



Queensland

Transport Legislation Amendment Regulation (No. 3) 2004

Subordinate Legislation 2004 No. 300

made under the

Transport Operations (Road Use Management) Act 1995

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Transport Legislation Amendment Regulation (No. 3) 2004*.

2 Commencement

This regulation commences on 1 January 2005.

Part 2 Amendment of Traffic Regulation 1962

3 Regulation amended in pt 2

This part amends the *Traffic Regulation 1962*.

4 Omission of s 147 (Persons must not solicit from roads)

Section 147—
omit.

Part 3 Amendment of Transport Operations (Road Use Management—Driver Licensing) Regulation 1999

5 Regulation amended in pt 3

This part amends the *Transport Operations (Road Use Management—Driver Licensing) Regulation 1999*.

6 Amendment of sch 3 (Demerit points)

- (1) Schedule 3, section 7, ‘section 69(2) or (3)’—
omit, insert—
‘section 69(2), (2A) or (3)’.
- (2) Schedule 3, section 21, ‘section 163(1)’—
omit, insert—
‘section 163(2), (3) or (4)’.
- (3) Schedule 3, section 21, ‘section 164(1)’—
omit, insert—
‘section 164(2), (3) or (4)’.

Part 4 Amendment of Transport Operations (Road Use Management—Road Rules) Regulation 1999

7 Regulation amended in pt 4

This part amends the *Transport Operations (Road Use Management—Road Rules) Regulation 1999*.

8 Amendment of s 26 (Division does not apply to certain turns)

Section 26—

insert—

- ‘(1A) Subsection (1)(a) is subject to section 43(1).¹’.

¹ Section 43 (Starting and making turns into or from road-related areas or adjacent land)

- 9 Amendment of s 27 (Starting a left turn from a road (except a multi-lane road))**
Section 27(2), definition *road*, from ‘, but’ to ‘on the road’—
omit.
- 10 Amendment of s 28 (Starting a left turn from a multi-lane road)**
Section 28(1)(b), ‘Lights’—
omit, insert—
‘lights’.
- 11 Amendment of s 29 (Making a left turn as indicated by a road marking)**
Section 29, after ‘marking’, second mention—
insert—
‘unless the driver is turning, at B lights or a white traffic arrow, under part 17, division 2’.
- 12 Amendment of s 30 (Division does not apply to certain turns)**
Section 30—
insert—
(1A) Subsection (1)(c) is subject to section 43(2).².
- 13 Amendment of s 32 (Starting a right turn from a multi-lane road)**
Section 32(1)(b), ‘Lights’—
omit, insert—
‘lights’.

² Section 43 (Starting and making turns into or from road-related areas or adjacent land)

14 Amendment of s 33 (Making a right turn)

Section 33(1), after ‘section’—

insert—

‘unless the driver is turning, at B lights or a white traffic arrow, under part 17, division 2’.

15 Amendment of s 43 hdg (Starting and making turns)

Section 43, heading, after ‘turns’—

insert—

‘into or from road-related areas or adjacent land’.

16 Amendment of s 48 (Giving a right change of direction signal)

Section 48—

insert—

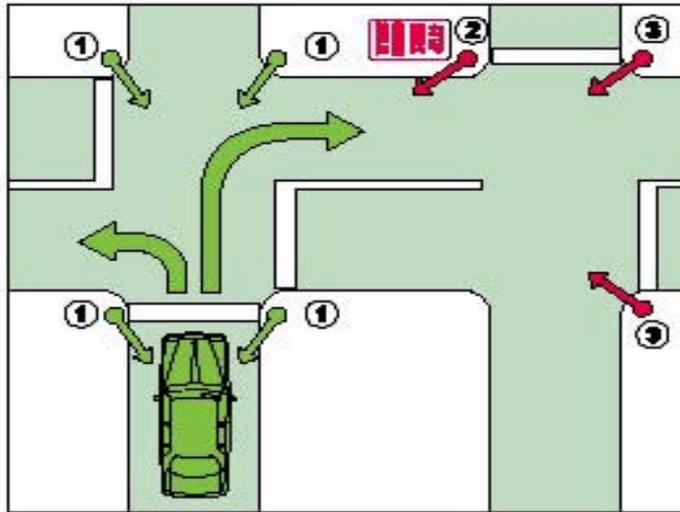
‘(3A) Subsection (3) does not apply to the rider of a bicycle that is stopped in traffic but not parked.’.

17 Amendment of s 56 (Stopping on a red traffic light or arrow)

Section 56(1), example—

omit, insert—

‘Example for subsection (1)(a)(ii)—



Stopping at a stop here on red signal sign

In this example the driver may go straight ahead, or turn right or left, if there is a green traffic light showing at 1. However, the driver must not go beyond the stop here on red signal sign at 2 if there is a red traffic light showing on the road the driver is entering (see 2 and 3).

18 Replacement of s 57 (Stopping for a yellow traffic light or arrow)

Section 57—

omit, insert—

‘57 Stopping for a yellow traffic light or arrow

- (1) A driver who is approaching, or at, traffic lights showing a yellow traffic light—
- (a) must stop—
 - (i) if there is a stop line at or near the traffic lights and the driver can stop safely before reaching the stop line—as near as practicable to, and before reaching, the stop line; or

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- (ii) if there is no stop line at or near the traffic lights and the driver can stop safely before reaching the traffic lights—as near as practicable to, and before reaching, the nearest traffic lights; or
 - (iii) if the traffic lights are at an intersection and the driver can not stop safely under subparagraph (i) or (ii), but can stop safely before entering the intersection—before entering the intersection; and
- (b) must not proceed until the traffic lights—
- (i) change to green or flashing yellow; or
 - (ii) show no traffic light.

Maximum penalty—20 penalty units.

‘(2) A driver who is approaching, or at, traffic arrows showing a yellow traffic arrow, and turning in the direction indicated by the arrow—

- (a) must stop—
- (i) if there is a stop line at or near the traffic arrows and the driver can stop safely before reaching the stop line—as near as practicable to, and before reaching, the stop line; or
 - (ii) if there is no stop line at or near the traffic arrows and the driver can stop safely before reaching the traffic arrows—as near as practicable to, and before reaching, the nearest traffic arrows; or
 - (iii) if the traffic arrows are at an intersection and the driver can not stop safely under subparagraph (i) or (ii), but can stop safely before entering the intersection—before entering the intersection; and
- (b) must not proceed until the traffic arrows—
- (i) change to green or flashing yellow; or
 - (ii) show no traffic arrow.

Maximum penalty—20 penalty units.

‘(3) If the traffic lights or arrows are at an intersection and the driver can not stop safely under subsection (1) or (2) and

enters the intersection, the driver must leave the intersection as soon as the driver can do so safely.

Maximum penalty—20 penalty units.’.

19 Amendment of s 59 (Proceeding after stopping for a yellow traffic light)

- (1) Section 59, heading, before ‘**traffic**’—

insert—

‘**or red**’.

- (2) Section 59(1)—

omit, insert—

- ‘(1) If traffic lights at an intersection or marked foot crossing are showing a red traffic light, a driver must not enter the intersection or marked foot crossing.

Maximum penalty—20 penalty units.’.

20 Amendment of s 67 (Stopping and giving way at a stop sign or stop line at an intersection without traffic lights)

Section 67(5)—

omit.

21 Amendment of s 69 (Giving way at a give way sign or give way line at an intersection)

- (1) Section 69, heading, after ‘**intersection**’—

insert—

‘, **other than a roundabout**’.

- (2) Section 69(1), after ‘intersection’—

insert—

‘, other than a roundabout,’.

- (3) Section 69(2), ‘The driver’—

omit, insert—

‘Unless the driver is turning left using a slip lane, the driver’.

(4) Section 69—

insert—

‘(2A) If the driver is turning left using a slip lane, the driver must give way to—

(a) a vehicle, other than a vehicle making a U-turn at the intersection, that is—

(i) on the road that the driver is entering; or

(ii) turning right at the intersection into the road that the driver is entering; and

(b) a vehicle or a pedestrian on the slip lane.

Maximum penalty—20 penalty units.’.

(5) Section 69(4)—

omit.

22 Insertion of new s 69A

After section 69—

insert—

‘69A Two or more drivers facing various signs or lines at an intersection

‘If 2 or more drivers at an intersection are each facing a stop sign, stop line, give way sign or give way line, each driver must give way to the other or others, as required under division 2, as if none of the drivers were facing a stop sign, stop line, give way sign or give way line.

Maximum penalty—20 penalty units.’.

23 Amendment of s 74 (Giving way when entering a road from a road-related area or adjacent land)

Section 74(1), from ‘give way to—’—

omit, insert—

‘give way to all of the following—

- (a) a vehicle travelling on the road or turning into the road, other than a vehicle turning right into the road from a road-related area or adjacent land;
- (b) a pedestrian on the road;
- (c) a vehicle or a pedestrian on a road-related area that the driver crosses to enter the road;
- (d) for a driver entering the road from a road-related area—
 - (i) a pedestrian on the road-related area; and
 - (ii) another vehicle ahead of the driver’s vehicle or approaching from the left or right.

Maximum penalty—20 penalty units.’.

24 Amendment of s 77 (Giving way to buses)

Section 77(1), after ‘traffic’, first mention—

insert—

‘, or in a bicycle lane on the far left side of the road’.

25 Amendment of s 91 (No left turn and no right turn signs)

Section 91—

insert—

- ‘(3) However, a driver may make a U-turn at an intersection mentioned in subsection (2) if there is a U-turn permitted sign at the intersection.’.

26 Amendment of s 104 (No trucks signs)

Section 104—

insert—

- ‘(4) Subsections (1) to (3) do not apply to a driver if—
- (a) the destination of the driver’s vehicle is on or near the road on which the no trucks sign is located; and
 - (b) the driver—

- (i) can not reach the vehicle's destination by another route; or
- (ii) can reach the vehicle's destination by another route only by driving past another no trucks sign.'.

27 Amendment of s 109 (What is a roundabout)

Section 109(a)—

omit, insert—

'(a) either—

- (i) 1 or more marked lanes, all of which are for the use of vehicles travelling in the same direction around a central traffic island; or
- (ii) room for 1 or more lines of traffic travelling in the same direction around a central traffic island; and'.

28 Amendment of s 111 (Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction)

(1) Section 111(1), '2 or more lines of traffic'—

omit, insert—

'room for 2 or more lines of traffic, other than animals, bicycles, motorbikes or motorised wheelchairs,'.

(2) Section 111(2), from 'roundabout', second mention—

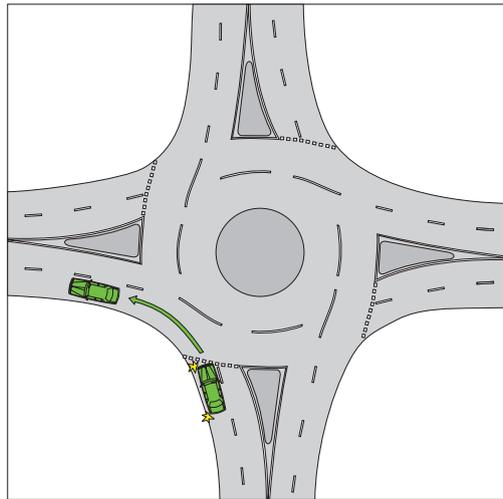
omit, insert—

'roundabout—

- (a) from the left marked lane; or

- (b) if the road is not a multi-lane road—as near as practicable to the left side of the road.

Example—



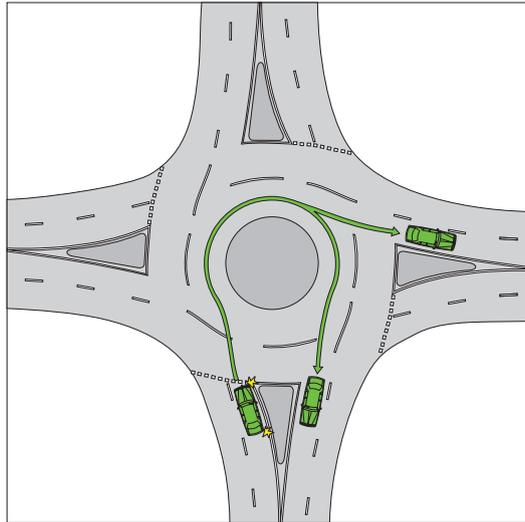
Example 1

Leaving a roundabout less than halfway around it’.

- (3) Section 111(3), from ‘from’ —
omit, insert—
‘from—
(a) the right marked lane; or

- (b) if the road is not a multi-lane road—the left of, parallel to, and as near as practicable to, the dividing line or median strip of the road.

Example—



Example 2

Leaving a roundabout more than halfway around it'.

- (4) Section 111(4), from 'from'—

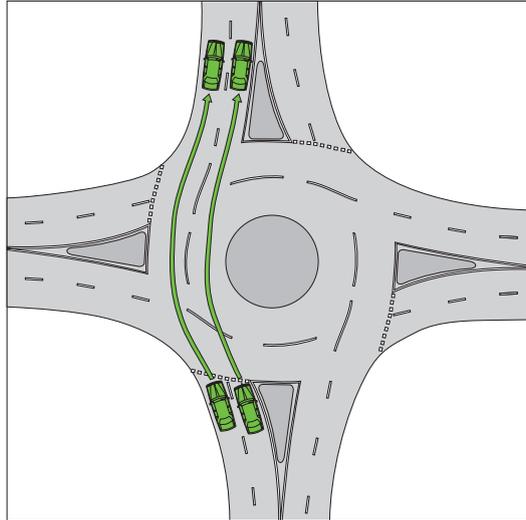
omit, insert—

'from—

- (a) any marked lane; or

- (b) if the road is not a multi-lane road—any part of the road on which vehicles travelling in the same direction as the driver may travel.

Example—



Example 3

Leaving a roundabout halfway around it’.

- (5) Section 111(6), examples—
relocate to section 111(5).
- (6) Section 111—
insert—
- ‘(7) Subsection (5) does not apply to the rider of a bicycle or an animal if the rider is to leave the roundabout more than halfway around it.
- ‘(8) Despite subsection (2), a driver may approach and enter the roundabout from the marked lane next to the left lane as well as, or instead of, the left lane if—
- (a) the driver’s vehicle, together with any load or projection, is at least 7.5 m long; and
- (b) the vehicle displays a do not overtake turning vehicle sign; and

- (c) any part of the vehicle is within 50 m of the nearest point of the roundabout; and
 - (d) it is not practicable for the driver to leave the roundabout less than halfway around it from within the left lane; and
 - (e) the driver can safely occupy the next marked lane and can safely leave the roundabout less than halfway around it by occupying the next marked lane or both lanes.
- ‘(9) Despite subsection (3), a driver may approach and enter the roundabout from the marked lane next to the right lane as well as, or instead of, the right lane if—
- (a) the driver’s vehicle, together with any load or projection, is at least 7.5 m long; and
 - (b) the vehicle displays a do not overtake turning vehicle sign; and
 - (c) any part of the vehicle is within 50 m of the nearest point of the roundabout; and
 - (d) it is not practicable for the driver to leave the roundabout more than halfway around it from within the right lane; and
 - (e) the driver can safely occupy the next marked lane and can safely leave the roundabout more than halfway around it by occupying the next marked lane or both lanes.
- ‘(10) In this section—
- left lane*** means—
- (a) the marked lane nearest to the far left side of the road; or
 - (b) if there is an obstruction, including, for example, a parked car or roadworks in that marked lane—the marked lane nearest to that marked lane that is not obstructed.

marked lane, for a driver, does not include a special purpose lane in which the driver is not permitted to drive.

right lane means—

- (a) the marked lane nearest to the dividing line or median strip of the road; or
- (b) if there is an obstruction, including, for example, a parked car or roadworks in that marked lane—the marked lane nearest to that marked lane that is not obstructed.’.

29 Amendment of s 117 (Giving a change of direction signal when changing marked lanes or lines of traffic in a roundabout)

- (1) Section 117(1), ‘line of traffic to the left’—

omit, insert—

‘part of the roundabout where there is room for another line of traffic to the left’.

- (2) Section 117(2), ‘line of traffic to the right’—

omit, insert—

‘part of the roundabout where there is room for another line of traffic to the right’.

30 Amendment of s 119 (Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout)

Section 119, ‘2 or more lines of traffic’—

omit, insert—

‘room for 2 or more lines of traffic, other than animals, bicycles, motorbikes or motorised wheelchairs’.

31 Insertion of new s 128A

Part 11, division 1, after section 128—

insert—

‘128A Entering blocked crossing

‘A driver must not enter a children’s crossing, marked foot crossing or pedestrian crossing if the driver can not drive

through the crossing because the crossing, or a road beyond the crossing, is blocked.

Maximum penalty—20 penalty units.

Example—

The crossing, or a road beyond the crossing, may be blocked by congested traffic, a disabled vehicle, a collision between vehicles or between a vehicle and a pedestrian, or a fallen load on the road.’

32 Amendment of s 129 (Keeping to the far left side of a road)

Section 129(1), from ‘road’, first mention, to ‘must’—

omit, insert—

‘road, other than a multi-lane road, must’.

33 Amendment of s 134 (Exceptions to keeping to the left of a dividing line)

Section 134(2), ‘line to overtake another driver.’—

omit, insert—

‘line—

- (a) to overtake another driver; or
- (b) to perform a U-turn, unless the driver is prohibited from performing the U-turn under another provision of this regulation.’.

34 Amendment of s 136 (Driving on a one-way service road)

Section 136, from ‘used’ to ‘road.’—

omit, insert—

‘closest to the service road must travel.’.

35 Amendment of s 138 (Keeping off a painted island)

Section 138(2), ‘painted island’, first mention—

omit, insert—

‘painted island for up to 50 m’.

36 Amendment of s 141 (No overtaking etc to the left of a vehicle)

Section 141(1)—

insert—

‘(c) the vehicle is stationary and can be safely overtaken to the left of the vehicle.’.

37 Amendment of s 147 (Moving from 1 marked lane to another marked lane across a continuous line separating the lanes)

(1) Section 147(c), ‘this regulation’—

omit, insert—

‘subsection (2)’.

(2) Section 147—

insert—

‘(2) A driver on a multi-lane road may move from 1 marked lane to another marked lane by crossing a continuous line separating the lanes if—

(a) the driver makes the move to approach or enter an intersection from the multi-lane road and section 28(2) or 32(2) applies to the driver for the purpose of making the move; or

(b) the driver makes the move to approach or enter a roundabout from the multi-lane road and section 111(8) or (9) applies to the driver for the purpose of making the move.’.

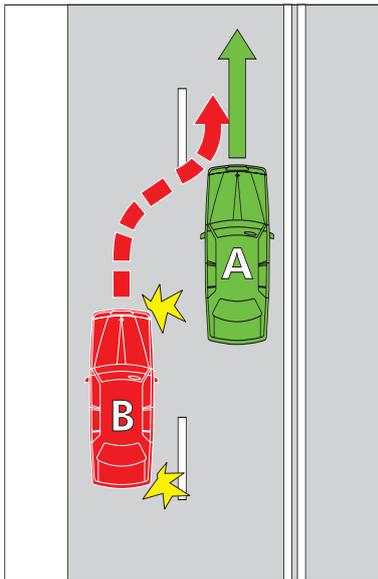
38 Amendment of s 148 (Giving way when moving from 1 marked lane or line of traffic to another marked lane or line of traffic)

Section 148(1)—

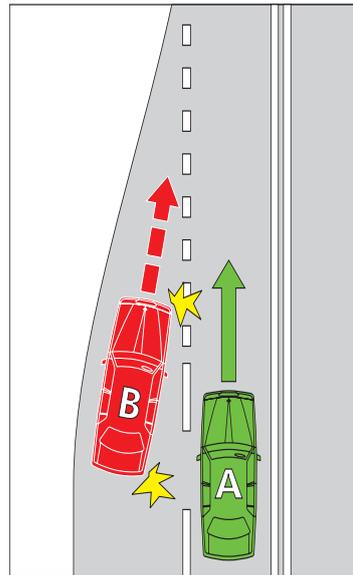
insert—

‘Examples—

Example 1



Example 2



In these examples, vehicle B must give way to vehicle A’.

39 Amendment of s 150 (Driving on or across a continuous white edge line)

Section 150—

insert—

- ‘(3) For this section, a driver drives over a continuous white edge line on a road if—
- (a) for a line on the far left side of the road—the driver’s vehicle is completely or partly to the left of the line; or
 - (b) for a line on the far right side of the road—the driver’s vehicle is completely or partly to the right of the line.’.

40 Amendment of s 158 (Exceptions to driving in special purpose lanes etc)

Section 158(1)(d), ‘line of traffic’—

omit, insert—

‘part of the road where there is room for a line of traffic, other than animals, bicycles, motorbikes or motorised wheelchairs’.

41 Amendment of s 160 (Passing or overtaking a tram that is not at or near the left side of the road)

Section 160(2), after ‘tram’, second mention—

insert—

‘, unless a traffic sign or a road marking indicates that the driver may drive past, or overtake, the tram to the right of the tram’.

42 Replacement of ss 163 and 164

Sections 163 and 164—

omit, insert—

‘163 Driving past the rear of a stopped tram at a tram stop

‘(1) This section applies if—

- (a) a driver is driving behind the rear of a tram travelling in the same direction as the driver; and
- (b) the tram stops at a tram stop, other than a tram stop at the far left side of the road; and
- (c) there is no safety zone, dividing strip or traffic island between the tram and the part of the road where the driver is driving.

‘(2) The driver must stop before passing the rear of the tram.

Maximum penalty—20 penalty units.

‘(3) After stopping under subsection (2), the driver must not drive past the tram if—

- (a) the tram’s doors are open; or

(b) a pedestrian is entering or crossing the road between the tram tracks and the far left side of the road.

Maximum penalty—20 penalty units.

‘(4) Also, after stopping under subsection (2), the driver must not drive past the tram at a speed over 10 km/h.

Maximum penalty—20 penalty units.

‘(5) Subsections (2) to (4) do not apply to a driver if the driver is directed to drive past the tram by an authorised officer.

‘(6) In this section—

tram includes a bus travelling along tram tracks.

‘164 Stopping beside a stopped tram at a tram stop

‘(1) This section applies if—

(a) a driver is driving alongside, or overtaking, a tram travelling in the same direction as the driver; and

(b) the tram stops at a tram stop, other than a tram stop at the far left side of the road; and

(c) there is no safety zone, dividing strip or traffic island between the tram and the part of the road where the driver is driving.

‘(2) The driver must stop when the tram stops.

Maximum penalty—20 penalty units.

‘(3) After stopping under subsection (2), the driver must not drive past, or overtake, the tram if—

(a) the tram’s doors are open; or

(b) a pedestrian is entering or crossing the road between the tram tracks and the far left side of the road.

Maximum penalty—20 penalty units.

‘(4) Also, after stopping under subsection (2), the driver must not drive past, or overtake, the tram at a speed over 10 km/h.

Maximum penalty—20 penalty units.

‘(5) Subsections (2) to (4) do not apply to a driver if the driver is directed to drive past the tram by an authorised officer.

‘(6) In this section—

tram includes a bus travelling along tram tracks.’.

43 Amendment of s 165 (Stopping in an emergency etc or to comply with another provision)

Section 165(c), after ‘emergency’—

insert—

‘, or to assist a disabled vehicle’.

44 Amendment of s 170 (Stopping in or near an intersection)

Section 170(1)—

omit, insert—

‘(1) A driver must not stop at a place in an intersection unless—

(a) the driver is permitted to stop at the place under this regulation; or

(b) the intersection is a T-intersection without traffic lights and the driver stops along the continuous side of the continuing road at the intersection.

Maximum penalty—20 penalty units.’.

45 Amendment of s 176 (Stopping on a clearway)

Section 176(1), after ‘road’—

insert—

‘, other than a road-related area.’.

46 Amendment of s 198 (Obstructing access to and from a footpath, driveway etc)

(1) Section 198(2)(a)—

omit, insert—

‘(a) the driver—

- (i) is dropping off or picking up passengers; and
- (ii) does not leave the vehicle unattended; and
- (iii) completes the dropping off or picking up of the passengers, and drives on, as soon as practicable and, in any case, within 2 minutes after stopping; or’.

(2) Section 198—

insert—

‘(3) For subsection (2)(a)(ii), a driver leaves a vehicle unattended if the driver is more than 3 m from the closest part of the vehicle.’.

47 Amendment of s 200 (Stopping on roads—heavy and long vehicles)

(1) Section 200(2), ‘subsection (2A)’—

omit, insert—

‘subsections (2A) and (2B)’.

(2) Section 200(2A)—

renumber as section 200(2B).

(3) Section 200—

insert—

‘(2A) The driver of a heavy vehicle, or long vehicle, may stop on a length of road in a built-up area for longer than 1 hour if the driver is engaged in dropping off or picking up goods for all of the period when the vehicle is stopped.’.

(4) Section 200(2B), as renumbered, ‘Subsection (2) applies’—

omit, insert—

‘Subsections (2) and (2A) apply’.

48 Insertion of new s 203A

Part 12, division 6, after section 203—

insert—

‘203A Stopping in a slip lane

‘A driver must not stop in a slip lane unless—

- (a) a parking control sign applies to the place where the driver stops; and
- (b) the driver is permitted to stop at the place under this regulation.

Maximum penalty—20 penalty units.’.

49 Amendment of s 205 (Parking for longer than indicated)

Section 205—

insert—

- ‘(2) For subsection (1), a driver parks continuously on a length of road, or in an area, to which a permissive parking sign applies from the time when the driver parks on the length of road or in the area until the driver or another driver moves the vehicle off the length of road or out of the area.’.

50 Amendment of s 208 (Parallel parking on a road (except in a median strip parking area))

Section 208(2)—

omit, insert—

- ‘(2) The driver must position the vehicle to face—
 - (a) in the direction of travel of vehicles in the marked lane or line of traffic on, or next to, the part of the road where the driver parks; or
 - (b) if there is no traffic on, or next to, the part of the road—in the direction in which vehicles ordinarily travel on, or next to, the part of the road.’.

51 Amendment of s 209 (Parallel parking in a median strip parking area)

Section 209(2)(a)—

omit, insert—

‘(a) to face—

- (i) in the direction of travel of vehicles in the marked lane or line of traffic to the left of the driver; or
- (ii) if there is no traffic to the left of the driver—in the direction in which vehicles ordinarily travel on the part of the road to the left of the driver; and’.

52 Amendment of s 210 (Angle parking)

(1) Section 210(1), from ‘and information’ to ‘the driver’—

omit, insert—

‘and information on the sign includes the words ‘angle parking’ or ‘angle’, or the road marking indicates a particular angle for parking, the driver’.

(2) Section 210(2)—

omit, insert—

‘(2) If the parking control sign or road marking indicates that the vehicle must be positioned at a stated angle, other than 90°, the driver must position the vehicle—

- (a) at an angle as near as practicable to the stated angle; and
- (b) if the vehicle is parked on the side of the road—with the rear of the vehicle nearest to the centre of the road.

‘(2A) If the parking control sign or road marking does not indicate an angle at which the vehicle must be positioned, the driver must position the vehicle—

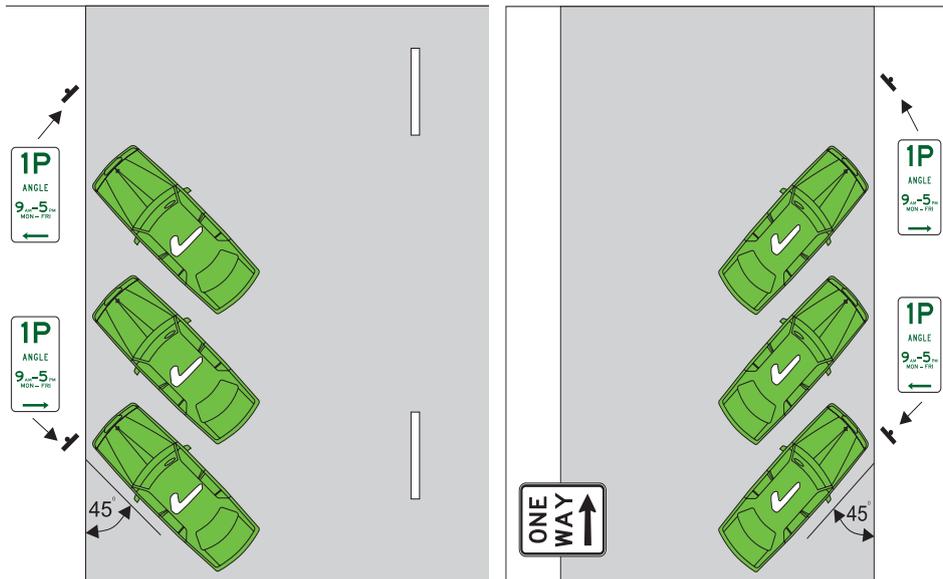
- (a) at an angle as near as practicable to 45°, as shown in example 1 or 2; and

- (b) if the vehicle is parked on the side of the road—with the rear of the vehicle nearest to the centre of the road.

Examples—

Example 1

Example 2



Parking at 45° at the side of a two-way road

Parking at 45° at the side of a one-way road

- ‘(2B) Subsections (2) and (2A) do not apply if the road marking or information on the parking control sign includes the words ‘rear in’, or similar words.’.
- (3) Section 210(3), ‘information on or with’—
omit.
- (4) Section 210(3)(b)—
omit, insert—
- ‘(b) if the vehicle is parked on the side of the road—
- (i) if the road marking, or information on the sign, includes the words ‘rear in’, or similar words—must position the vehicle with the front of the vehicle nearest to the centre of the road; or

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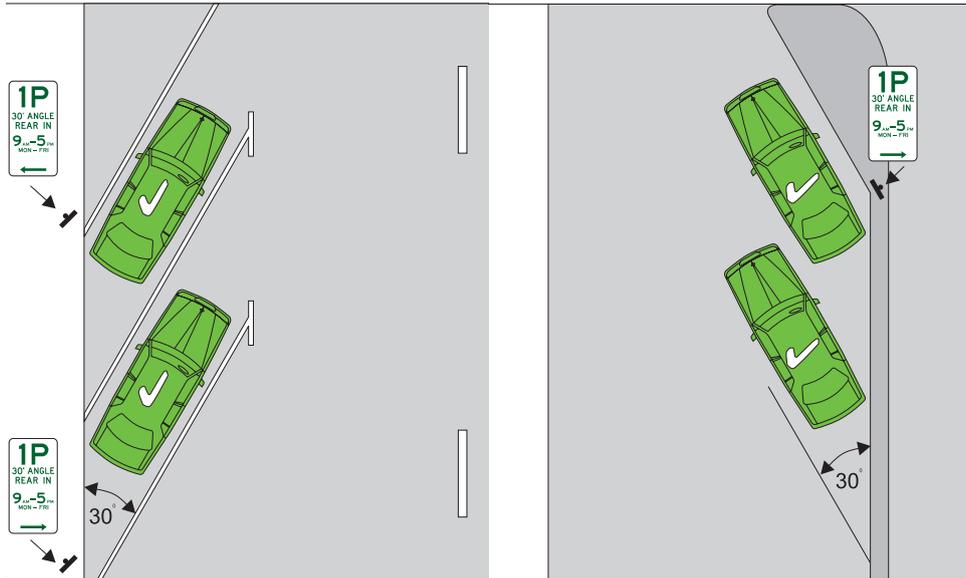
- (ii) if the road marking, or information on the sign, includes the words ‘front in’ or similar words—must position the vehicle with the rear of the vehicle nearest to the centre of the road; or
 - (iii) otherwise—may position the vehicle with either the front or rear of the vehicle nearest to the centre of the road.’.
- (5) Section 210(4)—
omit, insert—
- ‘(4) If the road marking, or information on the parking control sign, includes the words ‘rear in’, or similar words, the driver must position the vehicle—
 - (a) at an angle as near as practicable to—
 - (i) if the road marking or sign indicates that the vehicle must be positioned at a stated angle—the stated angle; or
 - (ii) if the road marking or sign does not indicate an angle at which the vehicle must be positioned—45°; and

- (b) if the vehicle is parked on the side of the road—with the front of the vehicle nearest to the centre of the road.

Examples—

Example 5

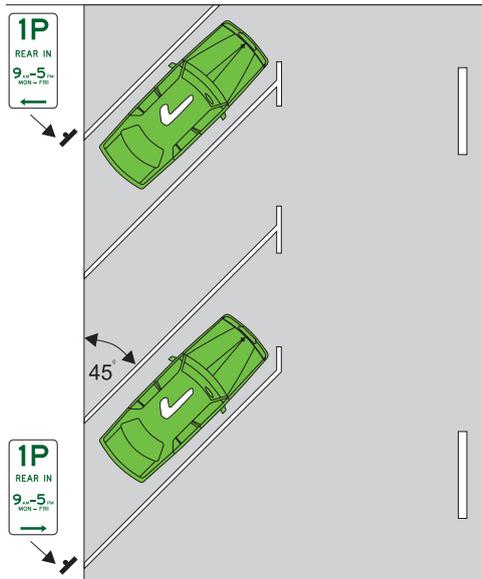
Example 6



Parking rear in at 30° at the side of a road

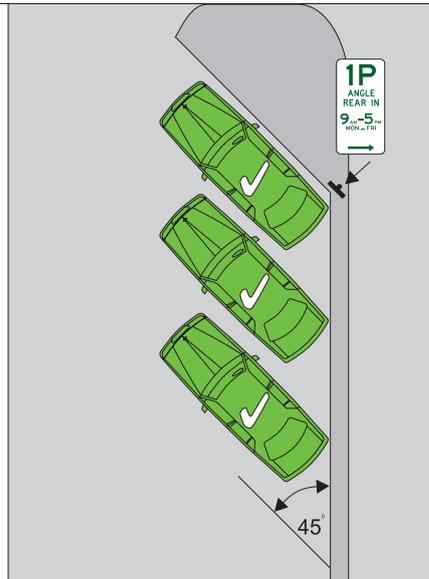
Parking rear in at 30° in a median strip parking area

Example 7



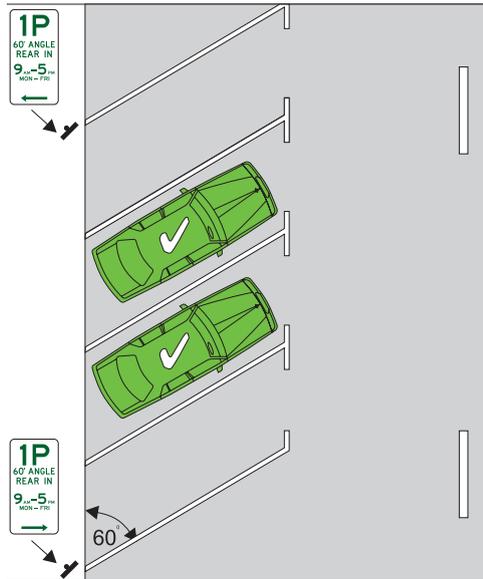
Parking rear in at 45° at the side of a road

Example 8

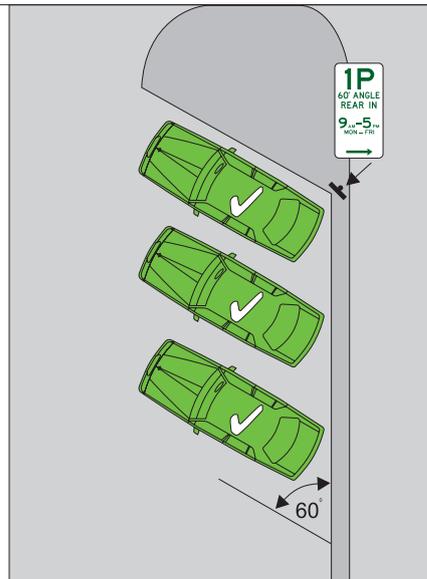


Parking rear in at 45° in a median strip parking area

Example 9



Example 10



Parking rear in at 60° at the side of a road

Parking rear in at 60° in a median strip parking area

- ‘(4A) Subsection (4) does not apply if the parking sign or road marking indicates that the vehicle must be positioned at an angle of 90°.’.

53 Replacement of s 213 (Making a motor vehicle secure)

Section 213—

omit, insert—

‘213 Making a motor vehicle secure

- ‘(1) This section applies to the driver of a motor vehicle who stops and leaves the vehicle on a road, unless the driver need not comply with the section under another provision of this regulation.
- ‘(2) Before leaving the vehicle, the driver must—
- (a) apply the vehicle’s parking brake effectively; or

- (b) if weather conditions, for example, snow, prevent the effective operation of the parking brake—effectively restrain the vehicle’s movement in another way.

Maximum penalty—20 penalty units.

- ‘(3) Also, before leaving the vehicle the driver must switch off the engine if the driver will be more than 3 m from the closest part of the vehicle.

Maximum penalty—20 penalty units.

- ‘(4) In addition, before leaving the vehicle the driver must remove the ignition key if there is no-one 16 years or older remaining in the vehicle.

Maximum penalty—20 penalty units.

- ‘(5) The driver must lock the vehicle immediately after leaving the vehicle if—

- (a) after leaving the vehicle, the driver will be more than 3 m from the closest part of the vehicle; and
 (b) there is no-one remaining in the vehicle; and
 (c) the vehicle’s doors can be locked.

Maximum penalty—20 penalty units.

- ‘(6) Subsections (3) to (5) do not apply to—

- (a) the driver of a waste management vehicle while emptying or collecting wheelie bins; or
 (b) the driver of an armoured vehicle while on duty.’.

54 Amendment of s 235 (Crossing a level crossing)

Section 235(2), example, ‘*paragraph*’—
omit, insert—
 ‘*subsection*’.

55 Amendment of s 236 (Pedestrians not to cause a traffic hazard or obstruction)

Section 236—

insert—

- ‘(4) A pedestrian must not stand on, or move onto, a road—
- (a) to solicit contributions, employment or business from an occupant of a vehicle; or
 - (b) to hitchhike; or
 - (c) to display an advertisement; or
 - (d) to sell things or offer things for sale; or
 - (e) to wash or clean, or offer to wash or clean, a vehicle’s windscreen.

Maximum penalty—20 penalty units.

- ‘(5) Subsection (4)(a), (c) and (d) do not apply to a pedestrian who is engaged in roadside vending under a permit or other authority given to the person under a local law.

- ‘(6) In this section—

road includes a shoulder of a road, a median strip, a painted island or a traffic island, but does not include another road-related area.’.

56 Amendment of s 240 (Wheeled recreational devices and toys not to be used on certain roads)

- (1) Section 240(1)(b)—
renumber as section 240(1)(c).

- (2) Section 240(1)—

insert—

- ‘(b) a road on which the speed limit is more than 60 km/h; or’.

57 Amendment of s 242 (Travelling in or on a wheeled recreational device or toy on a footpath or shared path)

- (1) Section 242(2), after ‘shared path sign’, first mention—

insert—

- ‘, or shared path road marking.’.

- (2) Section 242(2)(a), after ‘sign’—

insert—

‘or end shared path road marking’.

- (3) Section 242(2)(c), after ‘sign’—

insert—

‘or bicycle path road marking’.

- (4) Section 242—

insert—

- ‘(3) In this section—

end shared path road marking means a shared path road marking that includes the word ‘end’.

shared path road marking means a road marking consisting of a pedestrian symbol above a bicycle symbol.’.

58 Replacement of s 244 (Holding onto a moving vehicle)

Section 244—

omit, insert—

‘244 Wheeled recreational devices or wheeled toys being towed etc.

- ‘(1) A person must not travel in or on a wheeled recreational device or wheeled toy that is being towed by a vehicle.

Maximum penalty—20 penalty units.

- ‘(2) A person travelling in or on a wheeled recreational device or wheeled toy must not hold onto a vehicle while the vehicle is moving.

Maximum penalty—20 penalty units.

- ‘(3) A person travelling in or on a wheeled recreational device or wheeled toy must not travel within 2 m of the rear of a moving motor vehicle continuously for more than 200 m.

Maximum penalty—20 penalty units.’.

59 Amendment of s 246 (Carrying people on a bicycle)

Section 246—

insert—

‘Example—

A single-seat bicycle with a child’s seat attached is designed to carry 2 people, 1 on the bicycle seat and 1 on the attached child’s seat.’.

60 Replacement of s 248 (No riding across a road on a crossing)

Section 248—

omit, insert—

‘248 No riding across a road on a crossing

‘(1) The rider of a bicycle must not ride across a road, or a part of a road, on a children’s crossing or a pedestrian crossing.

Maximum penalty—20 penalty units.

‘(2) The rider of a bicycle must not ride across a road, or a part of a road, on a marked foot crossing, unless there are bicycle crossing lights at the crossing showing a green bicycle crossing light.

Maximum penalty—20 penalty units.’.

61 Amendment of s 270 (Wearing motorbike helmets)

Section 270(3)—

omit, insert—

‘(3) In this section—

passenger, of a motorbike, includes a person on a passenger seat of the motorbike, including the pillion seat, or in a sidecar.’.

62 Amendment of s 271 (Riding on motorbikes)

(1) Section 271(2), ‘sidecar’—

omit, insert—

‘sidecar or on a seat, other than a pillion seat, designed for a passenger’.

- (2) Section 271(3), ‘sidecar’—

omit, insert—

‘sidecar or on a seat, other than a pillion seat, designed for a passenger’.

- (3) Section 271(4), ‘sidecar’—

omit, insert—

‘sidecar or on a seat, other than a pillion seat, designed for a passenger’.

- (4) Section 271(5)—

omit, insert—

- ‘(5) The rider of a motorbike must not ride with more passengers in a sidecar, or on a seat designed for a passenger, than the sidecar or seat is designed to carry.

Maximum penalty—20 penalty units.’.

63 Amendment of pt 17 (Additional rules for drivers of trams, buses and taxis)

Part 17, heading, from ‘drivers’—

omit, insert—

‘drivers and riders of particular vehicles’.

64 Amendment of s 281 (Stopping for a red B light)

Section 281, after ‘taxi’—

insert—

‘, or the rider of a bicycle.’.

65 Amendment of s 282 (Stopping for a yellow B light)

- (1) Section 282, after ‘taxi’—

insert—

‘, or the rider of a bicycle,’.

- (2) Section 282, after ‘and the driver’—

insert—

‘or rider’.

66 Amendment of s 283 (Exception to stopping for a red or yellow B light)

- (1) Section 283, after ‘taxi’—

insert—

‘, or the rider of a bicycle,’.

- (2) Section 283, after ‘and the driver’—

insert—

‘or rider’.

67 Amendment of s 284 (Proceeding after stopping for a red or yellow B light)

Section 284, after ‘taxi’—

insert—

‘, or the rider of a bicycle,’.

68 Amendment of s 285 (Proceeding when a red traffic light and a white B light or white traffic arrow is showing)

Section 285, after ‘taxi’—

insert—

‘, or the rider of a bicycle,’.

69 Amendment of s 286 (Proceeding when a white B light or white traffic arrow is no longer showing)

- (1) Section 286(1) and the example, after ‘taxi’—

insert—

‘, or the rider of a bicycle,’.

- (2) Section 286(2), from ‘while the driver’ to ‘must not’—
omit, insert—
‘while the driver or rider is stopped and has not entered the intersection, the driver or rider must not’.
- (3) Section 286(2)(c), after ‘driver’—
insert—
‘or rider’.
- (4) Section 286(3), from ‘while the driver’ to ‘as the driver’—
omit, insert—
‘while the driver or rider is stopped and has entered the intersection, the driver or rider must leave the intersection as soon as the driver or rider’.

70 Amendment of s 287 (Duties of a driver involved in a crash)

- (1) Section 287(2), ‘(or the driver’s representative) must’—
omit, insert—
‘must stop at the scene of the crash and’.
- (2) Section 287(3), ‘(or the driver’s representative)’—
omit.

71 Insertion of new s 293B

After section 293A—

insert—

‘293B Restriction on driving or stopping vehicle on road

- ‘(1) A person must not drive or stop a vehicle on a road for the purpose of soliciting employment or business from the vehicle, unless the person—

- (a) is permitted to drive or stop the vehicle for the purpose under a permit granted under the *Traffic Regulation 1962*, part 16;³ or
- (b) is engaged in roadside vending under a permit or other authority given to the person under a local law.

Maximum penalty—20 penalty units.

‘(2) In this section—

road includes a shoulder of a road, a median strip, a painted island or a traffic island, but does not include another road-related area.’

72 Insertion of new s 313A

Part 19, after section 313—

insert—

‘313A Exemption for garbage truck drivers etc.

- ‘(1) A provision mentioned in subsection (2) does not apply to the driver of a garbage truck, a waste disposal truck or a vehicle designed for collecting goods for recycling if—
 - (a) the driver is engaged in the collection of garbage, waste or goods for recycling; and
 - (b) it is not practicable for the driver to comply with the provision; and
 - (c) the truck or vehicle is displaying a flashing light; and
 - (d) the driver is acting safely.
- ‘(2) For subsection (1), the provisions are as follows—
 - sections 98 to 100
 - part 12,⁴ other than sections 175, 177, 178, 192, 196 and 197
 - section 228

3 *Traffic Regulation 1962*, part 16 (Licences)

4 Part 12 (Restrictions on stopping and parking)

- section 230
- section 234
- section 238.⁵.

73 Amendment of s 322 (Reference to traffic control devices and traffic-related items on a road etc)

Section 322(1), examples—

insert—

- ‘3. A do not overtake turning vehicle sign attached to a vehicle on a road is taken to be a do not overtake turning vehicle sign on the road.’

74 Amendment of s 334 (How parking control signs apply to a length of road)

Section 334(1), ‘parking control sign’—

omit, insert—

‘permissive parking sign, bicycle parking sign, motorbike parking sign, or a parking control sign for a zone mentioned in part 12, division 5.’

75 Amendment of s 341 (Road markings)

Section 341, examples—

insert—

- ‘3. At an intersection, or on a roundabout, road markings indicating the edge of a marked lane for use by traffic coming from a particular direction do not apply to a driver coming from another direction.’

76 Amendment of sch 3 (Other permitted traffic signs)

(1) Schedule 3, entry for ‘speed limit sign’—

⁵ Sections 98 (One-way signs), 99 (Keep left and keep right signs), 100 (No entry signs), 228 (No pedestrian signs), 230 (Crossing a road—general), 234 (Crossing a road on or near a crossing for pedestrians), and 238 (Pedestrians travelling along a road (except in or on a wheeled recreational device or toy))

relocate to schedule 3, before entry for ‘separated footpath sign’.

- (2) Schedule 3, entry for ‘speed limit sign’, as relocated, ‘Speed limit sign (section 21)’—

omit, insert—

‘School zone sign (section 23)’.

77 Amendment of sch 6 (Dictionary)

- (1) Schedule 6—

insert—

‘line of traffic means—

- (a) 2 or more vehicles, other than vehicles in a marked lane, travelling in line on a road, whether or not the vehicles are moving; or
- (b) a single vehicle, other than a vehicle in a marked lane or a vehicle that is part of a line of traffic under paragraph (a), that is travelling along a road, whether or not the vehicle is moving.

Examples—

1. A vehicle travelling on a road, other than in a marked lane, in line behind another vehicle forms part of a line of traffic with the other vehicle.
2. A vehicle travelling on a road, other than in a marked lane, with no other vehicles near it forms a line of traffic by itself.
3. Two vehicles travelling in the same direction on a road, other than in a marked lane, but not in line, form 2 lines of traffic.

tram stop means a part of a road designated by a public transport operator as a tram stop, and near which is a sign that includes the words ‘tram stop’ or ‘hail trams here’, or similar words.’.

- (2) Schedule 6, definition *intersection*, paragraph (b)—

omit, insert—

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2004

- ‘(b) the place, other than a road-related area, where a slip lane between the roads meets the road into which traffic on the slip lane may turn.’.
- (3) Schedule 6, definition *overtake*, paragraph (b)—
omit, insert—
- ‘(b) moving into an adjacent marked lane or a part of a road where there is room for a line of traffic, whether or not the lane or part of the road is for drivers travelling in the same direction; and’.
- (4) Schedule 6, definition *T-intersection*, after ‘an intersection’—
insert—
- ‘, other than a roundabout,’.
-

ENDNOTES

1. Made by the Governor in Council on 16 December 2004.
2. Notified in the gazette on 17 December 2004.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.