4/3/83, p. 771.

1607A. A person shall not drive a motor cycle without having at least one hand on the handle-bars.

Opening doors and alighting from vehicles.

1608. A person shall not—

- (a) open, or leave open, a door of a vehicle; or
- (b) alight from a vehicle onto a carriageway,

so as to endanger other persons using the road or impede the passage of traffic.

Putting glass, etc. on roads.

1609. (1) A person shall not throw, drop, place or leave or cause or allow to be thrown, dropped, placed or left upon a road any bottle, glass, nail, tack, wire, can, destructive or injurious material or any substance or thing likely to endanger any person, animal or vehicle.

(2) A person who throws, drops, places or leaves anything, or who causes or allows anything to be thrown, dropped, placed or left upon a road, in contravention of subregulation (1) of this regulation, shall, as soon as practicable thereafter, remove it or cause it to be removed.

(3) A person removing a wrecked or damaged vehicle from a road shall remove any glass or other destructive, injurious or dangerous substance or thing that has fallen upon the road from that vehicle.

(4)¹⁹ Where the load or any portion of the load of a vehicle falls from the vehicle to the carriageway, the driver of that vehicle shall immediately—

- (a) reload the fallen object on the vehicle; or
- (b) remove the fallen object from the carriageway to such a position on the side of the road as will, as far as possible, reduce the danger to vehicles and pedestrians.

Securing of loads. Substituted by G.G. 18/2/77, p. 489.

1610. (1) A person shall not drive a vehicle carrying a load, unless the load is so arranged, contained, fastened or covered that the load or any part of it cannot fall or otherwise escape from the vehicle.

(2) A person shall not drive a vehicle carrying a load comprising grain unless that grain is fully covered or enclosed.

Obstructing roads.

1611.²⁰ (1) A person shall not, while on a carriageway or median strip—

- (a) solicit contributions, employment or a ride from an occupant of a vehicle; or

¹⁹ As to dealing with loads falling from heavy vehicles see regulation 1211.

²⁰ The matters covered by this regulation in the draft National Road Traffic Code are those that fail to be dealt with in by-laws under the Local Government Act 1960.

- (b) offer a newspaper, periodical or magazine for sale, to the occupant of a vehicle.

(2) A person in a vehicle shall not buy or offer to buy a newspaper, periodical or magazine from a person who is on a carriageway or median strip.

1612.²¹ (1) A person shall not drive—

- (a) an articulated vehicle to which any other vehicle is attached; or
 (b) any vehicle to which more than one other vehicle is directly or indirectly attached,

except in conformity with such special or general directions as the Commissioner of Main Roads may from time to time give, either directly or by notice in the *Government Gazette*.

(2) A person shall not drive a vehicle towing another vehicle if the towed vehicle is of such weight or dimensions as do not comply with the Vehicle Standards Regulations 1977, as amended from time to time.

(3) A person shall not drive a vehicle that is towing another vehicle, on a road, unless—

- (a) the space between the two vehicles does not exceed four metres or, where either vehicle is a motor cycle, 2.5 metres;
 (b) any rope, chain or wire used for the purposes of the tow has a flag or other suitable object attached to it, so as to render it clearly visible to traffic approaching the tow, laterally; and
 (c) a competent and qualified person is in charge of the towed vehicle, to control it, while on tow.

(4) The provisions of subregulation (3) of this regulation do not apply where a vehicle is being towed in such a manner that some of its wheels are not on the ground; and the Board may, by a permit in writing, waive the requirements of that subregulation, subject to such conditions as it may impose and, in that event, a person shall not cause the vehicle to be towed, except in conformity with those conditions.

(5) A person shall not drive a vehicle towing a trailer or a semi-trailer, while a person is in or upon that trailer or semi-trailer.

(6) A person shall not ride—

- (a) in or upon a trailer or semi-trailer, while it is being towed; or
 (b) in a towed vehicle, unless all wheels of that vehicle are on the ground.

(6a) Subregulations (5) and (6) (a) of this regulation do not apply—

- (a) to the driver of a vehicle towing a trailer or a person riding on a trailer where the trailer is actually engaged in work at the site of road construction or maintenance;
 (b) to the driver of a vehicle towing a semi-trailer or a person riding on a semi-trailer where the semi-trailer is being manually steered,

and does not exceed 15 km per hour.

(7) A person shall not drive a motor cycle that is towing a trailer.

1613. (1) A person shall not, without the authority in writing of the Commissioner of Police, conduct a procession or parade; and a person shall not take part in a procession or parade that has not been authorized pursuant to this regulation.

Towed vehicles, trailers, etc.
 Amended by
 G.G. 10/11/77,
 p. 4135;
 G.G. 20/6/80,
 p. 1810;
 G.G. 23/9/81,
 p. 4097;
 G.G. 2/2/82,
 p. 399.

Processions and public meetings.

²¹ This regulation appears in the draft National Road Traffic Code as regulation 1606.

(2) The Commissioner of Police shall authorize the conduct, subject to such lawful conditions and limitations as he sees fit to impose, of a lawful procession or parade unless he is satisfied that the procession or parade will—

- (a) give rise to an obstruction that is too great or too prolonged, in the circumstances;
- (b) occasion damage to a road; or
- (c) create a public nuisance.

(3) Every person who conducts a procession or parade, or who takes part in a procession or parade that is, to his knowledge, conducted contrary to any condition or limitation imposed pursuant to subregulation (2) of this regulation commits an offence.

(4) A person shall not hold or address any public meeting upon any roads or address any public meeting assembled on any road, from any public or private place adjacent thereto, unless he has first obtained written permission from the Commissioner of Police and except on the date and at the time and place specified in such written permission.

Use of
horns, etc.

1614. A person shall not sound the horn or any other warning instrument on a vehicle, except in a case of emergency or for the purpose of preventing injury to a person or property.

Learners
to display
"L" sign.

1615. (1) A person who is learning to drive a motor vehicle shall not drive it on a road, and the person in charge of a motor vehicle in which a person is learning to drive shall not permit or suffer it to be driven on a road, unless there is conspicuously displayed on the front and the rear of the motor vehicle a plate measuring not less than 150 mm by 150 mm and bearing a black letter "L" clearly marked on a yellow background.

(2) A person shall not drive a motor vehicle displaying a plate bearing a letter "L", unless he is learning to drive the motor vehicle or unless the person sitting beside him is learning to drive it.

Duties of
drivers after
accidents.

1616.²²

Production
of driver's
licence to
police.

1617.²³

Vehicles,
etc., to be
wheeled.

1618. A person shall not drive or draw a vehicle, tractor, machine, implement or other thing or cause it to be driven or drawn, unless—

Amended by
G.G. 10/11/77,
p. 4135.

- (a) provision is made for its movement on wheels and no part of it, other than the wheels, comes into contact with the road; and
- (b) its wheels, rims or tyres, as the case may be, conform with the requirements of Part 8 of the Vehicle Standards Regulations 1977, as amended from time to time.

Creating
excessive
noise.

1619. A person shall not drive a vehicle in a built-up area, residential area, or past a hospital, in such a manner as to create or cause any undue or excessive noise.

Amended by
G.G. 14/4/78,
p. 1111.

Directions
of member
of Police
Force.

1620. (1) Where a member of the Police Force regulating traffic gives a signal to stop, then—

Amended by
G.G. 2/2/82,
p. 399.

- (a) a driver approaching the person giving the signal, from the direction towards which the palm of that person's hand is facing, shall stop his vehicle at a stop line, or the edge of the intersection, or at a reasonable distance from that person, and shall not drive forward, until given the signal to proceed; and

²² Provisions similar to those of regulation 1614 of the National Road Traffic Code are contained in sections 54 and 55 of the Road Traffic Act 1974.

²³ Provisions similar to those of regulation 1615 of the National Road Traffic Code are contained in section 53 (2) of the Road Traffic Act 1974.

(b) a pedestrian shall not cross the carriageway—

- (i) at an intersection, except in the direction in which vehicular traffic is then permitted to proceed; or
- (ii) at a place, other than at an intersection, until given the signal, or otherwise directed, to proceed.

(2) For the purposes of this regulation—

- (a) a signal to stop may be given with either hand, with the upper arm horizontal, the forearm and fingers pointing upwards, and the open palm of the hand facing the traffic that is required to stop; and
- (b) a signal to proceed may be given by extending the arm and fingers horizontally to the body, and then moving the forearm in the direction, with the palm facing towards the direction in which the traffic is required to proceed.

(3) Notwithstanding the provisions of subregulation (1) of this regulation, a driver approaching a member of the Police Force from that person's front or rear shall, where no signal is given, stop his vehicle and not drive forward, until given the signal to proceed.

1621. (1) In this regulation—

“goods vehicle” means a motor vehicle constructed, equipped or fitted principally for the conveyance of goods or merchandise;

“omnibus” means a motor vehicle equipped to seat more than eight persons (including the driver) used for the carriage of passengers for hire or reward;

“passenger car” means a motor vehicle, other than a motor cycle, constructed principally for the conveyance of persons, and includes a motor carrier other than a motorized wheel chair;

“passenger car derivative” means a motor vehicle of the same make as a factory produced passenger car and in which the forward part of the body form and the greater part of the mechanical equipment are the same as those in the passenger car.

Drivers and passengers of motor vehicles to wear seat belts.
Amended by
G.G. 30/1/76,
p. 231;
G.G. 25/3/77,
p. 847;
G.G. 10/11/77,
p. 4135;
G.G. 2/2/79,
p. 305;
G.G. 8/5/81,
p. 1416;
G.G. 29/5/81,
p. 1611.

(2) In subregulations (3), (3a), (4), (4a), (5), and (6) of this regulation—

“motor vehicle” means—

- (a) a passenger car;
- (b) a passenger car derivative; or
- (c) a goods vehicle,

but does not include an omnibus;

“seat belt” means a belt or similar device that is fitted to a motor vehicle and designed to restrain or limit the movement of a person who is seated in the vehicle and wearing the belt or device, if the vehicle suddenly accelerates or decelerates, but does not include—

- (a) a seat belt solely or principally designed to restrain or limit the movement of a person of less than eight years of age; or
- (b) a seat belt which is damaged, or which is defective and is not capable of being worn or of being properly adjusted or securely fastened.

(3) A person shall not, while occupying a seat position in a motor vehicle to which a seat belt has been fitted for that seat position, drive or travel upon a road unless he is wearing that seat belt and the seat belt is properly adjusted and securely fastened.

(3a) Where a person of or over the age of one year and under the age of fourteen years is occupying a seat position in a motor vehicle to which a seat belt has been fitted for that seat position, the driver of that motor vehicle shall not drive or travel upon a road unless that person is wearing the seat belt and it is properly adjusted and securely fastened.

(4) Subject to subregulation (5) of this regulation, a person who is travelling upon a road as a passenger in a motor vehicle fitted with one or more seat belts shall not occupy a seat position which is not fitted with a seat belt unless each seat position for which a seat belt is fitted is occupied by another person.

(4a) Subject to subregulation (5) of this regulation, where a person of or over the age of one year and under the age of fourteen years is travelling upon a road as a passenger in a motor vehicle fitted with one or more seat belts, the driver of the motor vehicle shall not cause or permit that person to occupy a seat position which is not fitted with a seat belt unless each seat position for which a seat belt is fitted is occupied by another person.

(4aa) Where a person of or over the age of one year but under the age of fourteen years is travelling upon a road as a passenger in a motor vehicle the driver of the motor vehicle shall not cause or permit that person to occupy a front seat position which is not fitted with a seat belt unless every rear seat position is occupied, including a position for which a seat belt is not fitted.

(4ab) For the purposes of subregulation (4aa), a rear seat position is unoccupied if seating on the rear seat can be readily made available for the person in question.

(4b) It is a defence to a complaint under subregulation (3a), (4a) or (4aa) of this regulation that the person referred to in the complaint who was a passenger in the vehicle is under the age of eight years and was wearing a child-restraining device complying with the standard specified in Australian Standard E46-1970 "Child-Restraining Devices for Passenger Cars" or otherwise approved by the Authority and that it was properly adjusted and securely fastened.

(5) A person who is travelling upon a road as a passenger in a motor vehicle—

- (a) which is equipped with front and rear seat positions; and
- (b) in which a front seat position fitted with a seat belt is unoccupied by another person,

may lawfully occupy a rear seat position for which a seat belt is not fitted if there is no other rear seat position unoccupied for which a seat belt is fitted.

(6) Subject to subregulation (7) of this regulation, it is a defence to a complaint against a person under subregulation (3) or (4) of this regulation that the person—

- (a) is driving or travelling in a motor vehicle that is travelling backwards;
- (b) is in possession of a certificate signed by a legally qualified medical practitioner certifying that the person is unable for medical reasons to wear a seat belt, or that because of the person's size, build or other physical characteristic, it would be unreasonable to require him to wear a seat belt, while driving or travelling in a motor vehicle;
- (c) is actually engaged on work which requires him to alight from and re-enter a motor vehicle at frequent intervals and does not, while so engaged, drive or travel in that motor vehicle at a speed exceeding twenty-five kilometres per hour;
- (d) is under the age of fourteen years; or
- (e) is travelling as a passenger in a motor vehicle and is of or over the age of seventy years.

(6a) Subject to subregulation (7) of this regulation, it is a defence to a complaint against a person under subregulation (3a) or (4a) of this regulation that a medical certificate described in subregulation (6) (b) is in effect for the person referred to in the complaint who was a passenger in the vehicle.

(7) Where a certificate of the kind referred to in paragraph (b) of subregulation (6) of this regulation is expressed to be of effect for a specified period, the certificate shall cease to have effect for the purposes of that subregulation at the expiration of the period so specified.

PART XVII.²⁴—UNATTENDED AND UNAUTHORIZED VEHICLES
AND STOCK ON ROADS.

Heading.
Amended by
G.G. 11/5/79,
p. 1221.

1701. (1) A member of the Police Force may remove an unattended vehicle or cause it to be removed, from a road to a police station, or any other place where it may conveniently be detained, if—

Removal of
unattended
vehicles.
Amended by
G.G. 20/10/78,
p. 3762;
G.G. 2/2/82,
p. 399.

- (a) he has reasonable cause to believe it is an unlicensed vehicle, or is fitted with an identification tablet or plate that was not issued by the licensing authority for the vehicle;
- (b) it is not fitted with an identification tablet or plate;
- (c) it is apparently abandoned;
- (d) it is so parked as to cause an obstruction, or to constitute a danger to traffic; or
- (e) he has reasonable cause to believe it has been involved in an accident, on the road.

(2) Where a vehicle is moved under the provisions of this regulation, the cost of removing the vehicle may be recovered from the owner on complaint, in a Court of Petty Sessions.

1702. (1) A person in charge of stock shall not—

- (a) allow it to stray onto a road; or
- (b) having taken stock onto a road, allow it to remain there unattended, or inadequately attended.

Unattended
stock on
roads.
Substituted by
G.G. 11/5/79,
p. 1221.
Amended by
G.G. 6/11/81,
p. 4529;
G.G. 2/2/82,
p. 399.

(2) It is a defence to a complaint under subregulation (1) of this regulation, of allowing stock to stray onto a road, that all reasonable precautions were taken to prevent the stock from straying onto the road.

(3) Any stock that is straying on, unattended on or obstructing any portion of, a road, may be seized by a member of the Police Force or an officer of the local authority of the district and placed in a public pound.

1702A. A person shall not drive stock along or across a road unless he—

- (a) takes all reasonable precautions to warn approaching traffic of the presence of the stock; and
- (b) arranges the driving of the stock at such times, and in such numbers, and establishes such control of the stock on the road, as is likely to prevent it causing unreasonable delay to the passage of other traffic.

Restrictions on
driving
of stock.
Inserted by
G.G. 6/11/81,
p. 4529.

1703. (1) A person shall not drive a herd of cattle or a flock of sheep into, or along, a road or public place within a town without first having obtained the permission in writing therefor, from the Board.

Permit for
driving
of stock.
Amended by
G.G. 2/2/82,
p. 399.

(2) The Board may, when granting permission for the purposes of this regulation, restrict the operation of the permit to such times and places as it thinks fit.

(3) A person shall not drive animals in respect of which a permit has been issued under this regulation, except in accordance with the terms and conditions of the permit.

²⁴ See Note 3, regulation 102.

PART XVIII.²⁵—SPECIAL REGULATIONS APPLYING TO SPECIFIC LOCALITIES.

Restrictions on reversing in City Block.
Amended by G.G. 2/4/76, p. 1049.

1801. (1) A person shall not, between the hours of 8 a.m. and 12.30 p.m. on Saturdays, and between the hours of 8 a.m. and 6 p.m. on any other day of the week, except Sunday, drive a vehicle in reverse into, or out of, any road or any private lane, driveway, right of way or premises—

- (a) situated within the City Block, Perth; or
- (b) giving access to any road situated between St. George's Terrace and the Swan River.

(2) This regulation does not apply to the driving of a vehicle in reverse into, or out of, a road or any private lane, driveway, right of way or premises where—

- (a) the Minister has by notice in writing directed that the provisions of subregulation (1) of this regulation do not apply to the road, private lane, driveway, right of way or premises during specified hours; and
- (b) a traffic sign is erected, established or displayed thereat specifying the hours during which the exemption applies.

(3) For the purposes of this regulation "City Block, Perth" means all that portion of the municipal district of the City of Perth contained within and bounded by the furthestmost property lines of—

- (a) Wellington Street between George Street and Lord Street;
- (b) Lord Street between Wellington Street and Victoria Square;
- (c) that portion of Victoria Square west of the eastern property lines of Lord Street and Victoria Avenue;
- (d) Victoria Avenue between Victoria Square and St. George's Terrace;
- (e) St. George's Terrace between Victoria Avenue and St. George's Place; and
- (f) St. George's Place and George Street between St. George's Terrace and Wellington Street.

[1802 repealed by G.G. 15/1/81, p. 100.]

Restrictions on driving on freeways.
Amended by G.G. 15/8/75, p. 2967; G.G. 17/8/79, p. 2488; G.G. 15/1/81, p. 100; G.G. 27/2/81, p. 806; G.G. 2/2/82, p. 399.

1803. (1) A person shall not on any portion of a freeway—

- (a) zoned at 80 kilometres per hour or more, drive a vehicle at less than 60 kilometres per hour unless prevented from doing so by traffic congestion or unless for any other reason it is unsafe to drive at that speed;
- (b) drive a vehicle, while being the holder of a learner's permit;
- (c) drive a vehicle that is over-weight, over-length or over-width, except with the consent of the Board;
- (d) drive a tractor, other than the prime mover type, unless the vehicle is used by a government department or a municipality for maintenance and construction work on that road;

²⁵ See Note 3, regulation 102.

- (e) drive or ride a moped or an animal; or
- (f) ride a bicycle, except on a dual use path on the Narrows Bridge or on any approach road to it.

(2) In paragraph (f) of subregulation (1) of this regulation—

“approach road” means—

- (a) any of the roads used or intended to be used for the purpose of entering on or departing from the Narrows Bridge; and
- (b) that portion of the road known as South Perth Esplanade between the Kwinana Freeway and the southern boundary of the road known as Queen Street.

1804. (1) Except in the event of an emergency or breakdown, or to assist a person apparently in need of assistance, a person shall not—

Restrictions on standing etc., on freeways.

- (a) stand a vehicle on, or on any approach road to, or on the median strip or any consolidated shoulder of, a freeway; or
- (b) walk within the enclosure of a freeway.

(2) The provisions of this regulation do not apply to persons carrying out inspections or maintenance work for a competent authority.

1805. (1) A person shall not drive a vehicle into a pedestrian mall unless that vehicle is—

Restrictions on traffic in pedestrian mall.
Amended by G.G. 2/2/82, p. 399.

- (a) an omnibus;
- (b) an emergency vehicle;
- (c) a special purpose vehicle;
- (d) being used by a medical practitioner in the practice of his profession;
- (e) a taxi conveying a lodger to or from premises to which access is ordinarily gained from the pedestrian mall and in respect of which a hotel licence is in force under the Liquor Act 1970;
- (f) a service vehicle which is being driven during a period when such service vehicles are permitted to enter the pedestrian mall as designated by signs erected at the entrance thereto; or
- (g) a vehicle in respect of which the Board has issued its approval in writing, authorizing the use of the vehicle in the pedestrian mall.

(2) A person shall not drive a vehicle in a pedestrian mall at a speed in excess of 10 kilometres per hour.

1806. (1) In this regulation—

“King’s Park” means all the land set apart as Reserve No. A 1720 under the Land Act 1933.

Restrictions on driving in King’s Park.
Amended by G.G. 10/11/77, p. 4135.

(2) Notwithstanding any other provision in these regulations, a person shall not, in King’s Park—

- (a) drive a vehicle at a speed in excess of 40 kilometres per hour; or
- (b) except with the approval of the King’s Park Board, drive a goods vehicle with an unladen mass in excess of 1 524 kg or a tractor.

PART XIX.²⁶—PENALTIES.

Penalties.
Amended by
G.G. 2/11/81,
p. 4520.
G.G. 14/1/83,
p. 214.

1901. (1) A person who contravenes or fails to comply with any of the provisions of these regulations, commits an offence.

(2) A person who commits an offence against these regulations is liable to a penalty not exceeding \$400 and, for a subsequent offence, to a penalty not exceeding \$800.

(3) For the purposes of subregulation (2) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations, against the Road Traffic Code 1965, as amended at any time or against the Road Traffic Code 1974, as amended at any time.

[Schedule deleted by G.G. 14/4/78, p. 1111.]

²⁶ See Note 3, regulation 102.