

Queensland



Traffic Act 1949

TRAFFIC REGULATION 1962

**Reprinted as in force on 24 February 1995
(includes amendments up to SL No. 18 of 1995)**

Reprint No. 1

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Information about this reprint

This regulation is reprinted as at 24 February 1995. The reprint—

- shows the law as amended by all amendments that commenced on or before that day
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

The reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- express gender specific provisions in a way consistent with current drafting practice (s 24)
- correct spelling and use different spelling consistent with current drafting practice (s 26)
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- reorder definitions consistent with current drafting practice (s 30)
- use appropriate names for instruments and provision units (ss 31, 32 and 33A)
- insert references to schedule, appendix or body of law (s 33B)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (ss 37, 39)
- omit unnecessary referential words (s 41)
- omit the words of notification (s 42A)
- omit provision heading in reference (s 42B)
- number and renumber certain provisions and references (s 43)
- correct minor errors (s 44)
- make all necessary consequential amendments (s 7(1)(k)).

Also see Endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **Table of changed names and titles**
 - **Table of changed citations and remade laws**
 - **Table of obsolete and redundant provisions**
 - **Table of corrected minor errors**
 - **Table of renumbered provisions.**

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TRAFFIC REGULATION 1962

[as amended by all amendments that commenced on or before 24 February 1995]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Traffic Regulation 1962*.

Fees

2. The fees payable under the Act are set out in Schedule 4 (Fees).

Definitions

4. In this regulation—

“abreast”, a vehicle shall be deemed to be abreast of any other vehicle if any part of the first mentioned vehicle is by the side of any part of the other vehicle.

“aggregate trailer mass”, for a trailer or sugar cane trailer (a **“trailer”**), means the greatest mass specified by the trailer’s manufacturer for the loaded trailer, and includes a mass imposed on a vehicle hauling the trailer on a horizontal surface.

“agricultural implement” means an implement either with or without motive power that is designed principally for use in primary production and used solely for the purpose of primary production, but does not include a tractor.

“all traffic turn sign” means—

- (a) an all traffic turn sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘all traffic turn’ and any other words.

“alternative headlamp” means a lamp which is lighted in the place of a

headlamp by a dipping device.

“angle parking” means parking of a vehicle upon the carriageway of a road close to the footway at or substantially at an angle of 45° thereto or in accordance with the indication of the relevant official traffic sign.

“appointed” means appointed under the Act or this regulation.

“approved form” for a purpose means the form approved by the chief executive of the department for the purpose.

“Australian Design Rule” means an Australian Design Rule for Motor Vehicle Safety as endorsed by the Australian Transport Advisory Council and issued by the Commonwealth Department of Shipping and Transport.

“Australian Standard” means a standard rule, code or specification of the Standards Association of Australia.

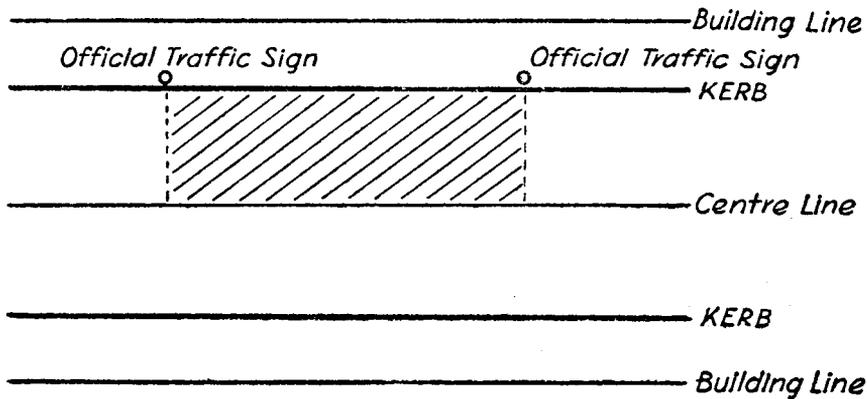
“axle group” means a single axle group, tandem axle group, twinsteer axle group, triaxle group or quadaxle group.

“axle load” means the total load transmitted to the road by all the tyres of all the wheels whose centres may be included between 2 transverse parallel vertical planes less than 1 m apart.

“between”, when used for the purpose of an indication given by an official traffic sign upon any road, includes that portion of the carriageway of such road as is located within imaginary lines taken from—

- (a) the places specified upon any such official traffic sign; or
- (b) the places where such official traffic signs are located (in any case where places are not specified as provided in paragraph (a)), to the centre-line of the carriageway as shown hachured on plan hereunder.

Plan illustrating meaning of “between”



“**bicycle lane**” means a length of marked lane of a carriageway defined by a bicycle lane sign and an end bicycle lane sign.

“**bicycle lane sign**” means—

- (a) a bicycle lane sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating a bicycle lane.

“**bicycle path**” means a path, other than a bicycle lane, defined by a bicycle path sign and—

- (a) an end bicycle path sign; or
- (b) a shared footway sign; or
- (c) a segregated footway sign; or
- (d) a carriageway.

“**bicycle path sign**” means—

- (a) a bicycle path sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words indicating a bicycle path.

“**bicycle prohibition sign**” means—

- (a) a bicycle prohibition sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating a point beyond which a bicycle, tricycle or power-assisted cycle must not

be ridden.

“**brake**” means a device for retarding or controlling the rotation of the wheels of a vehicle and for bringing the vehicle to a stop.

“**braking system**” means all the mechanism by which a brake on a vehicle is operated, including the brake.

“**bridge**” includes a viaduct or culvert and any artificial or partly artificial and partly natural road made over or upon or across any river, creek, watercourse, swamp, or lagoon.

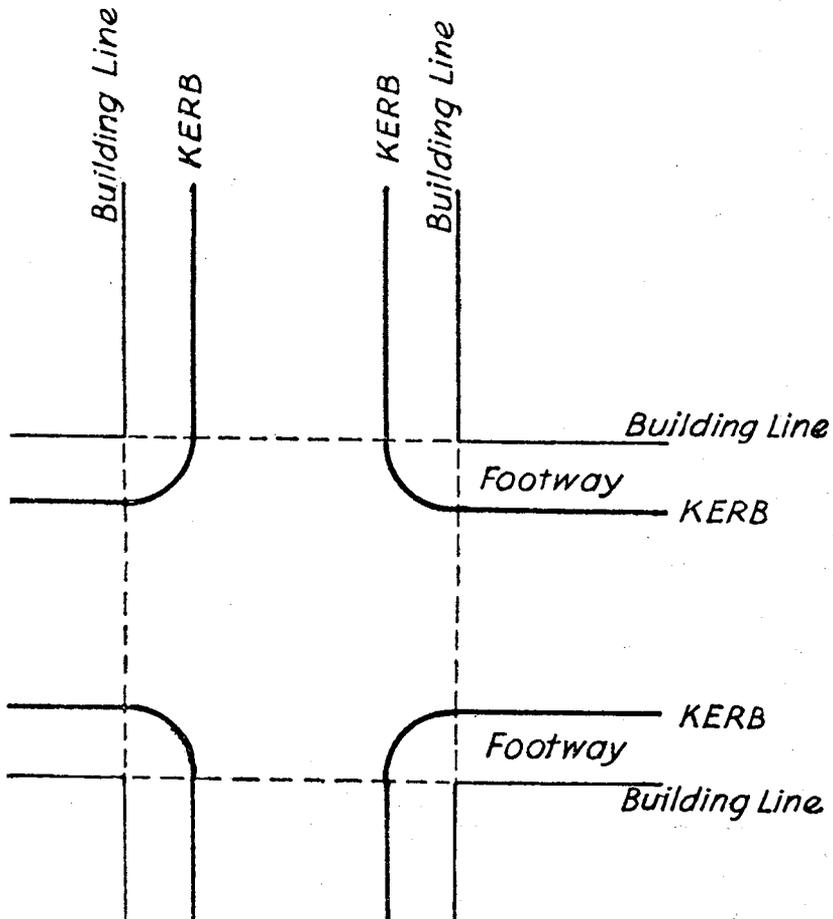
“**Brisbane Central Traffic Area**” means the Brisbane Central Traffic Area under Chapter 14, Part 5 of the local laws of the Brisbane City Council.

“**building line**” means the boundary line between any land and any road, and, at an intersection means an imaginary line being a continuation of such boundary line across any road.

The outer edge of a building, fence, or other structure adjacent to a road, apparently forming the boundary line between any land and such road, shall be taken to be the building line unless it is proved that the outer edge of such building, fence, or other structure is not at or substantially at the boundary line between such building, fence, or other structure and such road.

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Plan showing “building line”



“**bus lane**” means a length of marked lane of a carriageway defined by a bus lane sign and an end bus lane sign.

“**bus lane sign**” means—

- (a) a bus lane sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘bus lane’ and any other words.

“**bus prohibition sign**” means a bus prohibition sign depicted in the MUTCD.

“bus zone” means—

- (a) if 1 bus zone sign is installed—the lane of carriageway extending 18 m from the sign on the side the bus approaches the zone to 6 m from the sign on the side the bus leaves the zone; or
- (b) if 2 or more bus zone signs are installed—the lane of carriageway between the outside signs.

“bus zone sign” means—

- (a) a bus zone sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating where a bus may stop or stand.

“camera” means that part of a photographic detection device used for taking photographs.

“centre-line” means a separation line, or, where there is no separation line, the unmarked centre-line of the carriageway.

“centre parking” means parking of a vehicle upon the carriageway of any road at or substantially at the centre of such carriageway, and, except where otherwise indicated or required by signs or road markings, approximately at right angles to the centre of the carriageway.

“clearance lamp” means a lamp which, when lighted, provides an indication of the width of a vehicle together with any loading or equipment thereon either from the front or from the rear of the vehicle, as the case may be.

“clearance sign” means—

- (a) a clearance ...m sign depicted in the MUTCD; or
- (b) a low clearance ...m sign depicted in the MUTCD; or
- (c) an official traffic sign inscribed with the words ‘clearance ...m’ and any other words; or
- (d) an official traffic sign inscribed with the words ‘low clearance ...m’ and any other words.

“clearway” means a length of marked lane of a carriageway defined by a clearway sign and an end clearway sign.

“clearway sign” means—

- (a) a clearway sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the word ‘clearway’ and any other words.

“converter dolly” means a trailer that—

- (a) has 1 axle group and a fifth wheel coupling; and
- (b) is designed to convert a semitrailer into a dog trailer.

“cyclists dismount sign” means a cyclists must dismount to cross road sign depicted in the MUTCD.

“dipping device” means a device by which the driver of a vehicle whilst retaining the correct driving position—

- (a) can cause the main beam of light projected by each of the headlamps of a vehicle which has 2 headlamps or by the headlamp of a vehicle which has 1 headlamp as the case may be to be dipped; or
- (b) can extinguish each of the headlamps of a vehicle which has 2 headlamps or the headlamps of a vehicle which has 1 headlamp, and simultaneously light 2 alternative headlamps or 1 alternative headlamp as the case may be; or
- (c) can extinguish each set of headlamps where a vehicle has 4 headlamps, in sets of 2, and simultaneously light 1 lamp in each set.

“doctor” includes a person registered under a law corresponding to the *Medical Act 1939*.

“dog trailer” means—

- (a) a semitrailer and converter dolly combination; or
- (b) a trailer that—
 - (i) is connected to a towing vehicle by a drawbar; and
 - (ii) is steered by the towing vehicle through 1 axle group at the front of the trailer; and
 - (iii) has 1 axle group at the rear of the trailer.

“drawbar” means the part of a trailer (other than a semitrailer) that connects the trailer to a coupling for towing purposes.

“drive” includes—

- (a) for a vehicle or animal—stand; or
- (b) for an animal—lead.

“during hours of darkness” means—

- (a) any time during the period between sunset on one day and sunrise on the next succeeding day; or
- (b) any other time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m.

“edge line” means a traffic line marked on a carriageway to denote the line of demarcation between the travelled way, being that part of the carriageway used by the main body of moving traffic, and the shoulders and other lateral parts of the carriageway not so used.

“effective range” means the distance at which a lamp, when lighted, will illuminate and render easily discernible under normal atmospheric conditions during hours of darkness any person dressed in dark clothing, or any substantial dark object, in front of the vehicle to which the lamp is affixed.

“emergency brake” means the hand brake or other brake which is used in an emergency or as an auxiliary to the service brake.

“emergency vehicle” means a motor vehicle—

- (a) fitted with—
 - (i) a repeater horn or siren; or
 - (ii) a flashing warning light; and
- (b) used by—
 - (i) the Ambulance Service; or
 - (ii) the Fire Service; or
 - (iii) the Police Service; or
 - (iv) another entity with the written permission of the Commissioner.

“end bicycle lane sign” means—

- (a) an end sign and bicycle lane sign depicted in the MUTCD; or

- (b) an official traffic sign inscribed with words indicating the end of a bicycle lane.

“end bicycle path sign” means—

- (a) an end sign and bicycle path sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating the end of a bicycle path.

“end bus lane sign” means—

- (a) an end sign and bus lane sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating the end of a bus lane.

“end clearway sign” means—

- (a) an end clearway sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating the end of a clearway.

“end local traffic area sign” means an end local traffic area sign depicted in the MUTCD.

“end of freeway sign” means an end of freeway sign depicted in the MUTCD.

“end segregated footway sign” means—

- (a) an end sign and segregated footway sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating the end of a segregated footway.

“end shared footway sign” means—

- (a) an end sign and shared footway sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating the end of a shared footway.

“end shared zone sign” means an end shared zone sign depicted in the MUTCD.

“end transit lane sign” means—

- (a) an end sign and transit lane sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating the end of a transit lane.

“end truck lane sign” means—

- (a) an end sign and truck lane sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating the end of a truck lane.

“endorsement” means any entry made under and in accordance with or for the purposes of the Act or this regulation, by or with the authority of the Commissioner or chief executive, or the officer of the Department of Transport ordinarily having the custody of the relevant document, or by any person acting under the direction of a Judge or justices, upon any licence, and shall also include any document attached or directed by the Commissioner or chief executive to be attached to a licence.

Any such entry shall be deemed to be part of the licence upon which such entry was made and any such document shall be deemed to be part of the licence to which such document was so attached or directed to be attached.

“excess dimension permission” means the permission of the chief executive, Commissioner or superintendent to exceed the standard dimensions.

“excess dimension vehicle” means a vehicle or vehicle combination and its load (if any) that exceeds the dimensions for—

- (a) width mentioned in Schedule 1 (Schedule to Part 13), section 45; or
- (b) height mentioned in Schedule 1 (Schedule to Part 13), section 46.

“forward control passenger vehicle” means a passenger car designed to seat up to 9 persons and which has—

- (a) the centre of the steering wheel in the forward quarter of the vehicle’s total length; and
- (b) a gross vehicle mass not exceeding 3.5 t; and
- (c) a maximum number of seating positions which, when multiplied by 68 kg, is not less than 50% of the difference between the gross

vehicle mass and the tare of the vehicle.

“freeway” means a length of road defined by a no ... beyond this point sign and an end of freeway sign.

“freight container” means a box-like goods receptacle provided with corner fittings of or similar to the types specified in Australian Standard E45-1969 Corner Fittings for Freight Containers.

“front articulation point” of a trailer means the point of articulation at the front of the trailer.

“give way sign” means—

- (a) a give way sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘give way’.

“give way to pedestrians sign” means a give way to pedestrians sign as depicted in the MUTCD.

“gross combination mass” means the value specified for the vehicle by the manufacturer as being the maximum of the sum of the “gross vehicle mass” of the drawing vehicle plus the sum of the “axle loads” of any vehicle capable of being drawn as a trailer.

“gross load limit sign” means a gross load limit ...t sign depicted in the MUTCD.

“gross vehicle mass” means the maximum mass as specified by the manufacturer for a loaded vehicle (excluding a passenger car, a motorcycle, or a moped) for which compliance with current and appropriate Australian Design Rules has been or can be established.

“gross vehicle weight”, in respect of a motor vehicle, means—

- (a) the weight stated or indicated in or which may be calculated from the particulars set out in any certificate of registration of the motor vehicle purporting to have been issued under the *Transport Infrastructure (Roads) Act 1991* or a law of the Commonwealth or another State corresponding to that Act as being the maximum permissible weight (however described) for the motor vehicle together with any load to be carried thereon; or
- (b) where the motor vehicle is unregistered or there is no weight stated or indicated or which may be calculated as aforesaid—the

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weight painted or otherwise marked on the motor vehicle as the gross vehicle weight therefore (however expressed) or (if no gross vehicle weight is so painted or marked but the tare and the load capacity of the motor vehicle, however, expressed, are also painted or marked) the sum of the said tare and load capacity of the motor vehicle as so painted or marked; or

- (c) where the motor vehicle is unregistered or there is no weight so stated or indicated or which may be calculated or which is painted or marked as aforesaid—the weight set out in a certificate purporting to be signed by the chief executive or a person authorised by the chief executive as being the gross vehicle weight for a motor vehicle of the make and model in question according to records kept by the chief executive with respect to motor vehicles of that make and model.

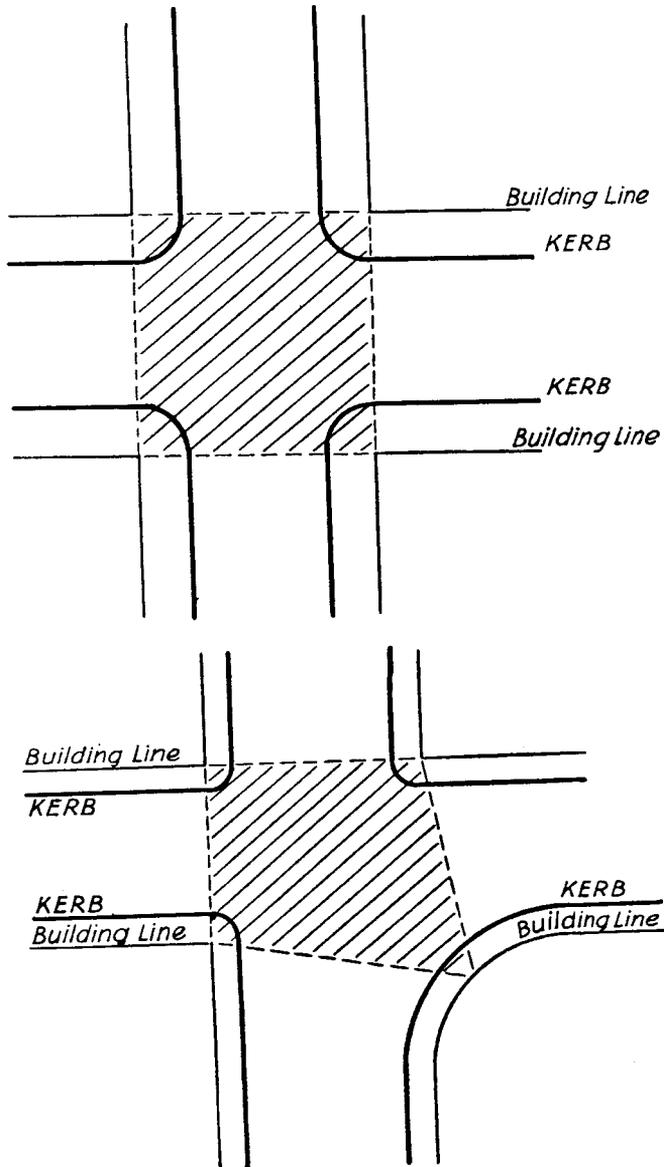
“ground clearance” means the minimum distance between the ground and a vehicle’s underside (excluding its tyres, wheels, wheel hubs, brake backing plates, flexible mudguards and mudflaps).

“incapacitated person” means, in relation to the user of a wheelchair which is propelled by means of an internal combustion motor or electric motor, a person bearing a current medical certificate from a doctor stating that the person’s state of health necessitates the use of a wheelchair.

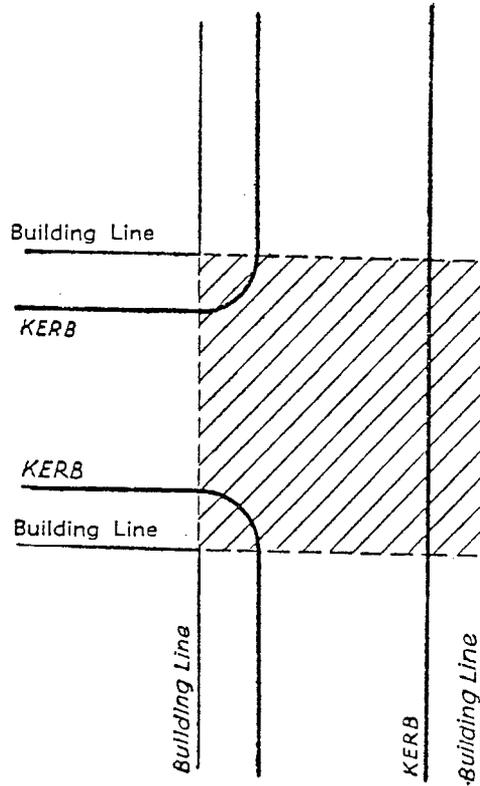
“independent brakes” of a trailer means brakes that are activated by the driver of the motor vehicle towing the trailer.

“intersection” means a place where 2 or more roads intersect or join.

Plans showing examples of "intersection"



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“level crossing” means a place at which a road and a railway cross each other at or substantially at the same level.

“local traffic area” means a group of roads or parts of roads defined by a local traffic area sign and an end local traffic area sign.

“local traffic area sign” means a local traffic area sign depicted in the MUTCD.

“motor vehicle chassis” includes the basic operating motor vehicle including engine, frame, and other essential structural and mechanical parts, but exclusive of body and all appurtenances for the accommodation of driver, property, or passengers, appliances or equipment related to other than control.

However, in the case of a motor vehicle in which the frame and body form an integral part, the body, including any cab or cowl, shall be part of the chassis.

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“multipurpose passenger car” means a motor vehicle, not being a forward control passenger vehicle, designed principally for the conveyance of not more than 8 persons and which is constructed either on a truck chassis or with special features for off-road operation.

“no ... beyond this point sign” means a no ... beyond this point sign depicted in the MUTCD.

“no entry sign” means—

- (a) a no entry sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘no entry’ and any other words.

“no left turn sign” means—

- (a) a no left turn sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘no left turn’ and any other words.

“no parking sign” means—

- (a) a no parking sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘no parking’ and any other words.

“no right turn sign” means—

- (a) a no right turn sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘no right turn’ and any other words.

“no standing sign” means—

- (a) a no standing sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘no standing’ and any other words.

“no turns sign” means—

- (a) a no turns sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘no turns’ and any other words.

“no u-turn sign” means—

- (a) a no u-turn sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘no u-turn’ and any other words.

“O.D. Route 2” means the route—

- (a) described by that name on a map issued by the chief executive; and
- (b) indicated on the roads comprising the route by official traffic signs.

“on” means **“upon”**.

“one-way carriageway” means a carriageway on which vehicles are permitted to travel in 1 direction only.

“over dimension vehicle” means a vehicle or vehicle combination and its load (if any) that exceeds the dimensions for length mentioned in Schedule 1 (Schedule to Part 13), sections 44 to 44C.

Example—

B-doubles and road trains are over dimension vehicles.

“overrun brakes” of a trailer means brakes that are activated by the movement of the trailer relative to the motor vehicle towing the trailer.

“parallel parking” means parking of a vehicle upon the carriageway of any road with the left side of such vehicle as near as practicable to and parallel with the left side of such carriageway, or, in the case of a one-way carriageway, not being a section of a divided road, the parking may be with the right side of the vehicle as near as practicable to and parallel with the right side of such carriageway.

“passenger car” means a motor vehicle, other than a motorcycle, an omnibus or a multipurpose passenger car, constructed principally for the conveyance of persons.

“passenger car derivative” means a motor vehicle of the kind known as a coupe utility or panel van 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 such passenger car.

“passenger cars and derivatives thereof” means any of the classes of vehicles as defined in the definitions “passenger car” and “passenger car derivative”.

“pedestrian crossing” means that portion of the carriageway of any road in respect of which an official traffic sign or official traffic signs direct or indicate that such portion of the carriageway may be used by pedestrians to cross the road.

“pedicab” means a tricycle constructed principally for the conveyance of 1 or more passengers.

“pilot vehicle” means a motor vehicle used for escorting, and warning of the presence on a road of, an excess dimension vehicle.

“pilot vehicle driver’s licence” means a licence issued under section 188.

“pilot vehicle escort record” means a record kept under section 203.

“pilot vehicle licence” means a licence issued under section 187.

“pole-type trailer” means a trailer which is attached to the towing vehicle by means of a pole or by an attachment fitted to such pole and which is ordinarily used for transporting loads such as logs, pipes, or structural members capable generally of supporting themselves as beams between supporting connections.

“power-assisted bicycle” means a bicycle to which a power source is attached.

“power-assisted cycle” means a power-assisted bicycle or power-assisted tricycle.

“power-assisted tricycle” means a tricycle to which a power source is attached.

“power source”, in relation to a power-assisted cycle, means 1 or more auxiliary propulsion motors that—

- (a) have a combined maximum power output of 200 W or less; and
- (b) operate through—
 - (i) contact with a wheel of the cycle; or
 - (ii) attachment to the drive chain of the cycle.

“primary producer” means a person engaged solely or primarily in

tobacco farming or in the primary production of either food or raw material for clothing in agriculture, viticulture, dairying, livestock production, fishing or any other like pursuit.

“propellant” means a machine (other than a lever, wheel and axle, pulley, screw, wedge or inclined plane) capable of propelling a bicycle, tricycle, power-assisted cycle, toy vehicle or wheelchair but does not include a power source.

“quadaxle group” means a group of 4 or more axles if the distance between the centres of the outermost axles is more than 3.2 m but not more than 4.9 m.

“rear overhang” means the distance between the rear of the vehicle and the rear overhang line.

“rear overhang line” of a vehicle with an axle group at the rear of the vehicle means—

- (a) for a vehicle with 1 axle at the rear—a line running along the centre of the axle; or
- (b) for a vehicle with 2 axles at the rear, 1 of which is fitted with twice the number of tyres as the other—a line running parallel to the axles at a distance $\frac{1}{3}$ of the way from the axle carrying the greater number of tyres to the other axle (measured without taking into account any steerable or retractable axle in the group unless all axles in the group are steerable or retractable); or
- (c) for a vehicle with another type of axle group at the rear—a line running parallel to the axle group down the centre of the axle group (measured without taking into account any steerable or retractable axle in the group unless all axles in the group are steerable or retractable).

“repeater horn” means a warning device that makes sounds with different amplitude, tones or frequencies on a regular time cycle.

“reservation” means any physical provision on a road to divide it longitudinally other than lines marked on the carriageway surface and includes a nature strip adjoining a footway.

“road in a built-up area” means any road upon which there is a system of road lighting.

“roundabout” means an intersection laid out for movement of traffic in 1 direction around a centre island.

“roundabout sign” means—

- (a) a roundabout sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘give way’ and other words indicating a roundabout.

“school bus” means any omnibus whilst it is being used exclusively for the carriage of school children to or from a school.

“school crossing” means a pedestrian crossing in respect of which—

- (a) official traffic signs bearing a legend including the words ‘children crossing’ are displayed; or
- (b) an official traffic sign in the form of a hand-held banner inscribed with the word ‘stop’ in black lettering on a red-orange fluorescent background is held across or partly across the carriageway.

“school zone” means an area defined by a school zone sign.

“school zone sign” means a school zone sign depicted in the MUTCD.

“segregated footway” means a length of footway defined by a segregated footway sign and—

- (a) an end segregated footway sign; or
- (b) a shared footway sign; or
- (c) a bicycle path sign; or
- (d) a bicycle prohibition sign; or
- (e) a carriageway.

“segregated footway sign” means—

- (a) a segregated footway sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating a segregated footway.

“separation line” means a traffic line marked on a carriageway to separate traffic moving in opposite directions.

“service brake” means the footbrake or other brake which is normally used

to decelerate and stop a motor vehicle.

“shared footway” means a length of footway defined by a shared footway sign and—

- (a) an end shared footway sign; or
- (b) a segregated footway sign; or
- (c) a bicycle path sign; or
- (d) a bicycle prohibition sign; or
- (e) a carriageway.

“shared footway sign” means—

- (a) a shared footway sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating a shared footway.

“shared zone” means a length of carriageway defined by a shared zone sign and—

- (a) an end shared zone sign; or
- (b) a dead end.

“shared zone sign” means a shared zone sign depicted in the MUTCD.

“side marker lamp” means a lamp which, when lighted, is visible from the side of the vehicle upon which it is affixed.

“sign” includes any poster, placard, notice, sign board, or sign of any kind whatsoever, and which is or is not illuminated or has affixed thereto any material designed to reflect light, and also includes any device, design, structure or erection in the nature of an advertisement or advertising device, and any framework, board, or other structure whatsoever which is used or intended to be used, or is adapted to be used, for the purpose of affixing thereto or supporting any device, design, poster, placard, notice, sign board, or other sign which is a “sign” within the meaning of this definition.

“single axle group” means—

- (a) 1 axle; or
- (b) a group of 2 or more axles if the distance between the centres of

the outermost axles is less than 1 m.

“speed restriction sign” means—

- (a) a speed restriction sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with words indicating a speed limit.

“standard dimensions” of a motor vehicle with its loading (if any) means the limits that, under Schedule 1, section 43, may be exceeded only in compliance with the prior written permission of the chief executive, Commissioner or superintendent.

“State” includes a Territory.

“stop banner” means a stop banner depicted in the MUTCD.

“stop line” means a line marked across or partly across the surface of a carriageway near a traffic control light signal, stop sign, school crossing, or intersection.

“stop sign” means an official traffic sign inscribed with the word ‘stop’.

“stop”, “stopping”, “stand”, or “standing”, when prohibited (including when prohibited by the indication given by an official traffic sign), means any stopping or standing of a vehicle or animal whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with a direction given by a police officer or an indication given by an official traffic sign.

“sugar cane trailer” means a vehicle—

- (a) without motive power; and
- (b) designed to be attached to another vehicle; and
- (c) with an aggregate trailer mass of no more than 20 t; and
- (d) designed for carrying sugar cane.

“tandem axle group” means a group of 2 or more axles if the distance between the centres of the outermost axles is at least 1 m but not more than 2 m.

“taxi” means a taxi within the meaning of the *Transport Operations (Passenger Transport) Act 1994*.

“taxi zone” means an area of carriageway defined by a taxi zone sign.

“taxi zone sign” means—

- (a) a taxi zone sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words indicating where a taxi may stand.

“toy vehicle” means a vehicle (other than a bicycle, tricycle, power-assisted cycle or wheelchair) that is—

- (a) ordinarily used for sport or recreation; and
- (b) designed to be propelled by human power.

Examples—

Scooters, skateboards, roller-skates and roller-blades are toy vehicles.

“traffic line” means any continuous, broken or dotted line, notice or demarcation in or by means of studs, plates, paint, lacquer, or other substance or material used upon the surface of any road as an official traffic sign for the purpose of separating, directing, regulating or defining traffic or any class or description of traffic.

“Traffic Office” means the Office of the Superintendent of Traffic.

“transit lane” means a length of marked lane of a carriageway defined by a transit lane sign and an end transit lane sign.

“transit lane sign” means—

- (a) a transit lane sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘transit lane’ and any other words.

“triauxle group” means a group of 3 or more axles if the distance between the centres of the outermost axles is more than 2 m but not more than 3.2 m.

“truck lane” means a length of marked lane of a carriageway defined by a truck lane sign and an end truck lane sign.

“truck lane sign” means—

- (a) a truck lane sign depicted in the MUTCD; or
- (b) an official traffic sign inscribed with the words ‘truck lane’ and any other words.

“truck prohibition sign” means a truck prohibition sign depicted in the MUTCD.

“turn left” includes any substantial degree of divergence in the direction of the left from the forward line of travel.

“turn right” includes any substantial degree of divergence in the direction of the right from the forward line of travel.

“twinsteer axle group” means a group of 2 axles that—

- (a) is fitted to a motor vehicle; and
- (b) has single tyres fitted to each axle; and
- (c) is connected to the same steering mechanism; and
- (d) has a distance between the centres of the axles of at least 1 m but not more than 2 m.

“twist lock” means a device fitted to or forming part of a motor vehicle or trailer and designed to secure the corner fittings of a freight container in accordance with the requirements of Appendixes A, B2.1, B2.2, and C of Australian Standard E45-1969 Corner Fittings for Freight Containers.

“two-way carriageway” means any carriageway other than a one-way carriageway.

“upon”, used in relation to a vehicle or road, includes in, on, or over.

“u-turn” means a turn which causes a vehicle on a carriageway facing or travelling in 1 direction to face or travel in the opposite direction.

“u-turn permitted sign” means a u-turn permitted sign depicted in the MUTCD.

“vehicle combination” means—

- (a) an articulated motor vehicle; or
- (b) a B-double; or
- (c) a road train; or
- (d) another rigid motor vehicle towing 1 or more trailers.

“warning device” means a horn, bell, alarm or signal capable of giving audible or visible warning of the approach or position of a vehicle or

train.

“**wear**”, used in relation to a safety helmet, includes the secure fastening of the chin strap attached to a safety helmet under the chin of the wearer.

“**wheelchair**” means a chair on wheels designed and intended for the movement of an incapacitated person from a place to another place.

“**windscreen**” means the main front windscreen but does not include any wind deflector or other subsidiary windscreen.

References to particular side of road

4A. In this regulation, a reference to a particular side of a road is a reference to the boundary on that side of the road.

PART 2—SCOPE, EFFECT, AND ADMINISTRATION OF REGULATIONS

Application of regulation to drivers, pedestrians and vehicles

5. Unless otherwise stated this regulation in so far as it applies to drivers and pedestrians and the use of vehicles shall apply to drivers and pedestrians and the use of vehicles upon roads.

Application of regulation to animals

6. A rider or driver of an animal shall have the duties, rights and privileges imposed or conferred on the rider or driver of a vehicle by the provisions of this regulation, other than provisions which by their nature cannot apply in relation to animals.

Exemption of driver of road construction site vehicles

8. Parts 5, 8 and 11 do not apply to the driver of a vehicle on the site of road construction or maintenance works if—

- (a) the vehicle is actually engaged in work on the road surface; and

- (b) compliance with the provision is inconsistent with the effective performance of the driver's duties.

Exemption of driver of emergency vehicles

9. A provision of this regulation does not apply to the driver of an emergency vehicle if—

- (a) the vehicle is sounding its siren or repeater horn or operating its flashing warning lights; and
- (b) compliance with the provision may be inconsistent with the effective performance of the driver's functions.

Exemption of driver of Defence Force vehicle

10.(1) Any person who—

- (a) is a member of the Defence Forces of the Commonwealth or of the armed forces of any government which is allied or associated with Her Majesty in any war in which Her Majesty is engaged; and
- (b) is driving a motor vehicle owned by or appropriated to the use of such defence or armed forces; and
- (c) is so driving in the performance of the person's duty and in pursuance of a licence, permit or authority issued to the person by the authorities of such defence or armed forces;

shall be deemed to be the holder of a driver's licence for the purposes of the Act and this regulation.

(2) However, this section shall not apply unless such person, while driving any such motor vehicle, carries such licence, permit or authority and, when required by a police officer, produces such licence, permit or authority for inspection.

Offences

11.(1) Any person who—

- (a) contravenes or fails, neglects, delays or refuses to comply with

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any order, notice, signal, indication, direction, requirement, request or condition made, or given under or in pursuance of this regulation; or

- (b) wilfully makes any false or misleading statement or wilfully furnishes any false or misleading information in or with respect to any notification, declaration, statement, application or other matter required or authorised by this regulation;

shall be guilty of an offence.

Maximum penalty—20 penalty units.

(2) A person shall not be convicted of an offence against this regulation for or arising from an act or omission if the doing of such act or the making of such omission was necessary to comply with—

- (a) a direction of a police officer; or
- (b) the indication given by an official traffic sign; or
- (c) this regulation or another law.

Parties to offences

12.(1) When an offence against the Act or this regulation is committed, each of the following persons is deemed to have taken part in committing the offence and to be guilty of the offence and may be charged with actually committing it, that is to say—

- (a) every person who actually does the act or makes the omission which constitutes the offence;
- (b) every person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence;
- (c) every person who aids another person in committing the offence;
- (d) any person who counsels or procures any other person to commit the offence;
- (e) in the case of an offence relating to a vehicle or train—every owner or driver who permits or allows the doing of the act or the making of the omission which constitutes the offence.

- (2) A person who counsels or procures or an owner or driver who

permits or allows any other person to commit an offence against the Act or this regulation may be charged either with personally committing the offence or with counselling, procuring or permitting or allowing its commission as the case may be.

(3) A conviction of counselling, procuring, permitting or allowing the commission of an offence against the Act or this regulation entails the same consequences in all respects as a conviction of committing the offence against the Act or this regulation.

(4) Any person who procures another to do or omit to do any act of such a nature, that, if the person had personally done the act or made the omission, the act or omission would have constituted an offence on the person's part, is guilty of an offence of the same kind, and is liable to the same punishment, as if the person had personally done the act or made the omission; and the person may be charged with personally doing the act or making the omission.

Powers of chief executive and Commissioner

13. Any matter or thing dealt with in this regulation may be determined, applied, dispensed with, prohibited or regulated by the chief executive or Commissioner from time to time either generally or in any classes of cases or in any particular case having regard to the requirements of the public and the safety of the public generally and the chief executive or Commissioner may issue a certificate exempting any person or vehicle from any provision of any regulation hereof.

PART 3—ERECTION, OPERATION AND EFFECT OF OFFICIAL TRAFFIC SIGNS

Installation of official traffic signs

16.(1) Any official traffic sign constructed, made, marked, placed, erected, fixed or painted in, into, or on or near a road for the purpose of guidance or regulation of traffic shall be in accordance with the methods, standards and procedures prescribed in relation to such signs in the Manual

of Uniform Traffic Control Devices or in so far as not so prescribed, as approved by the chief executive.

(2) A document purporting to be a Manual of Uniform Traffic Control Devices and to have been issued by the chief executive shall upon its production be prima facie evidence of the matters contained therein and of such document having been issued by the chief executive under the Act.

(3) A document (including a Manual of Uniform Traffic Control Devices) which on its face indicates that the chief executive has approved of the design, methods, standards and procedures in relation to any sign, signal, marking, light or device for the purpose of regulating, warning or guiding traffic shall upon its production be prima facie evidence of the matters contained therein and of such approval.

Indications given by official traffic signs

17.(1) When appearing on any official traffic sign—

- (a) words, figures or symbols, indicating 2 specified hours, times or days (e.g. 9 a.m. to 6 p.m.) shall mean that the indication given by such sign applies at any time during the period between the hours, times or days indicated by such words, figures or symbols;
- (b) words, figures or symbols indicating a specified day or part thereof shall mean that the indication given by such sign applies during the whole of such day or part thereof as the case may be.

(2) Any matter forming part of an indication given by an official traffic sign may be stated thereon in an abbreviated form.

Removal of light or sign creating danger to traffic

18.(1) If any light or any sign is in, on, or near any road or is affixed to any building upon any place and the chief executive, Commissioner or superintendent is satisfied that danger to traffic may result from such light or sign, the chief executive, Commissioner or superintendent may give notice in writing to the owner of such light or sign or to the owner of the premises or place to which such light or sign is affixed requiring the owner to either remove the light or sign or modify it to the satisfaction of the chief executive, Commissioner or superintendent within a time specified in such

notice.

(2) If within the time specified in such notice such owner does not either—

- (a) remove such light or sign; or
- (b) modify such light or sign, so that, in the opinion of the chief executive, Commissioner or superintendent danger to traffic will not result therefrom;

the owner shall be guilty of an offence, and whether such owner is or is not convicted of an offence against this section, the chief executive, Commissioner or superintendent may remove such light or sign or cause such light or sign to be removed and recover the costs of so doing from such owner as for a debt in any court of competent jurisdiction.

Maximum penalty—20 penalty units.

PART 4—OBEDIENCE TO TRAFFIC CONTROL SIGNALS, SIGNS, ORDERS AND DIRECTIONS

Obedience to traffic control light signals

19.(1) The display by a traffic control light signal of—

- (a) a green circle is an indication to a driver of a vehicle facing the traffic control light signal and about to be driven across the appropriate stop line in relation to such signal that the driver shall subject to the Act and this regulation proceed forthwith.

However, subject to this regulation a right or left turn may be made even though a traffic control light signal is displaying a red circle in respect of the carriageway the driver is about to enter, provided that a driver making or after making any such turn shall not cross a stop line associated with such last mentioned traffic control light signal until it displays a green circle;

- (aa) the word ‘walk’ in green or a green symbolic walking pedestrian or, in the absence of the words ‘don’t walk’ in red or a red

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symbolic standing pedestrian, a green circle shall be an indication that a pedestrian facing the traffic control light signal may proceed across the carriageway;

- (ab) a bicycle symbol in green is an indication that a person riding a bicycle, tricycle or power-assisted cycle facing the signal may enter the carriageway;
- (b) an amber circle alone is an indication that—
 - (i) a driver facing the traffic control light signal shall not proceed beyond the stop line associated with the traffic control light signal or in the absence of a stop line the traffic control light signal itself unless the vehicle is so close to the stop line or traffic control light signal when the colour amber first appears that the driver cannot safely stop his or her vehicle before passing the stop line or traffic control light signal;
 - (ii) a pedestrian facing the traffic control light signal shall not enter upon the carriageway;
 - (iii) if the traffic control light signal is erected at or near an intersection every person upon such intersection shall clear it with all reasonable speed;
- (c) a red circle alone is an indication that a driver facing the traffic control light signal shall not proceed beyond the stop line associated with the traffic control light signal or in the absence of a stop line the traffic control light signal itself;
- (ca) the words ‘don’t walk’ in red or a red symbolic standing pedestrian or, in the absence of the word ‘walk’ in green or a green symbolic walking pedestrian a red circle alone is an indication that a pedestrian facing the traffic control light signal shall not enter upon the carriageway;
- (cb) a bicycle symbol in red is an indication that a person riding a bicycle, tricycle or power-assisted cycle facing the signal must not enter the carriageway, unless the person is so close to the signal when the red symbol first appears that the person cannot safely stop the bicycle, tricycle or power-assisted cycle before entering the carriageway;

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- (d) a green arrow alone or in conjunction with any other display is an indication that a driver facing the traffic control light signal may proceed in the direction indicated by the arrow;
- (da) an amber arrow alone or in conjunction with any other display, except a red arrow pointing in the same direction as the amber arrow, is an indication that a driver facing the traffic control light signal shall not for the purpose of proceeding in the direction indicated by the amber arrow, proceed beyond the stop line associated with the traffic control light signal or in the absence of a stop line the traffic control light signal itself unless the vehicle is so close to the stop line or traffic control light signal when the colour amber first appears that the driver cannot safely stop his or her vehicle before passing the stop line or traffic control light signal;
- (db) a red arrow alone or in conjunction with an amber arrow pointing in the same direction as the red arrow shall be an indication that a driver facing the traffic control light signal shall not for the purpose of proceeding in the direction indicated by the red arrow proceed beyond the stop line associated with the traffic control light signal or in the absence of a stop line the traffic control light signal itself;
- (e) intermittent single amber flashes at an intersection is an indication that a driver facing the traffic control light signal shall approach and cross the intersection with caution;
- (f) a white 'B' alone or in conjunction with any other display is an indication that a driver of an omnibus facing the traffic control light signal may proceed.

(2) Where separate traffic control light signals are erected over each lane of a laned carriageway, a driver—

- (a) shall not drive in any lane over which a traffic control light signal displays a red cross to face the driver;
- (b) may drive in any lane over which a traffic control light signal displays a green arrow to face the driver, regardless of the location of the centre of the carriageway with respect to the lane markings.

Maximum penalty—20 penalty units.

Obedience to signs

20.(1) The driver of a vehicle is only required to comply with the indication of an official traffic sign installed upon a road to face the driver.¹

(1A) A person driving a vehicle on a road (the “**first road**”) must not turn the vehicle left into a road adjacent to the first road if a no left turn sign is upon the first road.

Maximum penalty—20 penalty units.

(1B) A person driving a vehicle on a road (the “**first road**”) must not turn the vehicle right into a road adjacent to the first road if a no right turn sign is upon the first road.

Maximum penalty—20 penalty units.

(1C) A person driving a vehicle on a road (the “**first road**”) must not turn the vehicle into a road adjacent to the first road if a no turns sign is upon the first road.

Maximum penalty—20 penalty units.

(2) Upon a road upon which a sign inscribed with an arrow and the words ‘one way’ is erected, a driver shall drive on the road only in the direction indicated by the arrow on that sign.

Maximum penalty—20 penalty units.

(3) The driver of a vehicle must not drive the vehicle beyond a no entry sign displayed upon a road to face the driver.

Maximum penalty—20 penalty units.

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

- (a) has the words ‘right lane must turn right’, ‘left lane must turn left’, ‘right turn only’ or ‘left turn only’ marked on a sign by the side of or over the lane; or
- (b) has those words or an arrow or arrows marked on the surface of the lane;

a driver entering the intersection from that lane shall drive only in a direction indicated by such word, arrow or arrows.

¹ See section 4 for the definition of “upon”.

Maximum penalty—20 penalty units.

(5) Where a sign inscribed with the words ‘no overtaking or passing’ is erected a driver shall not—

- (a) pass such a sign facing the driver while any vehicle proceeding in the opposite direction is between that sign and a similar sign facing in the opposite direction;
- (b) while between a sign so inscribed and a similar sign facing in the opposite direction overtake or pass a vehicle proceeding in the same direction.

Maximum penalty—20 penalty units.

(6) Where a sign inscribed with the words ‘no overtaking on bridge’ is erected near a bridge to face an approaching driver the driver shall not overtake a vehicle while between the sign and the far end of the bridge.

Maximum penalty—20 penalty units.

(6A) Where a sign inscribed with the words ‘bridge load limit ... t gross’ together with numerals before the expression ‘t’ is erected near a bridge to face an approaching driver, the driver shall not drive a vehicle upon the bridge the weight of which vehicle and its load together with the weight of any trailer attached and its load exceeds the weight indicated on the sign.

Maximum penalty—20 penalty units.

(6B) Where a sign inscribed with the words ‘speed limit on bridge’ followed by numerals and the letters ‘km/h’ is erected near a bridge to face an approaching driver, the driver shall not exceed the speed in kilometres per hour indicated by the sign while between it and the far end of the bridge.

Maximum penalty—20 penalty units.

(7) Where a sign inscribed with the words ‘keep left’ is erected to face an approaching driver, the driver shall pass to the left of the sign.

Maximum penalty—20 penalty units.

(7A) Where a sign inscribed with the words ‘keep right’ is erected to face an approaching driver, the driver shall pass to the right of the sign.

Maximum penalty—20 penalty units.

(8) Where a ‘stop’ sign is erected to face a driver approaching an

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intersection, the driver shall—

- (a) stop his or her vehicle before reaching and as near as practicable to the stop line associated with the sign or, if no stop line exists, at the point nearest to and before entering upon the intersection where the driver has a clear view of traffic approaching the intersection; and
- (b) give way to all other traffic which has entered or is approaching that intersection.

Maximum penalty—20 penalty units.

(8AA) Where a ‘give way’ sign is erected to face a driver approaching an intersection the driver shall give way to all other traffic which has entered or is approaching that intersection.

Maximum penalty—20 penalty units.

(8A) Subsection (8) applies subject to sections 34(1) and 35(1) and (3).

(9) The driver of a vehicle must not drive the vehicle beyond a give way sign, that is displayed upon a narrow section of road to face the driver, if there is a reasonable probability that the vehicle and a vehicle travelling in the opposite direction will pass each other at any point between the sign and the other end of the narrow section of road.

Maximum penalty—20 penalty units.

(10) A person driving a vehicle on a road must turn the vehicle in the direction indicated on an all traffic turn sign upon the road.

Maximum penalty—20 penalty units.

(11) A person must not ride a bicycle, tricycle or power-assisted cycle on a carriageway, footway, segregated footway or shared footway (the “**carriageway**”) beyond a bicycle prohibition sign upon the carriageway.

Maximum penalty—20 penalty units.

(12) Where a sign inscribed with the words ‘turn right at any time with care’ or ‘turn left at any time with care’ is erected to face a driver at an intersection, the driver shall give way to all vehicles and pedestrians on the intersecting road the driver is about to enter, is entering or has entered, notwithstanding whether the point of entry is within or beyond the intersection.

Maximum penalty—20 penalty units.

(13) The driver of vehicle must not drive the vehicle beyond a gross load limit sign, that is displayed upon a road to face the driver, if the mass in tonnes of the vehicle and its load (if any) together with any trailer that the vehicle is towing and its load (if any) is more than the mass indicated on the sign.

Maximum penalty—20 penalty units.

(14) The driver of a vehicle must give way to a pedestrian on a road if the driver is at an intersection where—

- (a) traffic control light signals are operating; and
- (b) a give way to pedestrians sign is displayed upon the road to face the driver.

Maximum penalty—20 penalty units.

(15) The driver of a vehicle must not drive the vehicle beyond a clearance sign, that is displayed upon a road to face the driver, if the height in metres of the vehicle and its load (if any) is more than the height indicated on the sign.

Maximum penalty—20 penalty units.

(16) The rider of a bicycle, tricycle or power-assisted cycle must dismount to cross a road upon which a cyclists dismount sign is displayed to face the rider.

Maximum penalty—20 penalty units.

(17) The driver of a bus must not drive the bus beyond a bus prohibition sign displayed upon a road to face the driver.

Maximum penalty—20 penalty units.

(18) The driver of a motor truck must not drive the motor truck beyond a truck prohibition sign displayed upon a road to face the driver.

Maximum penalty—20 penalty units.

(19) The driver of a vehicle must not drive the vehicle beyond a stop banner while the banner is displayed to face the driver.

Maximum penalty—20 penalty units.

Compliance with police signals, orders or directions

21.(1) The driver of any vehicle or any pedestrian upon any road shall—

- (a) upon any police officer giving any prescribed signal, or other clear signal, order, or direction, comply with the direction, indication or order given by such prescribed signal, or other signal, order or direction, and stop as long or proceed in such a manner or direction as such police officer shall deem necessary for the effective regulation of traffic or for any other necessary purpose;
- (b) comply with any reasonable direction of any police officer as to the manner of approaching or departing from any place or as to the manner of taking up or setting down passengers, or loading or unloading goods at any place, or as to the regulation of traffic, or as to the removal of a vehicle from one place to any other place.

Maximum penalty—20 penalty units.

(2) The signals illustrated in this subsection or as near thereto as existing circumstances may permit or require, are the prescribed signals to be given by a police officer to pedestrians and drivers of vehicles upon any road.

1. 'Stop' signal—for persons facing signal

Figure 1

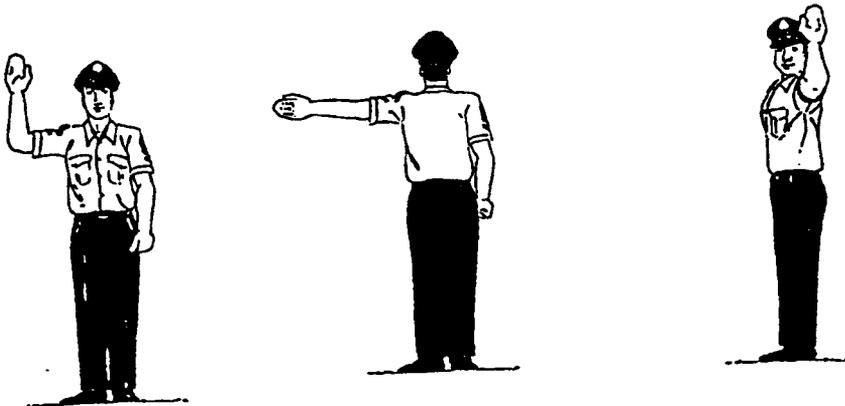


figure 1(a)
from the front

figure 1(b)
from the rear

figure 1(c)
from left side



figure 1(d)
from right side



figure 1(e)
combination from front and rear

Any signal illustrated in figure 1 given by a police officer regulating traffic upon a road at an intersection or marked crossing, shall be a direction to—

- (a) the driver of any vehicle facing such signal to—
 - (i) not drive such vehicle on to such intersection or marked crossing;
 - (ii) stop such vehicle as near as practicable to such intersection or marked crossing;
 - (iii) keep such vehicle stopped until given the ‘proceed’ signal;
- (b) any pedestrian facing such signal not to enter upon the carriageway of the road.

2. ‘Proceed’ signal—for persons facing signal

Figure 2

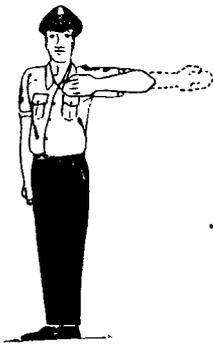
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figure 2(a)
from left side

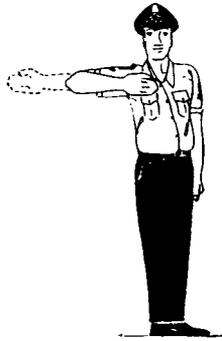


figure 2(b)
from right side

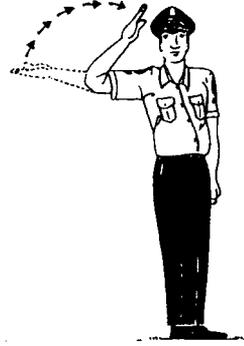


figure 2(c)
from right side

Any signal illustrated in figure 2 given by a police officer regulating traffic upon a road at an intersection or marked crossing, shall be a direction to—

- (a) the driver of any vehicle facing such signal to proceed, subject to the Act and this regulation, across such intersection or marked crossing;
- (b) any pedestrian facing such signal to proceed, subject to the Act and this regulation, across the carriageway of the road;

and in the case of—

- (c) the signal illustrated in figures 2(a) and (b)—that such proceeding shall be in front of the police officer giving such signal; or
- (d) the signal illustrated in figure 2(c)—that such proceeding shall be behind the police officer giving such signal.

3. Signal to stop at place indicated

Figure 3



figure 3(a)
in front



figure 3(b)
behind

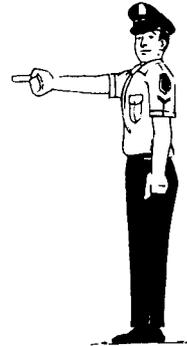


figure 3(c)
at kerb etc.

Any signal illustrated in figure 3 given by a police officer regulating traffic upon any road, shall be a direction to the driver of any vehicle upon such road to proceed in accordance with the Act and this regulation to or substantially to the place indicated and stop at or substantially at that place until given a direction to proceed.

PART 5—DRIVING ON LEFT AND OVERTAKING

Keeping as far left as practicable

22. Subject to this regulation a driver upon a two-way carriageway shall keep his or her vehicle as close as practicable to the left boundary of the carriageway except where there are 2 or more lanes marked on the carriageway available for traffic moving in the direction in which the driver is proceeding.

Maximum penalty—20 penalty units.

Overtaking

23.(1) When overtaking a moving vehicle upon a two-way carriageway a driver shall except as provided in subsection (3) pass to the right of that vehicle at a safe distance.

Maximum penalty—20 penalty units.

(1A) However, where a carriageway has 2 or more marked lanes for vehicles travelling in the same direction a driver travelling in 1 of those lanes may overtake and pass to the left of a vehicle travelling in another of those lanes if conditions permit the driver to do so with safety.

(3) A driver overtaking a vehicle making or apparently about to make a right turn may pass to the left thereof, and shall not pass to the right thereof.

Maximum penalty—20 penalty units.

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

Maximum penalty—20 penalty units.

(5) When overtaking a vehicle on a two-way carriageway—

- (a) if the carriageway is not divided into 3 lanes—a driver shall not drive to the right of the centre-line of the carriageway unless the right side of the carriageway is free of oncoming traffic for a sufficient distance ahead to permit the overtaking movement to be completed in safety;
- (b) if the carriageway is divided into 3 lanes—a driver shall not drive in the centre lane unless the centre lane is free of oncoming traffic for a sufficient distance ahead to permit the overtaking movement to be completed in safety.

Maximum penalty—20 penalty units.

(6) The driver of a vehicle travelling along a marked lane nearest to a boundary of a carriageway shall not overtake a vehicle referred to and described in section 44A(1) (the “**said vehicle**”)—

- (a) where the said vehicle is travelling in the adjacent lane and the driver of the said vehicle is signalling in accordance with the provisions of this regulation an intention to turn left—by passing on the left-hand side of the said vehicle; or
- (b) where the said vehicle is travelling in the adjacent lane of a one-way carriageway and the driver thereof is signalling in accordance with the provisions of this regulation an intention to turn right—by passing on the right-hand side of the said vehicle.

Maximum penalty—20 penalty units.

Use of centre and right lanes of 3 lane carriageways

24. On a two-way carriageway which is divided into 3 lanes a driver shall not drive his or her vehicle in—

- (a) the centre lane except to overtake another vehicle or in preparation for a right turn or where the centre lane is at the time allocated exclusively to traffic travelling in the direction in which the driver is proceeding; or
- (b) the extreme right hand lane.

Maximum penalty—20 penalty units.

Restrictions on driving right of centre line

25. The driver of a vehicle upon a two-way carriageway shall not drive his or her vehicle on the right side of the centre-line of the carriageway—

- (a) when approaching the crest of a grade where the driver's view is obstructed within such distance as to create a hazard in the event of another vehicle approaching from an opposing direction; or
- (b) when approaching within 30 m of or traversing any intersection or level crossing.

Maximum penalty—20 penalty units.

Passing an opposing vehicle

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

Maximum penalty—20 penalty units.

Giving way to overtaking vehicles

27.(1) A driver of a vehicle that is being overtaken by another vehicle must move the vehicle to the left of the carriageway to allow the overtaking vehicle to pass and must not increase the speed of the driver's vehicle until it

is completely passed by the overtaking vehicle.

Maximum penalty—20 penalty units.

(2) Subsection (1) only applies to the driver of a vehicle that is being overtaken if the driver of the overtaking vehicle—

- (a) where the overtaking vehicle is equipped with an audible warning device that is fixed to the vehicle in accordance with this regulation—has sounded the audible warning device; or
- (b) where the overtaking vehicle is equipped with a warning device that enables the vehicle's headlamp or headlamps to be flashed—has operated the warning device.

(3) Subsection (1) does not apply if overtaking on the left is permitted.

Driving in lanes on carriageways

28.(1) A driver shall drive his or her vehicle as nearly as practicable entirely within a single marked lane or line of traffic and shall not move laterally from such lane or line of traffic until the driver can do so safely.

(2) A driver travelling along a marked lane any boundary of which is a single unbroken line (not being a separation line or an edge line) shall not permit any part of the driver's vehicle to cross that line.

Maximum penalty—20 penalty units.

Driving through roundabouts

29. A driver passing through a roundabout shall drive to the left of the centre island.

Maximum penalty—20 penalty units.

Keeping left of double lines

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

- (a) 2 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 or her vehicle to travel on or over or to the right of such double longitudinal line.

Maximum penalty—20 penalty units.

Following too closely

31.(1) In this section—

“**long vehicle**” means a vehicle more than 8 m 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.

(2) Except when overtaking and passing, the driver of a long vehicle when following another long vehicle shall whenever conditions permit keep his or her vehicle not less than 60 m behind the other vehicle.

Maximum penalty—20 penalty units.

(3) This section shall not apply to a long vehicle in a built-up area or to a long vehicle on a carriageway provided with 2 or more marked lanes for vehicles proceeding in the same direction as the long vehicle.

Driving on divided road

32. Where a road is divided into carriageways by a reservation or reservations a driver shall not drive along the extreme right hand carriageway unless a sign inscribed with the words ‘two way traffic’ is erected to face drivers entering that carriageway.

Maximum penalty—20 penalty units.

Transit lanes

32A.(1) Subject to subsection (2) a driver of a motor vehicle other than—

- (a) a motor vehicle carrying 3 or more persons (including the driver);
or
- (b) an omnibus; or
- (c) a motor vehicle operated under a taxi service licence or limousine service licence under the *Transport Operations (Passenger Transport) Act 1994*; or

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- (d) a motorcycle; or
- (e) an emergency vehicle;

shall not drive his or her vehicle in a transit lane.

Maximum penalty—20 penalty units.

(2) Subsection (1) shall not apply to the driver of a motor vehicle—

- (a) where the driver is driving such vehicle in a transit lane, located in relation to the direction in which the driver is travelling on the left hand boundary of the carriageway, for the purpose of turning to the driver's left at or before the next intersection on the driver's left hand side;
- (b) where the driver is driving such vehicle in a transit lane—
 - (i) located in relation to the direction in which the driver is travelling on the right hand boundary of the carriageway; and
 - (ii) which is available in accordance with this regulation for traffic proceeding in the direction of the driver's vehicle;for the purpose of turning to the driver's right at or before the next intersection on the driver's right side.

Bus lanes

32B.(1) This section does not apply to the following motor vehicles—

- (a) a bus;
- (b) a motor vehicle when it is being used under a taxi service licence or limousine service licence under the *Transport Operations (Passenger Transport) Act 1994*;
- (c) an emergency vehicle.

(1A) A person must not drive a motor vehicle in a bus lane.

Maximum penalty—20 penalty units.

(2) Subsection (1) shall not apply to the driver of a motor vehicle—

- (a) where the driver is driving such vehicle in a bus lane, located in relation to the direction in which the driver is travelling on the left hand boundary of the carriageway, for the purpose of turning to

the driver's left at or before the next intersection on the driver's left hand side;

- (b) where the driver is driving such vehicle in a bus lane—
- (i) located in relation to the direction in which the driver is travelling on the right hand boundary of the carriageway; and
 - (ii) which is available in accordance with this regulation for traffic proceeding in the direction of the driver's vehicle;

for the purpose of turning to the driver's right at or before the next intersection on the driver's right hand side.

Bicycle lanes and bicycle paths

32C.(1) The driver of a vehicle, other than a bicycle, tricycle or power-assisted cycle, must not drive the vehicle on a bicycle lane or bicycle path.

Maximum penalty—20 penalty units.

(2) Subsection (1) shall not apply to—

- (a) the driver of an emergency vehicle; or
- (b) the driver of a public utility service vehicle; or
- (c) the driver of an omnibus or a motor vehicle operated under a taxi service licence or limousine service licence under the *Transport Operations (Passenger Transport) Act 1994*, who intends to stop his or her vehicle to pick up or set down passengers and who enters a bicycle lane within 50 m of where the driver intends to stop his or her vehicle for the purpose specified and leaves such bicycle lane within 50 m of the place where the vehicle was stopped; or
- (d) the driver of a vehicle which is being driven directly across a bicycle lane or bicycle path for the purpose of entering or leaving a private driveway, loading dock or other place provided for the access of vehicles between a road and any adjacent premises or place; or
- (e) the driver of a vehicle which is being driven across a bicycle lane for the purpose of parking, stopping or standing upon the

carriageway in accordance with this regulation; or

- (f) the driver of a vehicle who indicates his or her intention to turn and who turns left or right from the carriageway of which a bicycle lane forms part, at or before the next intersection.

Truck lanes

32D.(1) The driver of a motor vehicle, other than a motor truck, must not drive the vehicle in a truck lane.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply if—

- (a) the vehicle is being driven in a truck lane, that in relation to the direction of travel is on the left hand side of the carriageway, for the purpose of turning left at or before the next intersection;
- (b) the vehicle is being driven in a truck lane, that in relation to the direction of travel is on the right hand side of the carriageway, for the purpose of turning right at or before the next intersection.

PART 6—GIVING WAY

Meaning of “give way”

33. Where this regulation requires a driver to give way to a vehicle, train or person, the driver shall, in circumstances where if the driver proceeded there would be a reasonable possibility of the driver colliding with that vehicle or person or otherwise creating a dangerous situation, slow down to such an extent, or stop and remain stationary for such time as is necessary to allow that vehicle or person to continue on its, his or her course without risk of collision or as is necessary to avoid creating a dangerous situation.

Giving way at intersections

34.(1) When a vehicle has entered or is approaching an intersection other than a roundabout from a carriageway and there is danger of collision with a

vehicle which has entered or is approaching the intersection from a carriageway from another direction, the driver who has the other vehicle on the driver's right shall give way.

Maximum penalty—20 penalty units.

(1A) However, subsection (1) shall be subject to the exceptions as provided in sections 20(8) and (8AA), 35 and subsection (2A).

(2) Subsection (2A) shall apply to 3 way intersections and shall be subject to the exceptions as provided in section 20(8) and (8AA).

(2A) When a vehicle has entered or is approaching a 3 way intersection other than a roundabout from a terminating carriageway and there is danger of collision with a vehicle which has entered or is approaching the intersection from another carriageway, the driver of the vehicle entering or approaching the intersection from the terminating carriageway shall give way.

Maximum penalty—20 penalty units.

(3) For the purpose of this section—

“carriageway” means any road, street or highway declared, dedicated or proclaimed as a road, street or highway and set aside for the use of vehicles, but does not include footpaths, footways and the driveways of any dwelling or other premises of any kind adjoining a carriageway.

“terminating carriageway” means a carriageway which at an intersection meets another carriageway but does not continue through and beyond that carriageway.

Giving way at roundabouts

34A. The driver of a vehicle approaching or entering a roundabout shall give way to any vehicle which is within the roundabout.

Maximum penalty—20 penalty units.

Giving way during turns

35.(1) A driver who intends to turn, is turning or has turned to the right at an intersection shall give way to any other vehicle which has entered or is approaching the intersection in the opposite direction.

Maximum penalty—20 penalty units.

(2) A driver turning to the right or to the left at an intersection shall give way to pedestrians during the execution of the turn.

Maximum penalty—20 penalty units.

(3) A driver making a u-turn shall give way to all other vehicles and to any pedestrian.

Maximum penalty—20 penalty units.

(4) Subsections (1) and (3) apply subject to section 20(8) and (8AA).

Movements to or from parked position

36.(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.

Maximum penalty—20 penalty units.

(2) A driver shall not drive a vehicle in reverse out of any parking area established across the centre of a carriageway.

Maximum penalty—20 penalty units.

(3) Subsection (1) shall not apply to a driver who is about to drive or is driving an omnibus—

- (a) from a bus zone in a constructed bay adjacent to the left hand boundary of the carriageway; or
- (b) from a bus zone on the shoulder of the road adjacent to the left hand boundary of the carriageway; or
- (c) from a bus zone on the left hand boundary of the carriageway;

to enter the marked lane of the carriageway which is nearest to the left boundary thereof where—

- (d) the driver has signalled his or her intention to do so in accordance with the requirements of section 45(4)(b) and in so doing has given reasonable warning to other drivers travelling in the same direction; and
- (e) the omnibus has affixed to the rear at the right hand side a sign,

having a minimum area of 0.125 m², in the form depicted in figure 1; and

- (f) the speed limit applicable to the carriageway does not exceed 60 km/h.

Figure 1



Priority for omnibuses

36A. The driver of any vehicle upon a carriageway approaching an omnibus that is about to drive or is driving in the same direction, shall give way to that omnibus where—

- (a) the omnibus is leaving a bus zone which is in a constructed bay adjacent to the left hand boundary of the carriageway, or is on the shoulder of the road adjacent to the left hand boundary of the carriageway, or is on the left hand boundary of the carriageway, to enter the marked lane of that carriageway nearest to the left boundary; and
- (b) the driver of the omnibus has signalled his or her intention and in so doing has given reasonable warning of his or her intention;
- (c) the omnibus has affixed to the rear on the right hand side, a sign, having a minimum area of 0.125 m², in the form depicted in section 36(3), figure 1; and
- (d) the speed limit applicable to the carriageway does not exceed 60 km/h.

Maximum penalty—20 penalty units.

Action when emergency vehicle approaches

37. A driver must do everything reasonably practicable to give way to, and get out of the way of, an emergency vehicle sounding its siren or repeater horn or operating its flashing warning lights.

Maximum penalty—20 penalty units.

Giving way to pilot vehicle escorted vehicles

37A. A driver shall give way wherever practicable, and make every reasonable effort to give a clear and uninterrupted passage, to a vehicle which is being escorted by a pilot vehicle as referred to in Part 21 and which is displaying a sign indicating that the vehicle being escorted is carrying a wide, long or high load.

Maximum penalty—20 penalty units.

Entering or leaving a road

38.(1) A driver, entering a road from land abutting on that road, other than in compliance with an indication of a traffic control light signal, must give way to all—

- (a) vehicles; and
- (b) pedestrians; and
- (c) persons in wheelchairs; and
- (d) persons riding bicycles, tricycles or power-assisted cycles on bicycle facilities referred to in section 159A;

proceeding in either direction along that road.

Maximum penalty—20 penalty units.

(2) A driver, making a right hand turn to leave a road to enter land abutting on that road, shall give way to all—

- (a) vehicles proceeding in the opposite direction along such road; and
- (b) pedestrians; and
- (c) persons in wheelchairs; and
- (d) persons riding bicycles, tricycles or power-assisted cycles on

bicycle facilities referred to in section 159A.

Maximum penalty—20 penalty units.

(3) A driver, making a left hand turn to leave a road to enter land abutting on that road, shall give way to all—

- (a) pedestrians; and
- (b) persons in wheelchairs; and
- (c) persons riding bicycles, tricycles or power-assisted cycles on bicycle facilities referred to in section 159A.

Maximum penalty—20 penalty units.

(4) A driver shall not enter upon or attempt to cross an intersection if the intersection or the carriageway that the driver wishes to enter is blocked by vehicles.

Maximum penalty—20 penalty units.

(5) Subsection (4) applies to all intersections including an intersection at which a traffic control light signal displays an indication to the driver that the driver may proceed.

Giving way to restive horses

38A.(1) At the request of or signal made by a raising of the hand and pointing to the horse by any person leading, driving, riding or in charge of a restive horse, the driver of a motor vehicle upon a carriageway, being a driver to whom such signal is given, shall drive his or her vehicle as close as possible to the left boundary of the carriageway and stop the vehicle.

(2) The driver must then stop the vehicle's engine and not move the vehicle if—

- (a) there is a reasonable likelihood that the noise of the motor will aggravate the restiveness of the horse; or
- (b) the movement of the vehicle will aggravate the restiveness of the horse.

Maximum penalty—20 penalty units.

Shared zone

38B. The driver of a vehicle must give way to a pedestrian who is on a shared zone.

Maximum penalty—20 penalty units.

PART 7—PEDESTRIANS**Pedestrian crossings**

39.(1) A driver shall give way to any pedestrian who is on a pedestrian crossing.

(2) A driver approaching a school crossing shall stop his or her vehicle and cause it to remain stationary—

- (a) if any pedestrian is on the crossing;
- (b) if an official traffic sign inscribed with the word ‘stop’ in black lettering on a red-orange fluorescent background is displayed to face the driver;

and shall not permit any portion of his or her vehicle to enter upon the school crossing while any pedestrian is upon such school crossing or while any such sign is so displayed.

(2A) Where there is a stop line on the approach side of a school crossing any stop made pursuant to subsection (2) shall be made before reaching and as near as practicable to the stop line.

(3) A driver shall not permit any portion of his or her vehicle to enter upon a pedestrian crossing if any vehicle headed in the same direction is stopped on the approach side of or upon such pedestrian crossing apparently for the purpose of complying with this section.

Maximum penalty—20 penalty units.

Duties of pedestrians

40.(1) A pedestrian—

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- (a) when on a footway or pedestrian crossing shall keep to the left side of such footway or crossing;
- (b) when crossing a carriageway at an intersection shall keep left of pedestrians crossing in the opposite direction;
- (c) when crossing a carriageway or portion thereof shall do so as nearly as practicable by the shortest and most direct route to the carriageway boundary;
- (d) after alighting from a vehicle on to a carriageway must proceed as soon as practicable to the nearest footway by the shortest and most direct route.

Maximum penalty—20 penalty units.

(1A) Subsection (1)(b) and (c) shall not apply at an intersection or other area controlled by traffic control signals which provide a period of time during which pedestrians only may use the carriageway.

(2) Subsection (1)(c) and (d) does not apply to a pedestrian in a shared zone.

Restrictions on pedestrians

41.(1) A person shall not—

- (a) while waiting to board a vehicle, stand on any part of a carriageway other than a carriageway in a shared zone;
- (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;
- (d) remain on a pedestrian crossing longer than is necessary for the purpose of passing over the carriageway with reasonable dispatch;
- (e) stand upon a footway or carriageway so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrian or any vehicle;
- (f) being a pedestrian—
 - (i) stand upon or proceed along the side of a segregated footway which corresponds to the side of the segregated footway sign

applicable to that person's direction of travel on which the symbol of a bicycle is depicted; or

- (ii) cross a bicycle path or a segregated footway if in so doing that person would impede the progress of any bicycle, tricycle or power-assisted cycle travelling along such bicycle path or segregated footway in accordance with this regulation.

Maximum penalty—20 penalty units.

(2) Subsection (1)(d) and (e) do not apply to a person acting as a school patrol or school crossing supervisor under section 164.

Walking on carriageways

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

Maximum penalty—20 penalty units.

(2) A pedestrian proceeding along a carriageway shall when practicable face traffic which may approach the pedestrian from the opposite direction and keep as close as the pedestrian can to the right boundary of the carriageway.

Maximum penalty—20 penalty units.

(4) A pedestrian shall not enter upon any portion of a carriageway outside of and within 20 m of a pedestrian crossing.

Maximum penalty—20 penalty units.

(5) This section does not apply to a pedestrian who is on a carriageway—

- (a) in a shared zone; or
- (b) from which vehicles are excluded.

(6) A pedestrian upon any road shall take due care and precaution to avoid a collision with any other pedestrian or any vehicle upon such road.

Maximum penalty—20 penalty units.

Blind pedestrians

42A.(1) Every pedestrian shall give way to a pedestrian displaying a walking stick or cane that is predominantly white.

Maximum penalty—20 penalty units.

(2) A pedestrian, other than a blind person or a person whose sense of sight is partially absent, shall not display a walking stick or cane that is predominantly white.

Maximum penalty—20 penalty units.

(3) In subsection (2)—

“a person whose sense of sight is partially absent” means a person whose sense of sight is so impaired (the onus of proof of which shall lie upon the person) as to require the use of a walking stick or cane that is predominantly white for the person’s safe movement as a pedestrian.

PART 8—TURNING, AND DRIVER’S SIGNALS FOR STOPPING AND TURNING**Left turns**

43.(1) A driver who is about to make a left turn at an intersection shall, subject to the provisions of section 44A, so drive the driver’s vehicle that when it reaches the intersection it shall be to the left of any vehicle abreast of the driver’s vehicle and proceeding in the same direction.

Maximum penalty—20 penalty units.

(2) Subsection (1) shall not apply to a driver whose vehicle is in a marked lane immediately to the right of a marked lane allocated exclusively to left turning vehicles by means of a sign erected alongside or over it or by means of markings on its surface.

(3) A driver who is about to make a left turn to enter land abutting on a road shall position the driver’s vehicle so that it is parallel to and as near as practicable to the left boundary of the carriageway of that road.

Maximum penalty—20 penalty units.

Right turns

44.(1) A driver who is about to make a right turn at an intersection shall—

- (a) where the driver is travelling on a two-way carriageway approach and enter the intersection so that the driver's vehicle is to the left of, parallel to and as near as practicable to the centre of that carriageway;
- (b) subject to the provisions of section 44A, where the driver is travelling on a one-way carriageway approach and enter the intersection so that the driver's vehicle is parallel to and as near as practicable to the right boundary of that carriageway;

unless the driver's vehicle is in a marked lane which has a sign alongside or over it or markings on its surface indicating that a right turn must or may be made.

Maximum penalty—20 penalty units.

(2) A driver making a right turn at an intersection shall make the right turn so that—

- (a) if the carriageway being entered is a two-way carriageway—the driver's vehicle enters it to the left of the centre of that carriageway;
- (b) if the carriageway being entered is a one-way carriageway—the driver's vehicle enters it as near as practicable to the right boundary of that carriageway;
- (c) wherever practicable the driver's vehicle passes to the right of the centre of the intersection.

Maximum penalty—20 penalty units.

(2A) For the purposes of subsection (2) a vehicle shall be deemed to enter a carriageway at the point where the vehicle leaves the intersection.

(3) A driver who is about to make a right turn to enter land abutting on a road shall—

- (a) where the driver is travelling on a two-way carriageway—position

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the driver's vehicle so that it is to the left of, parallel to and as near as practicable to the centre of that carriageway;

- (b) where the driver is travelling on a one-way carriageway—position the driver's vehicle so that it is parallel to and as near as practicable to the right boundary of that carriageway.

Maximum penalty—20 penalty units.

(4) Notwithstanding subsections (1) to (3) a driver who is about to make or is making a right turn at an intersection where markers, marks or signs are so placed as to indicate that a different course from that specified in this section should be travelled shall not turn his or her vehicle at the intersection otherwise than as indicated by the markers, marks or signs.

Maximum penalty—20 penalty units.

(5) Notwithstanding subsections (1) to (4), a person riding a bicycle, tricycle or power-assisted cycle who is about to make or is making a right turn at an intersection may—

- (a) subject to the provisions of section 43(2), approach such intersection parallel to and as near as practicable to the left boundary of the carriageway or bicycle lane the person is about to leave; and
- (b) notwithstanding the provisions of subsections (1) and (2), enter the intersection and keep as near as practicable to the prolongation of the left boundary of the carriageway the person is in and take up a position as near as practicable to the prolongation of the left boundary of the carriageway the person is about to enter; and
- (c) turn his or her vehicle to the right and proceed to leave the intersection.

(6) However—

- (a) where any traffic control light signal is erected and operating at the intersection—the person riding the bicycle, tricycle or power-assisted cycle shall wait before proceeding to leave the intersection until the traffic control light signal is displaying a green circle applicable to the person in respect of the carriageway the person is about to enter;
- (b) where any traffic control light signal erected at an intersection

displays intermittent single amber flashes or is not operating or where there are no traffic control light signals erected at the intersection—the person riding the bicycle, tricycle or power-assisted cycle shall give way to any other vehicle which has entered or is approaching the intersection.

Maximum penalty—20 penalty units.

Turns by vehicles 7.5 m or more in length

44A.(1) The driver of a vehicle which is 7.5 m or more in length and which has clearly displayed on the rear of it a sign having a minimum area of 0.125 m² and displaying the words ‘do not overtake turning vehicle’ in block letters not less than 50 mm in height in black lettering on a retroreflective yellow background may cause the vehicle to turn at an intersection in a direction contrary to that indicated by an arrow or arrows referred to in section 20(4)(b), but not in a direction contrary to any other official traffic sign, if—

(a)—

- (i) being on a one-way carriageway which has marked lanes on the carriageway—the vehicle is in the marked lane adjacent to the marked lane nearest to the boundary of the carriageway which is on the driver’s right-hand side, or is partly in one and partly in the other of those lanes, and the vehicle is turned to the driver’s right; or
 - (ii) being on any carriageway which has marked lanes on the carriageway—the vehicle is in the marked lane adjacent to the marked lane nearest to the boundary of the carriageway which is on the driver’s left-hand side, or is partly in one and partly in the other of those marked lanes, and the vehicle is turned to the driver’s left; and
- (b) the driver would be entitled to turn the vehicle in that direction if the vehicle were in the marked lane nearest to the boundary of the carriageway; and
- (c) it is not practicable in all of the circumstances for the turn to be negotiated from the marked lane nearest to that boundary of the carriageway; and

- (d) the vehicle is equipped with a signalling device or devices complying with the provisions of Schedule 1, section 72(3)(b), (d) or (f) (for the purposes of a right-hand turn) or 72(3)(c), (e) or (f) (for the purposes of a left-hand turn), and the driver indicates his or her intention to turn right or left, as the case may be, in accordance with the provisions of this regulation.

(2) A person shall not upon any road drive a motor vehicle displaying a sign which bears the words ‘do not overtake turning vehicle’ unless the vehicle to which it is attached is 7.5 m or more in length, and the sign complies in every respect with the sign referred to in section 44A(1).

(3) A person shall not upon any road drive a motor vehicle displaying a sign which bears words which vary from, but are to the effect of, the words ‘do not overtake turning vehicle’.

Maximum penalty—20 penalty units.

Turn right and stop signals

45.(1) A driver shall not turn right or diverge right or stop or suddenly decrease speed or make a u-turn without giving a signal as prescribed in this section.

Maximum penalty—20 penalty units.

(2) A driver who is about to turn right or diverge right or stop or suddenly decrease speed or make a u-turn shall signal his or her intention of doing so for such time as is necessary to give reasonable warning to other persons upon a road including drivers approaching from behind.

Maximum penalty—20 penalty units.

(3) For the purposes of and without limiting the generality of subsections (2) and (6) a signal shall be deemed to give reasonable warning if it is given continuously—

- (a) while a vehicle is travelling 30 m immediately before it commences to turn and during any period when it is stationary before it commences to turn; or
- (b) while a vehicle is travelling 30 m immediately before it commences to diverge right or diverge left; or

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(c) while the brakes of a vehicle are applied before it stops or while it is slowing down.

(4) Any signal required by this section shall be given—

- (a) by means of the hand and arm; or
- (b) in the case of a signal of intention to turn or diverge right or make a u-turn—by means of a hand shaped signalling device, semaphore signalling device or flashing lamp signalling device; or
- (c) in the case of a signal of intention to stop or reduce speed suddenly—by means of a brake lamp or lamps or a hand shaped signalling device.

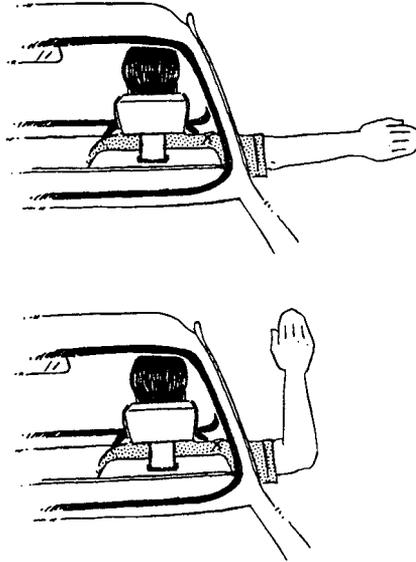
Maximum penalty—20 penalty units.

(4A) However, such hand shaped signalling device, semaphore signalling device, flashing lamp signalling device or brake lamp shall comply with the specifications for that device or brake lamp prescribed by Schedule 1.

(5) Where a driver gives a signal by hand and arm the driver shall with the palm of his or her hand facing forward—

- (a) signal his or her intention to turn right or diverge right or make a u-turn by fully extending his or her right arm and hand horizontally beyond the right side of his or her vehicle approximately at right angles to the centre line of the vehicle;
- (b) signal his or her intention to stop or reduce speed suddenly by extending his or her right arm beyond the right side of his or her vehicle with the upper arm horizontal and the forearm and fingers pointing upwards.

Maximum penalty—20 penalty units.



(6) Where a vehicle is equipped with signalling devices as prescribed in Schedule 1, section 72(3)(c), (e) and (f), a driver who is about to turn left or diverge left shall signal his or her intention of doing so for such time as is necessary to give reasonable warning to other persons upon a road including drivers approaching from behind.

Maximum penalty—20 penalty units.

Use of signalling devices

46.(1) A driver of a motor vehicle upon a road shall not permit a signalling device—

- (a) to remain in operation after the completion of the turn or divergence or stop or sudden reduction of speed in respect of which the device was put into operation;
- (b) to operate or remain in operation at any time for any purpose other than to indicate the driver's intention at that time to turn right, diverge right, turn left, diverge left, make a u-turn, stop or reduce speed suddenly.

Maximum penalty—20 penalty units.

(2) However, this section shall not apply where the motor vehicle, not

being a motorcycle, is stationary in a hazardous position on a carriageway including the shoulders of a carriageway or the lateral parts of a carriageway not used by the main body of moving traffic and the signalling devices displayed are flashing lamp turn signal devices in accordance with Schedule 1, section 42A(3).

School bus warning devices

46A. A driver of a school bus—

- (a) shall, in addition to complying with any other requirements of this regulation which may apply to such driver, give reasonable warning of his or her intention to stop for the purpose of picking up or setting down passengers by signalling his or her intention of doing so by activating simultaneously the 4 flashing amber lamps, specified in Schedule 1, section 18B and shall keep such lamps activated during the period that the school bus is—
 - (i) about to stop; and
 - (ii) stationary; and
 - (iii) moving off from the position where it had remained stationary.

For the purposes of and without limiting the generality of paragraph (a) a signal shall be deemed to give reasonable warning if it is given continuously in accordance with the provisions of section 45(3);

- (b) shall not permit the amber lamps referred to in paragraph (a) to be activated other than in compliance therewith;
- (c) shall not drive such vehicle unless there is displayed on the front and rear thereof the sign 'school bus' as specified in Schedule 1, section 18B;
- (d) shall not drive such vehicle displaying the signs referred to in paragraph (c) except when such vehicle is being used as a school bus.

Maximum penalty—20 penalty units.

U-turns

- 47.** A driver shall not cause his or her vehicle to make a u-turn—
- (a) unless the driver has a clear view of traffic in both directions for a distance of at least 150 m; or
 - (b) at an intersection at which a traffic control light signal is operating, unless—
 - (i) a u-turn permitted sign is displayed upon a carriageway to face the driver; and
 - (ii) the signal permits the driver to proceed; or
 - (c) at a place where a no u-turn sign is upon the road.

Maximum penalty—20 penalty units.

PART 9—RAILWAY LEVEL CROSSINGS**Stopping and giving way at level crossings**

48.(1) A driver approaching a railway level crossing shall stop his or her vehicle so that the leading portion thereof is on the approach side of and safely clear of the nearest rail of the railway—

- (a) if the driver is directed or instructed to stop by a railway employee and shall not proceed except in accordance with the railway employee's direction;
- (c) if a stop sign facing the driver is erected at or near the level crossing and shall proceed only if it is safe to do so;
- (d) if twin alternating red lights are flashing or a wigwag signal is moving or a warning bell is ringing at or near the level crossing and 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.

(2) 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

such gate, boom or barrier is closed or is being opened or closed to road traffic.

(3) A driver of a vehicle shall not enter upon or attempt to cross a level crossing if the carriageway beyond such level crossing is blocked by traffic, notwithstanding a traffic control light signal to proceed.

(4) If a give way sign is at or near a railway level crossing, the driver of a vehicle must give way to a train approaching the crossing.

Maximum penalty—20 penalty units.

PART 10—SPEED RESTRICTIONS

Safe distance to be kept having regard to speed

49. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the road.

Maximum penalty—20 penalty units.

Speed limits

50.(1) In this section—

“**speed zone**” means a length of carriageway that—

- (a) begins at a speed restriction sign displayed upon the carriageway to face a driver; and
- (b) ends at—
 - (i) another speed restriction sign displayed upon the carriageway to face the driver; or
 - (ii) a dead end.

(2) A person must not drive a motor vehicle at a speed greater than—

- (a) in a speed zone—the speed in kilometres per hour indicated by the number on the speed restriction sign; or

- (b) in a local traffic area—40 km/h; or
- (c) in a built-up area—60 km/h; or
- (d) in any other area—100 km/h.

Maximum penalty—20 penalty units.

(3) Despite subsection (2), a person must not drive—

- (a) an excess dimension vehicle or over dimension vehicle, that is required to be escorted by a pilot vehicle, at a speed greater than 80 km/h; or
- (b) a road train at a speed greater than 90 km/h; or
- (c) a power-assisted cycle at a speed greater than 25 km/h.

Maximum penalty—20 penalty units.

Radar detection devices

51.(1) The driver of a motor vehicle must not use, carry in, or have fitted to that motor vehicle a device, the principal purpose of which is to detect the use of a microwave vehicle speed indicator (commonly known as radar).

Maximum penalty—20 penalty units.

(2) A police officer may seize and remove and detain or cause to be removed to and detained at a place for safe keeping a device referred to in subsection (1).

Speed of motorcycle with small engine

52.(1) A person shall not during hours of darkness drive upon a road—

- (a) any motorcycle the engine capacity of which does not exceed 100 mL at a rate of speed exceeding 40 km/h; or
- (b) any motorcycle the engine capacity of which exceeds 100 mL but does not exceed 200 mL at a rate of speed exceeding 50 km/h.

Maximum penalty—20 penalty units.

(2) However, this section shall not apply to any motorcycle which is fitted with a headlamp having an effective range of at least 50 m.

Speed of tractor with sugar cane trailer

52A. A person must not drive a tractor hauling a sugar cane trailer on a road at a speed greater than 40 km/h.

Maximum penalty—20 penalty units.

Application of sections relating to speed

53.(1) Where under or in pursuance of any provision of the Act or this regulation the speed at which a vehicle may be driven upon a road is limited by reference to the time, place or circumstances of the driving thereof, or otherwise howsoever, every other provision of this regulation shall apply so that nothing in such other provision shall authorise or be deemed to authorise any person to drive a vehicle on a road at a speed which contravenes the limitations imposed by such first mentioned provision.

(2) Every provision of this Part shall apply so as not to authorise, justify or excuse the driving of any vehicle upon any road—

- (a) negligently; or
- (b) recklessly; or
- (c) at a speed or in a manner which is dangerous to the public; or
- (d) without due care and attention; or
- (e) without reasonable consideration for other persons using the road;
or
- (f) without using reasonable care and taking reasonable precautions to avoid endangering the life, safety or health of any person; or
- (g) otherwise in a manner which is an offence against the Act or this regulation.

**PART 11—STOPPING, STANDING AND PARKING
VEHICLES**

Method of parking vehicles

54.(1) The driver of a vehicle upon any road—

- (a) where no method of parking is indicated by an official traffic sign—shall not park a vehicle, other than a motorcycle without a sidecar attached, otherwise than by parallel parking;
- (b) where any method of parking is indicated by an official traffic sign—shall not park such vehicle otherwise than by the method of parking indicated on that sign;
- (c) notwithstanding any other provision, shall not park a vehicle exceeding 8 m in length or a vehicle and trailer with a combined length exceeding 8 m where angle parking or centre parking is required;
- (d) in the case of a motorcycle without a sidecar attached being parked in an area where other motor vehicles are required to be parked by parallel parking—shall park such motorcycle so that at least 1 wheel of it is as close as practicable to the boundary of the carriageway against which parking is required.

(2) The driver of a vehicle upon any road shall not park or stand such vehicle—

- (a) in the case of a motor vehicle other than a motorcycle without a sidecar—at a nearer distance than 1 m from any other vehicle except where angle parking or centre parking is required;
- (b) so that less than 3 m of the width of the carriageway between the vehicle and the far boundary of the carriageway or between the vehicle and a marked centre line is available for the movement of traffic;
- (c) so that it will cause undue obstruction on the carriageway or undue delay to other vehicles;
- (d) where parking bays are marked on the carriageway surface—otherwise than entirely within the confines of a single bay;
- (e) partly within and partly outside an area set apart for the parking or standing of a vehicle or vehicles.

Maximum penalty—20 penalty units.

Prohibited standing places

55.(1) A person shall not upon a road park stop or leave stand a vehicle—

- (a) between the centre of the carriageway of such road and a vehicle or stall standing or parked upon the carriageway of such road; or

Proof that a vehicle was found parked stopped or standing upon a road between the centre of the carriageway of such road and another vehicle or stall standing or parked upon the carriageway of such road shall be prima facie evidence of the fact that the first mentioned vehicle was parked stopped or left standing between the centre of the carriageway of such road and the other vehicle or stall:

However, this paragraph shall not apply so as to prevent a vehicle from being properly parked by centre parking.

- (b) upon or so that any part thereof encroaches upon any intersection, footway, pedestrian crossing, level crossing, bicycle path, segregated footway, shared footway, bridge or other elevated structure or within a tunnel or underpass or so as to obstruct or hinder the passage of any vehicle to or from any road, ferry or wharf or from the carriageway of any road to any driveway between such carriageway and any adjacent premises, loading dock or other place provided for access of vehicles, or from any such driveway to the carriageway of any road; or
- (c) at a nearer distance than 3 m from any postal pillar or postal letter box; or
- (d) where there is a double centre-line, unless there is a distance of at least 3 m between such vehicle and the nearer of the lines forming such double centre-line; or
- (e) at a nearer distance than 6 m from any intersection; or
- (f) in a bus zone, unless the person is parking, stopping or standing a bus in accordance with any indications on the bus zone sign; or
- (g) at a nearer distance than 18 m from the nearest rail of a railway level crossing; or
- (h) upon or so that any part of it encroaches upon the carriageway in a

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position where by reason of a grade or curve in such road, the driver of any other vehicle approaching it from the rear will not have a clear view of it for a distance of at least 50 m; or

- (i) on a transit lane other than—
 - (i) a bus at a bus zone while anyone is entering or leaving the bus; or
 - (ii) a motor vehicle operated under a taxi service licence or limousine service licence under the *Transport Operations (Passenger Transport) Act 1994* while anyone is entering or leaving the vehicle; or
- (j) in a bus lane or a truck lane, unless the vehicle is a bus that is standing in a bus zone to allow passengers to enter or leave the bus; or
- (k) where an official standing place for ambulances is indicated by 2 or more official traffic signs inscribed with the words ‘no standing ambulances excepted’ and any other words unless the person is parking, stopping or standing an ambulance in accordance with any indications on the signs; or
- (l) in a clearway, unless the vehicle is—
 - (i) a bus that is standing in a bus zone; or
 - (ii) a taxi that is standing;
to allow passengers to enter or leave the vehicle; or
- (m) in any area or place demarcated by official traffic signs on which are inscribed the words ‘loading zone’ except—
 - (i) where the signs indicate a class or classes of vehicles—the vehicle is a vehicle of that class or of 1 of those classes; and
 - (ii) where the signs indicate a purpose or purposes—the vehicle is parked, stopped or left stand for that purpose or 1 of those purposes; and
 - (iii) where the signs do not indicate any purpose—the vehicle is parked, stopped or left stand for the purpose either of picking up or setting down passengers or of loading or unloading goods; and

- (iv) where a period of time is specified on the signs—the vehicle is parked, stopped or left stand for no longer than that period; and
- (v) where no period of time is specified on the signs—the vehicle is parked, stopped or left stand for no longer than—
 - (A) 2 minutes where the vehicle is parked, stopped or left stand for the purpose of picking up or setting down passengers; or
 - (B) 20 minutes where the vehicle is parked, stopped or left stand for the purpose of loading or unloading goods; or
- (n) adjacent to that side of a bicycle lane that is nearest the centre of the carriageway except where parking, stopping or standing is permitted by official traffic signs; or
- (o) subject to the operation of section 57A, where the road is a freeway; or
- (p) on a road in a shared zone other than in a designated parking space; or
- (q) in a taxi zone, unless the vehicle is a taxi; or
- (r) contrary to a no standing sign.

Maximum penalty—20 penalty units.

(2) However, the provisions of this section prohibiting a person from parking stopping or leaving stand a vehicle on an intersection shall not apply to the parking stopping or leaving stand of a vehicle adjacent to the boundary of a carriageway which is not broken by a road entering the intersection, nor shall any paragraph of this section apply to the person parking stopping or leaving stand a vehicle in compliance with the indication or direction given by an official traffic sign.

Restriction on driving or standing in emergency lanes

57A. A person shall not drive upon or leave a vehicle standing upon any portion of a carriageway set aside for emergency stopping by signs or pavement markings unless the condition of the driver or vehicle or any other factor renders it necessary or desirable in the interests of safety that the

vehicle be so driven or left.

Maximum penalty—20 penalty units.

PART 12—REGULATED PARKING

Facilitation of proof

59.(1) In any proceedings under or for the purpose of the Act or this regulation the allegation or averment in any complaint—

- (a) that at any time or date mentioned in the complaint any place is or is not or was or was not a metered space, parkatarea space, or loading zone, as the case may be, or a part thereof, or is or is not or was or was not within a traffic area;
- (b) that any specified time is or is not or was or was not within the fixed hours in relation to a metered space or spaces, or a parkatarea space or spaces, or is or is not or was or was not within the hours and upon a day during which regulated parking other than metered parking and parkatarea parking is or was operative within a traffic area;
- (c) that any specified period is or was the prescribed maximum period for which a vehicle may be parked in a metered space or in a parkatarea space, or within a traffic area other than in a metered space or parkatarea space;
- (d) that a device installed for a metered space or parkatarea space is a parking meter or parkatarea, as the case may be, duly installed and maintained in relation to, or provided for, that space;

shall be prima facie evidence of the matter or matters so alleged or averred.

(2) This section shall apply to any matter alleged or averred hereunder although evidence in support of such matter or of any other matter is given and shall not lessen or affect any onus of proof otherwise falling on the defendant.

PART 13—CONSTRUCTION OF VEHICLES, AND EQUIPMENT, LOADING, USE AND INSPECTION OF VEHICLES

Vehicles must comply with Schedule 1

68.(1) A person shall not drive or stand or permit to stand a vehicle upon any road unless—

- (a) such vehicle is equipped with the items of equipment appropriate thereto specified in and required by Schedule 1;
- (b) such items of equipment conform with the requirements specified in Schedule 1;
- (c) it is so constructed, equipped and loaded that it complies with all other provisions appropriate thereto specified in Schedule 1;
- (d) the vehicle and its parts and equipment are in a good and thoroughly serviceable condition.

Maximum penalty—20 penalty units.

(1A) However, in respect of the items of lighting equipment set out in Schedule 1, Parts 4 and 5 in the case of vehicles described in those Parts it shall be sufficient compliance with subsection (1) if such vehicles are so equipped during hours of darkness only.

(2) Where any person employed by the owner of a motor vehicle to drive that vehicle becomes aware that such vehicle is not in good mechanical order and in a safe and thoroughly serviceable condition to be used upon any road, the person shall, as soon as practicable, prepare in duplicate a report on a form supplied to the person for that purpose by the owner, showing the date thereof and the registered number of the vehicle and specifying what parts or equipment of the vehicle need, in the person's opinion, to be repaired, replaced or adjusted to put it in good mechanical order and in a safe and thoroughly serviceable condition.

Maximum penalty—20 penalty units.

(2A) One copy of the report shall be retained by such person and the other, as soon as practicable, shall be left by the person with the owner or where it is not practicable for the owner personally to take delivery of it, for

the owner with a person or at a place appointed by the owner for that purpose.

Maximum penalty—20 penalty units.

(3) Without limiting the liability of any other person where a motor vehicle is driven upon a road in contravention of subsection (1) the owner of such vehicle shall be guilty of an offence.

Maximum penalty—20 penalty units.

(4) The owner of a motor vehicle who employs any person to drive such vehicle shall—

- (a) provide such person with forms for the purpose of subsection (2) and appoint a person with whom or a place at which any report referred to in the subsection may be left for the owner when it is not practicable for the owner personally to take delivery of it;
- (b) retain for a period of 6 months from the date thereof, the copy of the report left with or for the owner and forthwith upon demand by any police officer produce it or cause it to be produced for inspection.

Maximum penalty—20 penalty units.

(5) The provisions of subsections (2), (2A) and (4) shall not impair the liability of any person under subsections (1) and (3).

(6) The driver of a motor vehicle upon any road shall not permit any other person to drive such motor vehicle without the consent of the owner thereof.

Maximum penalty—20 penalty units.

(7) A person shall not—

- (a) extend or otherwise alter a motor vehicle chassis without the chief executive's approval; or
- (b) change or alter the body or any of the equipment of any motor vehicle in such a way as to affect adversely the safety of such vehicle.

Maximum penalty—20 penalty units.

(8) If a person is convicted of, or pays a penalty under Part 4A of the

Justices Act 1886 for an offence which involves driving at a rate of speed exceeding 115 km/h in—

- (a) a motor vehicle to which the requirements of Australian Design Rule 65/00 apply; or
- (b) a motor vehicle to which Schedule 1, section 86I applies; or
- (c) any other motor vehicle exceeding 15 t gross vehicle mass;

then the chief executive is to serve a notice on the owner of that vehicle, requiring the owner to alter that vehicle so that—

- (d) in respect of a motor vehicle referred to in paragraph (a)—the vehicle complies with the requirements of Australian Design Rule 65/00; or
- (v) in respect of a motor vehicle referred to in paragraphs (b) and (c)—the vehicle complies with the requirements of Schedule 1, section 86I.

(8A) A person who receives a notice pursuant to subsection (8) must not cause or permit that vehicle to stand or be driven on a road until the chief executive is satisfied that the vehicle complies with the subsection.

Maximum penalty—20 penalty units.

(9) Notwithstanding any requirement of this regulation to the contrary, a separate converter dolly (without the loading of a semitrailer superimposed upon it) may be towed with its braking control system disconnected.

(10) When operated in this manner an air supply must be maintained in the converter dolly braking system to ensure compliance with the breakaway performance required by Schedule 1, section 58(2)(b) and as contained in the Consolidated Draft Regulations defining Vehicle Construction, Equipment and Performance Standards for Road Vehicles.

Maximum penalty—20 penalty units.

Lighting of vehicles

69.(1) A person shall not during hours of darkness drive upon a road—

- (a) any motor vehicle unless the lamps required by Schedule 1, Part 2, Division 1 to be fitted to the vehicle are alight:

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However, this requirement shall not apply in respect of any lamp at any time when such lamp is required or permitted under this regulation to be extinguished by the operation of a dipping device or otherwise;

- (b) any vehicle drawn by animal power unless the lamps prescribed in Schedule 1, Part 4 are fitted to the vehicle and are alight;
- (c) any bicycle, tricycle, power-assisted cycle, handcart, barrow or other similar vehicle propelled or designed for propulsion by human power unless the lamps prescribed in Schedule 1, Part 5 are fitted to such vehicle and are alight.

(2) The driver of a motor vehicle equipped with a dipping device shall cause the light projected by every headlamp of the driver's motor vehicle to be dipped when the driver's vehicle—

- (a) is within 200 m to the rear of a vehicle travelling in the direction in which the driver is travelling; or
- (b) is approached by any other motor vehicle travelling in the opposite direction—
 - (i) when the other motor vehicle reaches a point 200 m from the driver's motor vehicle; or
 - (ii) immediately the light projected by every headlamp of the other motor vehicle is dipped (whichever is the sooner);

and shall cause the light projected by every headlamp of the driver's motor vehicle to remain dipped until the driver has overtaken or passed each such motor vehicle.

Maximum penalty—20 penalty units.

Lights on stationary motor vehicles

70.(1) A person shall not stand a motor vehicle upon a road with a lamp of a power exceeding 7 W lighted showing a white light to the front except while the vehicle is taking up or setting down passengers or is compelled to remain stationary by the exigencies of traffic.

Maximum penalty—20 penalty units.

- (2) A person shall not stand a motor vehicle or trailer upon any

carriageway between sunset and sunrise unless there are affixed thereto—

- (a) 2 lamps showing a clear white light to the front 1 on each side thereof and clearly visible under normal atmospheric conditions at a distance of at least 200 m or, where the motor vehicle or trailer is standing adjacent to the boundary of the carriageway, 1 such lamp which shall be on the side of the motor vehicle or trailer nearer the centre of the carriageway; and
- (b) the rear lamp and any clearance lamps required by Schedule 1 to be fitted to the vehicle or trailer and such lamp or lamps is or are alight.

Maximum penalty—20 penalty units.

(3) Subsection (2) shall not apply—

- (a) where the street lighting in the vicinity renders the motor vehicle or trailer clearly visible at a distance of at least 200 m; or
- (b) to motorcycles not connected to a sidecar, fore-car or trailer standing parallel to and as near as practicable to the edge of the carriageway.

(4) Whilst a motor vehicle is standing upon a road at any time during hours of darkness any optional lamp permitted to be affixed to the vehicle by Schedule 1, sections 35 to 37 may be alight.

Motor vehicle lamps—general provisions

71. A person shall not cause or permit—

- (a) any fog lamp affixed to a motor vehicle upon a road to be lighted except in fog or mist, or under other atmospheric conditions which restrict visibility;
- (b) a single fog lamp attached to a motor vehicle other than a motorcycle, upon a road, to be lighted unless the 2 additional lamps required under Schedule 1, section 40(1)(b) are also lighted;
- (c) a lamp or lamps of a power exceeding 7 W and capable of showing white light to the front of the vehicle to be alight when any fog lamp or lamps, as the case may be, are alight;

- (d) any spot or search lamp affixed to a motor vehicle upon a road to be lighted unless—
 - (i) the vehicle is stationary and the lamp is lighted and used for the purpose of examining or making adjustments or repairs to a vehicle, and the light from the lamp is not projected more than 6 m; or
 - (ii) the lamp is lighted for the temporary purpose of reading any finger or notice board or house number; or
 - (iii) the vehicle is being used by a State or local government or other authority concerned with any public utility undertaking in connection with its functions;
- (e) any additional headlamp permitted by Schedule 1, section 42 to be fitted to a motor vehicle to be lighted when the vehicle—
 - (i) is upon a road in a built-up area; or
 - (ii) is being driven upon a road when any approaching vehicle is visible to its driver.

Maximum penalty—20 penalty units.

Towing of vehicles

73.(1) In this section—

“car towing trailer” means a trailer with 1 axle that allows a passenger car to be towed by securing the wheels of 1 axle of the car to the trailer.

“nearest safe place” is a place—

- (a) where an articulated vehicle with mechanical failure may be parked without being a hazard to road users; and
- (b) that is not beyond a place, in the direction the vehicle was travelling before the failure, where there are adequate facilities for repairing the vehicle.

(2) A person must not drive a rigid motor vehicle towing—

- (a) more than 1 vehicle; or
- (b) a bicycle, tricycle, power-assisted cycle, toy vehicle or wheelchair.

Maximum penalty—20 penalty units.

(3) Despite subsection (2)(a), a person may drive a motor vehicle towing—

- (a) more than 1 vehicle, if the motor vehicle and towed vehicles combine to form a B-Double or road train; or
- (b) an articulated vehicle (other than a B-Double or road train) with mechanical failure to the nearest safe place if—
 - (i) the articulated vehicle's brakes can stop the vehicle and hold the vehicle stationary; and
 - (ii) a licensed and qualified driver is in control of the articulated vehicle; or
- (c) a vehicle secured to a car towing trailer if—
 - (i) the trailer has effective independent brakes or overrun brakes; and
 - (ii) instructions for securing a vehicle to the trailer are attached to the trailer.

Use of bumper bars for towing

73A. A person shall not, upon any road, drive any vehicle when a bumper bar of such vehicle or any attachment or attachments affixed to such bumper bar is or are used for the purpose of towing a trailer, caravan or vehicle.

Maximum penalty—20 penalty units.

Towing conditions

74.(1) A person shall not upon any road drive any vehicle having attached thereto for the purpose of being towed any other vehicle not being a trailer unless—

- (a) the space between the 2 vehicles does not exceed 4 m, or, where either of the vehicles is a motorcycle, 2.5 m;
- (b) where the vehicle being towed is a motor vehicle—a person holding a provisional or open licence authorising the person to

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drive such vehicle is in control thereof for the purposes of the towing;

- (c) where the 2 vehicles are joined by means of a rope, chain, wire, or other similar means—there is displayed between the vehicles a red flag or other object so as to be clearly visible as a warning of danger;
- (d) where the vehicle being towed is not designed for propulsion by mechanical power—it is fastened with the shafts or pole thereof in actual contact with the towing vehicle;
- (e) during hours of darkness, in addition to the requirements of this regulation being complied with in respect of the towing vehicle, a lighted lamp or, when in the case of an emergency where a light cannot be so provided, a reflector is affixed to that part of the vehicle being towed which faces any following vehicle, in the centre of such part or to the right hand or offside of such centre, and which shows a red light or in the case where the use of a reflector is so authorised and provided a red reflection of light of the headlamp or headlamps of any following motor vehicle to the rear of the vehicle being towed, visible under normal atmospheric conditions at a distance of at least 200 m from such vehicle, and where the 2 vehicles are joined by means of a rope, chain, wire or other similar means a white light is projected by a lamp or lamps affixed to the vehicle being towed or the towing vehicle, so that it will render clearly visible any flag or other object displayed in accordance with paragraph (c).

Maximum penalty—20 penalty units.

(1A) Notwithstanding any other provision of this regulation, where a vehicle is being towed no light shall be displayed thereon so as to be visible to the driver of any following vehicle, except as provided in paragraph (e), or except light from any clearance, side marker or rear lamp required or permitted by Schedule 1 to be fitted to the vehicle.

(2) Where upon any road a vehicle is being towed by another vehicle a person shall not be in control of the towed vehicle for the purposes of the towing unless such person is the holder of a provisional or open licence authorising the person to drive such vehicle.

Maximum penalty—20 penalty units.

Restrictions on loading and equipment on vehicles

- 75.(1)** A person shall not drive or cause or permit to stand upon a road—
- (a) any motor vehicle (not being a motorcycle or a mobile crane which is 9.5 m or less in length) where the loading or equipment upon such vehicle or any trailer drawn thereby—
 - (i) projects more than 1.2 m in front of the headlamps of the motor vehicle; or
 - (ii) projects more than 1.2 m to the rear of the motor vehicle or trailer, as the case may be; or
 - (iii) projects more than 150 mm beyond the extreme outer portion of either side of the motor vehicle or trailer as the case may be;
 - (b) any motorcycle without a sidecar attached if any loading or equipment upon such motorcycle projects more than 150 mm in front of the outer extremity of the front wheel or more than 300 mm behind the outer extremity of the rear wheel or such loading projects beyond the extreme outer portion of the cycle on either side;
 - (c) any motorcycle with a sidecar attached if—
 - (i) any part of the vehicle or its loading or equipment projects more than 600 mm in front of the front wheel or more than 900 mm behind the outer extremity of the rear wheel of the motorcycle; or
 - (ii) such loading projects beyond the extreme outer portion of the vehicle on either side;
 - (d) any articulated vehicle first registered on or after the 1 January 1962, not being a vehicle to which a pole trailer is attached, if any part of the semitrailer or its loading or equipment projects more than 1.9 m radially forward of the axis of the pivot pin;
 - (e) any vehicle or vehicle and trailer drawn by animal power where the loading or equipment upon such vehicle or trailer—
 - (i) projects past the head of any animal harnessed to such vehicle;

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- (ii) projects more than 1 m behind the body of the vehicle if such vehicle is a 2 wheeled vehicle or 1 m behind the body or behind the rear wheels if such vehicle is a 4 wheeled vehicle;
- (iii) in the case of any pole type jinker—projects beyond the rear end of the pole thereof;
- (iv) projects more than 300 mm upon the outer side of the wheels or body of such vehicle.

Maximum penalty—20 penalty units.

(1A) However, the requirements of subsection (1)(a) and (e) shall not apply in respect of any loading or equipment projecting more than 1.2 m to the rear of any motor vehicle or of any trailer drawn thereby or more than 1 m to the rear of any vehicle drawn by animal power if—

- (a) the overall length of the vehicle or of the combination of vehicle and trailer, as the case may be, together with the loading or equipment thereon, is within the relevant limit fixed by Schedule 1; and
- (b) there is carried at the extreme rear of such loading or equipment a red flag or other suitable object, in either case not less than 300 mm square, and such flag or object is kept clearly visible as a warning to persons on the roadway in the near vicinity of such vehicle or trailer; and
- (c) during hours of darkness there is affixed at the extreme rear of such loading or equipment—
 - (i) a lighted lamp showing a clear red light to the rear, visible under normal atmospheric conditions at a distance of at least 200 m; or
 - (ii) not less than 2 reflectors capable of projecting a red reflection of light from the headlamp of any following vehicle.

(2) Where any portion of the loading or equipment of a motor vehicle or of any trailer drawn thereby projects in such a manner that it would not be readily visible to any person following immediately behind such vehicle, the driver of the vehicle shall, by means of a red flag or other suitable object, in either case not less than 300 mm square, mark the end of the loading or equipment so that it may be clearly visible to persons in its vicinity.

Maximum penalty—20 penalty units.

(2A) During hours of darkness such driver shall cause to be affixed to the extreme rear of such loading or equipment a lighted lamp or reflectors as prescribed in subsection (1A)(c).

Maximum penalty—20 penalty units.

(3) In this section—

“**equipment**” includes the pole of a pole-type trailer or jinker.

Portable warning signs for heavy motor vehicles

75A.(1) In this section—

“**heavy motor vehicle**” means any motor vehicle or combination or motor vehicle and trailer the laden or unladen weight of which exceeds 4 t.

(2) On and after 1 June 1964, a person shall not upon a road not being a road in a built-up area—

- (a) drive or use or cause or permit to be driven or used any heavy motor vehicle unless there are carried on such vehicle 3 portable warning signs conforming with the requirements specified in this section;
- (b) during hours of darkness stand or cause or permit to stand any disabled heavy motor vehicle unless the 3 portable warning signs required to be carried on such vehicle are displayed, 1 in front of and 1 to the rear of such vehicle in a position not less than 50 m nor more than 150 m from such vehicle, and 1 beside such vehicle on the side nearer the centre of the carriageway, and are placed so as to give reasonable warning to the driver of any approaching vehicle and wherever practicable so that at least 1 sign is visible to any such driver at a distance of at least 200 m.

Maximum penalty—20 penalty units.

(3) In the case of a heavy motor vehicle registered in another State or other country it shall be sufficient compliance with this section if the signs carried or displayed, as the case may be, conform with the requirements of the law for the time being in force in the State or other country.

(4) The portable warning signs required by this section to be carried by a

heavy motor vehicle or displayed near a disabled heavy motor vehicle, as the case may be, shall—

- (a) be in the form of an equilateral triangle and may have an open centre; and
- (b) have a minimum height of 290 mm; and
- (c) have arranged as a triangle on the front and on the back on a white background—
 - (i) red reflecting sheeting or material not less than 30 mm or more than 35 mm in width; or
 - (ii) 9 red reflectors, each with a minimum diameter of 35 mm and equally spaced to show 4 reflectors on each side of the triangle;

and so that no part of the sign projects less than 10 mm or more than 15 mm from the outer extremity of any such reflecting sheeting or material or any 1 such reflector; and

- (d) be of robust and durable construction, capable of being readily erected to stand in an upright position and to remain unaffected to any material degree by any reasonable force of wind or variation in weather conditions; and
- (e) be clean and in good order and condition.

Maximum penalty—20 penalty units.

(5) Any reflecting sheeting or material or reflectors referred to in subsection (4) shall be such that at any time during hours of darkness when the upper beam of light from any headlamp complying with the provisions of this regulation and placed at a distance of 200 m, is projected directly on to the sign, there will be clearly visible to the driver of the vehicle to which such lamp is affixed, a red reflection of the sign.

Maximum penalty—20 penalty units.

(6) In subsection (3)—

“signs” includes lamps.

Unauthorised use of warning signs prohibited

75B.(1) In this section—

“warning sign” means a sign bearing the words ‘road train’, ‘long load’, ‘wide load’, ‘wide vehicle’, ‘long wide load’, ‘long vehicle’, ‘slow vehicle’ or other similar words.

(2) A person must not drive on a road a vehicle displaying a warning sign, unless—

- (a) it is a requirement of this regulation, or a permit issued or other permission given under this regulation; or
- (b) if the vehicle is temporarily in Queensland on a journey from another State or Territory, it is a requirement of—
 - (i) a law of the State or Territory; or
 - (ii) a permit issued or other permission given under such a law; in relation to driving the vehicle on a road in the State or Territory.

Maximum penalty—20 penalty units.

Loading exceeding normal carrying capacity of vehicle

76. A person shall not upon any road drive any vehicle if the number of persons or the weight of loading upon such vehicle exceeds the maximum number of persons or the maximum weight, as the case may be, which the vehicle is—

- (a) capable of carrying as stated in—
 - (i) the certificate of registration issued for the vehicle under the *Transport Infrastructure (Roads) Act 1991* or a law of the Commonwealth or another State corresponding to that Act; or
 - (ii) the application for the certificate of registration; or
- (b) licensed, authorised or permitted to carry by or under any law; or
- (c) reasonably capable of carrying with safety having regard to the designed carrying capacity of the vehicle.

Maximum penalty—20 penalty units.

Loading to be securely fastened and parallel to sides

77.(1) A person shall not upon any road drive any vehicle the loading upon which is not—

- (a) safely and securely fastened;
- (b) where such loading consists of or includes iron, timber, piping or other similar material or goods—so fastened as to prevent flapping or swaying;
- (c) where such loading extends beyond or overhangs any part of such vehicle—so loaded that the loading is, as far as practicable, parallel with the sides of such vehicle;
- (d) so arranged, contained, fastened or covered that neither the load nor any part of it will fall or otherwise escape from such vehicle.

(2) A person shall not upon any road drive any vehicle carrying a freight container that is not securely fastened to the vehicle by means of a minimum number of 4 twist locks.

Maximum penalty—20 penalty units.

Driver to have sufficient view and control

78.(1) Notwithstanding any other provision a person shall not upon any road drive any motor vehicle—

- (a) if such vehicle is so constructed, equipped or loaded or if anything is affixed thereto in such a manner as to prevent such person from having a sufficient view of traffic on either side of the vehicle and in all directions in front of the vehicle to enable the person to drive the vehicle with safety;
- (b) if the person is prevented from safely driving or controlling such vehicle or any trailer attached thereto by reason of the weight or dimensions of the loading or equipment of such vehicle or trailer or the manner in which the loading or equipment is placed upon or attached to such vehicle or trailer;
- (c) unless, at all times while such vehicle is in motion, the person is in such a position that the person—
 - (i) has a sufficient view of traffic on either side, in front and by

means of the rear-vision mirror to the rear, of such vehicle;
and

- (ii) can exercise effective control over such vehicle;
- (d) if there is any object placed in or upon the vehicle in such a manner as to obstruct or be likely to obstruct the driver's clear view through the windscreen.

(2) A person shall not upon any road ride upon a vehicle in such a position as to interfere with the driver's view to either side or in front of such vehicle or to interfere with the driver's control over such vehicle.

(3) A person when travelling upon a road as a passenger in a motor vehicle shall not do anything likely to interfere with the effective control of such motor vehicle by the driver thereof.

Maximum penalty—20 penalty units.

Drivers must not splash other road users

79. The driver of a motor vehicle upon any road shall exercise due care and attention by reducing the speed of or stopping such vehicle to prevent mud or water being splashed by such vehicle upon any person—

- (a) upon any other vehicle upon such road; or
- (b) otherwise using such road.

Maximum penalty—20 penalty units.

Clean windscreens

80. A person shall not upon any road drive a motor vehicle fitted with a windscreen unless such windscreen is, at all times, kept clean and clear so that the driver's view to the front of such vehicle will not be impeded or obstructed.

Maximum penalty—20 penalty units.

Altering silencers

81.(1) A person shall not upon any road drive a motor vehicle—

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- (a) having affixed thereto a silencer to which any alteration has been made so as to reduce or be likely to reduce the effectiveness of such silencer;
- (b) on which there is any device capable of reducing the effectiveness of any silencer affixed thereto.

(2) Any person who makes any alteration to a silencer of a motor vehicle which reduces or is likely to reduce the effectiveness of such silencer shall be guilty of an offence.

(3) Any person who affixes to a motor vehicle any device capable of reducing the effectiveness of any silencer affixed to such motor vehicle shall be guilty of an offence.

Maximum penalty—20 penalty units.

Warning device

82.(1) When a vehicle is approaching any person or vehicle upon any road under such circumstances as to constitute a source of danger to such person or vehicle, the driver of the first mentioned vehicle shall give sufficient warning of the approach of the driver's vehicle—

- (a) by sounding an audible warning device affixed to the vehicle in accordance with the provisions of this regulation; or
- (b) where the driver's vehicle is equipped with a warning device whereby its headlamp or headlamps may be flashed, by operating that device.

(2) A person shall not upon any road—

- (a) make any unnecessary noise with an audible warning device affixed to any vehicle; or
- (b) use any warning device affixed to any vehicle except as a warning of danger.

Maximum penalty—20 penalty units.

Restricting certain warning devices

83. A person shall not upon any road drive—

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- (a) any motor vehicle equipped with—
 - (i) a bell as a warning device;
 - (ii) a warning device comprising a means of creating, reproducing or amplifying words or a variety of musical sounds;
- (b) any bicycle, tricycle or power-assisted cycle equipped with a warning device other than a bell.

Maximum penalty—20 penalty units.

Noise from condition, operation or loading of vehicle

84. A person shall not upon any road drive any vehicle which causes any undue noise by reason of—

- (a) the state of disrepair of such vehicle;
- (b) the manner in which such vehicle is loaded;
- (c) the construction or condition or adjustment of the engine or motor or other equipment of such vehicle or the manner in which such engine or motor or other equipment of the vehicle is operated.

Maximum penalty—20 penalty units.

Stop engine where necessary

85.(1) So far as may be necessary for the prevention of noise the driver of a motor vehicle upon any road shall, whenever such vehicle is stopped, stop the engine or motor or reduce the action thereof.

Maximum penalty—20 penalty units.

(2) This section shall not apply to an enforced stoppage owing to the exigencies of traffic or so as to prevent the examination or testing of any engine or motor of such motor vehicle where such examination or test is necessary by any failure or derangement of any such engine or motor.

Noisy instruments

86.(1) A person shall not upon any road drive any vehicle to which any

noisy instrument is affixed or upon which any noisy instrument is used.

Maximum penalty—20 penalty units.

(2) The driver of a vehicle or any passenger riding upon such vehicle, upon any road, shall not ring a bell or sound a horn or play upon or use any noisy instrument.

Maximum penalty—20 penalty units.

(3) This section does not apply to the sounding of a warning device under section 82(1).

Waste oil and grease

87. A person shall not upon any road drive any vehicle without taking adequate precautions to prevent waste oil or grease from the engine or motor or other part of such vehicle dropping upon the carriageway.

Maximum penalty—20 penalty units.

Liquefied petroleum gas (LPG) fuelled vehicles

87A.(1) A person shall not upon any road drive or cause or permit to stand any motor vehicle powered by liquefied petroleum gas unless—

- (a) the fuel system of such motor vehicle has been manufactured or converted in accordance with the requirements of the SAA Automotive LP Gas Code AS 1425-1982, as amended from time to time, issued by the Standards Association of Australia; and
- (b) there is affixed to each number plate attached to the motor vehicle, in a position which does not obscure any part of any letter, symbol or figure of such number plate, a label constructed of durable material measuring at least 25 mm square and bearing thereon in black letters at least 6 mm high the legend 'LP gas' on a red background.

Maximum penalty—20 penalty units.

(2) In this section—

“**liquefied petroleum gas**” has the meaning given by the *Gas Act 1965*.

Exhaust

88. A person shall not upon any road drive a motor vehicle—

- (a) with the outlet of the exhaust from the engine of such vehicle so affixed as to project the exhaust directly on to such road or as to be likely to alarm any animal in the immediate vicinity of such motor vehicle; or
- (b) from the exhaust or any other part of which smoke is projected.

Maximum penalty—20 penalty units.

Gas emissions

88A.(1) Every motor vehicle powered with a petrol engine and first registered on or after 1 January 1972, under a registration law and at all subsequent times thereafter, shall be so constructed or so fitted that crankcase gases shall not be permitted to escape into the atmosphere.

Maximum penalty—20 penalty units.

(2) Every passenger car and derivative thereof manufactured on or after 1 January 1976 and equipped with a petrol fuelled spark ignition internal combustion engine, shall be so constructed or fitted to control or reduce evaporative emissions from the fuel system to the atmosphere.

Maximum penalty—20 penalty units.

(3) A vehicle to which Schedule 1, section 100 or 101 applies must comply with the *Clean Air Regulation 1982*.

Maximum penalty—20 penalty units.

(4) In this section—

“**registration law**” means the *Transport Infrastructure (Roads) Act 1991* or a law of the Commonwealth or another State corresponding to that Act.

Requirements for motorcycle drivers and pillion

89.(1) A motorcycle shall not be used upon any road for the carriage of—

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- (a) more than 1 person in addition to the driver;
- (b) any person in addition to the driver unless—
 - (i) the motorcycle is provided with footrests and seat as prescribed in Schedule 1, section 84 for use by such person; and
 - (ii) such person is seated astride the motorcycle on the proper seat and is facing forward and has the person's feet upon the proper footrests; and
 - (iii)—
 - (A) the driver of the motorcycle has held, for a continuous period of 12 months, a provisional or open licence authorising the driver to drive a motorcycle; or
 - (B) the driver of such motorcycle is the holder of a learner's permit and the person carried in addition to the driver holds and has held for a period of at least 2 years a provisional or open licence in respect of a motorcycle and is safely seated in the sidecar or on the pillion seat thereof.

(2) A person, other than the driver, carried upon a motorcycle upon any road shall not do any act likely to interfere with the effective control of such motorcycle by the driver thereof.

(3) A motorcycle to which a sidecar is affixed shall not be used upon any road—

- (a) for the carriage upon the motorcycle of—
 - (i) more than 1 person in addition to the driver;
 - (ii) any person other than the driver unless the provisions of subsection (1)(b) are complied with in respect of such motorcycle;
- (b) for the carriage upon the sidecar of more than 2 persons over the age of 12 years:

However, for the purposes of this paragraph any 2 children each of whom is under the age of 12 years shall be deemed to be equivalent to 1 person over the age of 12 years;

- (c) unless each and every person carried upon the sidecar is safely seated therein.

(4) The driver of a motorcycle upon any road shall, while such motorcycle is in motion, keep the driver's feet upon the footrests of such motorcycle unless it shall be necessary to remove 1 foot for the purpose of operating the brake or clutch pedal or other mechanism designed for operation by foot.

(5) Any person who, in contravention of this section—

- (a) drives or uses a motorcycle or motorcycle with sidecar affixed; or
(b) is carried upon any motorcycle or upon any sidecar affixed thereto;

shall be guilty of an offence.

Maximum penalty—20 penalty units.

Hand to be kept on steering gear

90. A driver of a moving vehicle (other than a bicycle, tricycle or power-assisted cycle) on a road must keep at least 1 hand on the steering wheel, handlebar or other steering gear of the vehicle.

Maximum penalty—20 penalty units.

Compulsory wearing of safety helmets

90A.(1) The driver of a motorcycle or moped must wear a safety helmet at all times while the motorcycle or moped is in motion.

Maximum penalty—20 penalty units.

(2) A passenger on a motorcycle, which is in motion, must wear a safety helmet.

Maximum penalty—20 penalty units.

(3) The driver of a motorcycle must not carry a passenger on the motorcycle, unless the passenger wears a safety helmet while the motorcycle is in motion.

Maximum penalty—20 penalty units.

(4) In this section—

“**safety helmet**” means a safety helmet that complies with Australian Standard AS1698–1988 Protective Helmets for Vehicle Users.

Compulsory wearing of seat belts

90B.(1) A person when occupying in a motor vehicle a seat position to which a seat belt has been fitted, shall not drive or travel, upon a road, in such motor vehicle unless the person is wearing such seat belt properly adjusted and securely fastened.

Maximum penalty—20 penalty units.

(2) A person when travelling upon a road as a passenger in a motor vehicle which has seat positions for which seat belts are fitted, shall not occupy a seat position for which a seat belt is not fitted unless—

- (a) all seat positions for which seat belts are fitted are occupied by other persons, or
- (b) where there are no seat positions for which seat belts are fitted in the rear compartment of such motor vehicle—the person is seated in such rear compartment.

Maximum penalty—20 penalty units.

(3) The provisions of this section shall not apply to a person who is—

- (a) driving a motor vehicle in reverse;
- (b) the holder of a doctor’s certificate in the approved form certifying that such person is for the period stated in such certificate unable for medical reasons to wear a seat belt;
- (c) driving a motor vehicle and who is the holder of a certificate signed by a medical practitioner certifying that, because of such person’s size, build or other physical characteristic, the person is unable to drive a motor vehicle with safety while wearing a seat belt;
- (d) travelling as a passenger in a motor vehicle and who is in possession of a current certificate signed by a medical practitioner certifying that, because of such person’s size, build or other physical characteristic, it would be unreasonable to require the

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person to wear a seat belt while so travelling;

- (e) actually engaged on work which requires the person to alight from and re-enter a motor vehicle at frequent intervals and who, while so engaged, does not drive or is not travelling in that vehicle at the speed of, or at a speed exceeding, 25 km/h;
- (f) under the age of 10 years;
- (g) driving a motor vehicle which is at the material time being—
 - (i) used for the carriage of passengers for hire; or
 - (ii) plied for hire for the carriage of passengers;
under a taxi service licence under the *Transport Operations (Passenger Transport) Act 1994*;
- (h) in possession of a written permission of the chief executive exempting the person from this section.

(4) A written authority given by the chief executive under the provisions of subsection (3)(h) may be issued unconditionally or subject to such conditions as the chief executive may determine.

(5) A seat belt fitted in a motor vehicle manufactured on or after 1 January 1969, shall comply in all respects with the requirements of Australian Design Rules for Seat Belts at the time of manufacture of the vehicle and shall be attached to a seat belt anchorage point which shall comply with the requirements of Australian Design Rules for Seat Belt Anchorage Points of the Australian Design Rules for Motor Vehicle Safety at the time of manufacture of the vehicle.

Maximum penalty—20 penalty units.

- (6) A person shall not—
- (a) sell nor offer for sale a seat belt which does not comply with an Australian Design Rule for Seat Belts;
 - (b) fit nor otherwise attach a seat belt to a motor vehicle manufactured on or after 1 January 1969, except in compliance with an Australian Design Rule for Seat Belt Anchorage Points.

Maximum penalty—20 penalty units.

Child and infant restraining devices

90C.(1) For the purposes of this section—

“child” means a person who is less than 10 years old.

“child restraint” means—

- (a) a device fitted to a motor vehicle that complies with—
 - (i) Australian Standard 1754-1989, Parts 1 and 4; or
 - (ii) the provisions of Australian Standard 1754-1991 dealing with child restraint devices; or
 - (iii) another standard that the chief executive decides is at least equal to a standard mentioned in subparagraph (i) or (ii); or
- (b) a seat belt that complies with section 90B(5).

“infant” means a person whose body weight is less than 9 kg.

“infant restraint” means a device fitted to a motor vehicle that complies with—

- (a) Australian Standard 1754-1989, Parts 1 and 2; or
- (b) the provisions of Australian Standard 1754-1991 dealing with infant restraint devices; or
- (c) another standard that the chief executive decides is at least equal to a standard mentioned in paragraph (a) or (b).

“motor vehicle” means—

- (a) a passenger car; or
- (b) a passenger car derivative; or
- (c) a multipurpose passenger car.

(2) A person must not drive a motor vehicle, in which a child or an infant is a passenger, on a road, unless the child or the infant is restrained by a child restraint, or as the case may be, an infant restraint, properly adjusted and securely fastened.

Maximum penalty—20 penalty units.

(3) Subsection (2) does not apply to—

- (a) a child or an infant in respect of whom there exists a certificate

signed by a medical practitioner, certifying that because of the size, build, or other physical characteristics of the child or infant, it would be unreasonable to require that child or infant to be restrained during the period specified in the certificate; or

- (b) a person who, at the material time, is driving a motor vehicle that is being used for the carriage of passengers for hire, under the authority of a taxi service licence or limousine service licence under the *Transport Operations (Passenger Transport) Act 1994*.

(4) It is a defence to a charge of an offence against this section if the defendant proves that the offence occurred in circumstances that rendered compliance with this section unreasonable or impractical.

Inspection of vehicles

91.(1) The owner or driver of any vehicle shall, upon request by any police officer, permit such police officer to inspect, examine and test such vehicle for any purpose pursuant to the Act or this regulation and upon being requested by such police officer deliver to the police officer any key or other means of locking or unlocking such vehicle or any part thereof.

Maximum penalty—20 penalty units.

(2) Any—

- (a) superintendent, who is of the opinion that any vehicle; or
- (b) police officer, who is of the opinion that any vehicle found by the police officer upon a road;

does not or may not comply with the conditions applicable thereto prescribed by or under Schedule 1, may, by written or oral direction, require the owner or driver of such vehicle to produce such vehicle to a specified person or authority, at a specified place and on or before a specified time, date or event, for inspection, examination or test for the purpose of ascertaining whether or not the vehicle complies with such conditions.

(3) Any direction given in pursuance of this section may—

- (a) direct the owner or driver of any vehicle to repair or recondition such vehicle; or

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- (b) direct that any vehicle be not used upon any road until—
 - (i) any specified repairs or reconditioning have been carried out; or
 - (ii) any specified equipment has been supplied and fitted upon such vehicle; or
 - (iii) the superintendent has issued a permit authorising the use of such vehicle; or
- (c) be subject to a condition that the vehicle may continue to be used to reach any specified place for repair or reconditioning or may continue to be used for a given time or under limitations as to speed or route or otherwise.

(4) The superintendent or police officer requiring the owner or driver to produce a vehicle pursuant to this section shall advise such owner or driver of any defect or deficiency which, in the opinion of such superintendent or police officer, exists in respect of such vehicle.

(5) Where in pursuance of this section the superintendent or a police officer has required a vehicle to be inspected, examined and tested for the purpose of ascertaining whether or not such vehicle complies with the conditions applicable thereto prescribed by or under Schedule 1, he or she may—

- (a) remove the vehicle to the nearest convenient place where it can be inspected, examined and tested; and
- (b) detain the vehicle for such time as is necessary for inspecting, examining and testing such vehicle.

Power to inspect, examine etc.

92. For the purposes of the Act and this regulation, every authorised officer shall have power—

- (a) to inspect, examine, measure or weigh any loading upon any vehicle;
- (b) to measure or weigh any vehicle;
- (c) to require the driver of any vehicle to move such vehicle from any place to any other place;

- (d) to unlock, unfasten or open or require the driver of any vehicle to unlock, unfasten, or open any closed door on any vehicle or remove or require the driver thereof to remove any removable cover upon any such vehicle;
- (e) to enter upon any vehicle and move or remove or direct the driver to move or remove in whole or in part any loading upon such vehicle as is in excess of the maximum weight, height or width prescribed by or under any regulation or other law, to be carried upon such vehicle, at the relevant time or place or under the relevant conditions, manner or circumstances;
- (f) to require the driver of any vehicle to give full information as to the nature, origin or destination of the loading upon such vehicle, so far as the same is known to the driver.

Authorised officer's power to require production of documents

92AA.(1) An authorised officer may require a person to produce a document required to be kept by the person under the Act to the officer for inspection.

(2) However, an authorised officer may not require the production of a driver's licence, other than a pilot vehicle driver's licence, unless the authorised officer is a police officer.

(3) The person must produce the document, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(4) The officer may keep the document to copy it or information from it.

(5) If the officer needs to take the document from the place where the document is produced, the officer must give a receipt for it to the person who produced it.

(6) The officer must return the document to the person as soon as practicable after making the copy.

Evidence—vehicle's weight

92A.(1) The allegation or averment in any complaint that the gross

vehicle weight of a motor vehicle did not exceed 4.5 t at any time or date mentioned in the complaint shall be evidence of the matters so averred or alleged, and in the absence of evidence in rebuttal thereof shall be conclusive evidence of such matters.

(2) A document purporting to be signed by—

- (a) the chief executive under the *Transport Infrastructure (Roads) Act 1991* (the “**registration law**”); or
- (b) an entity responsible for registering motor vehicles under a law of the Commonwealth or another State that corresponds to the registration law; or
- (c) a person authorised by the chief executive or entity;

stating that, at a specified time, the gross vehicle weight of a motor vehicle was not more than 4.5 t is admissible as evidence of the matters stated.

Evidence—date of manufacture

92B.(1) The allegation or averment in any complaint that a motor vehicle was manufactured on or after a specified time or during any specified period of time shall be evidence of the matters so alleged or averred and in the absence of evidence in rebuttal thereof shall be conclusive evidence of those matters.

(2) The allegation or averment in any complaint that any parts or items of equipment of or fitted to a motor vehicle do not at any time or during any stipulated period of time comply at the time of their manufacture with any Australian Design Rule of the Australian Design Rules for Motor Vehicle Safety in relation to such parts or items of equipment shall be evidence of the matters so alleged or averred and in the absence of evidence in rebuttal thereof shall be conclusive evidence of these matters.

Evidence—Australian Design Rules

92C. A certificate signed by the chief executive certifying that a copy of the Australian Design Rules for Motor Vehicle Safety or of any 1 or more of such rules is a true copy of those rules or any 1 or more of them which were or was in force at any specified time or period of time shall be evidence of those rules or 1 or more of them as the occasion may require

and that those rules or any 1 or more of them were in force at the time or period of time so specified and in the absence of evidence to the contrary shall be conclusive evidence of those matters.

PART 14—BICYCLES AND ANIMALS

Riding bicycles, tricycles or power-assisted cycles

93.(1) A person riding a bicycle, tricycle or power-assisted cycle shall not ride otherwise than astride a permanent and regular seat attached thereto.

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

(3) A person shall not ride a bicycle, tricycle or power-assisted cycle without having at least 1 hand on the handlebars.

(4) A person shall not ride a bicycle, tricycle or power-assisted cycle within 2 m from the rear of a motor vehicle over a distance of more than 200 m.

(5) A person shall not ride a bicycle, tricycle or power-assisted cycle while carrying any article, the carriage of which is likely to interfere with the person's control of such bicycle, tricycle or power-assisted cycle.

Maximum penalty—20 penalty units.

Towing of bicycles etc.

94.(1) A person riding a bicycle, tricycle, power-assisted cycle, toy vehicle or wheelchair shall not attach himself or herself to or permit himself or herself to be drawn by any other vehicle.

(2) The driver of a vehicle shall not permit a person riding a bicycle, tricycle, power-assisted cycle, toy vehicle or wheelchair to attach himself or herself to or be drawn by the vehicle of such driver.

Maximum penalty—20 penalty units.

Leading animals

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

(2) A person driving or riding in a vehicle shall not lead more than 2 animals.

(3) A person driving a motor vehicle shall not lead any animal.

Maximum penalty—20 penalty units.

Harness of animal drawing a vehicle

97.(1) A person shall not upon any road drive a vehicle drawn by animal power, unless—

- (a) any and every animal drawing such vehicle is harnessed with safe and suitable blinkers or bridle, bit, reins, and other harness sufficient to enable the driver to guide and have full control of such animal and to regulate its speed;
- (b) such person holds the reins so as to enable the person to properly guide and control any and every animal drawing such vehicle.

Maximum penalty—20 penalty units.

(2) However, this section shall not apply when a team of horses or other animals trained to be guided and controlled without reins is so guided and completely controlled by the driver.

Use of unbroken or undomesticated animals

98.(1) A person shall not, upon any road in a built-up area, unless the person is the holder of a permit issued by the superintendent authorising the person so to do—

- (a) ride any horse not thoroughly broken to saddle;
- (b) drive in any vehicle any horse not thoroughly broken to harness;
- (c) break in or attempt to break in any horse;
- (d) drive any loose or unbroken horses, cattle, or other animals after the hour of 7 a.m. on any day.

Maximum penalty—20 penalty units.

(2) A person shall not, upon the carriageway of any road in a built-up area—

- (a) feed any horse or other animal otherwise than with food contained in a nosebag suspended from the head of such horse or other animal or in a box or other container suitable for the purpose;
- (b) remove the blinkers, bridle, or bit from any horse or other animal.

Maximum penalty—20 penalty units.

(3) However, it shall not be an offence against subsection (2)(b) to remove the bit—

- (a) from any horse or other animal harnessed to any vehicle while such horse or other animal is feeding, if 1 of the wheels of such vehicle is securely locked, and the driver or some competent person is sufficiently near to such vehicle and horse or other animal as to have full control over the same; or
- (b) from any saddle horse while such horse is feeding, if such horse is securely fastened to a post or other secure object by means of a leather headstall or strong neck strap.

Drive animals off carriageway if practicable

99. A person must not drive an animal (other than an animal drawing a vehicle) on the carriageway of a road if—

- (a) another part of the road (other than a footway) not formed for vehicular traffic adjoins the carriageway; and
- (b) it is practicable to drive the animal on that part of the road.

Maximum penalty—20 penalty units.

PART 16—LICENCES

Permits certifying exemption from regulation

102.(1) A superintendent may exempt a person or vehicle from a

provision of this regulation, other than a provision relating to—

- (a) a driver's licence; or
- (b) payment of a fee or penalty.

(2) A certificate of an exemption may be given in the form of a permit (an **“exemption permit”**).²

(3) In deciding whether to grant an exemption permit, a superintendent must have regard to safety of the public.

(4) Despite section 107A, an exemption permit for a vehicle expires when the vehicle's registration is first transferred after the grant of the permit.

(5) A permit exempting a person or vehicle from a provision of this regulation and issued under section 14 (as in force immediately before the commencement of this section) continues in force as if it were an exemption permit under this section.

(6) However, a permit mentioned in subsection (5) that is—

- (a) unlimited by time; and
- (b) in force immediately before the commencement of this section;

expires 18 months after the commencement.

(7) Subsections (5) and (6) and this subsection expire 18 months after the commencement.

Licences—applications

103.(1) A person may apply to a superintendent in the approved form for the grant of a licence.

(2) The superintendent, by written notice, may request the applicant to give further information or documents relevant to the application.

(3) The superintendent may refuse to consider the application if the applicant does not comply with the request without reasonable excuse.

² A “licence” is defined in the Act to include a permit, so the provisions of this regulation applying to licences apply equally to permits.

Determining applicant's fitness to hold licence

104.(1) This section applies when a superintendent receives an application for the issue or renewal of a licence.

(2) To decide whether the applicant is an appropriate person to hold the licence, the superintendent may—

- (a) make an inquiry about the applicant's appropriateness to hold the licence; or
- (b) for a driver's licence—
 - (i) require the applicant to be tested under section 55A of the Act or section 107; or
 - (ii) require the applicant to produce a certificate from a doctor stating the applicant is medically fit to hold a licence for the class of motor vehicle applied for.

Licences—decision on application

104A.(1) The superintendent must consider an application for a licence and either—

- (a) grant the licence; or
- (b) refuse to grant the licence.

(2) If the superintendent decides to grant the licence, the superintendent must promptly give the applicant—

- (a) the licence; and
- (b) if the licence is subject to a condition—a written notice stating that the applicant may contest the decision to impose the condition by—
 - (i) applying under section 134C for reconsideration of the decision; or
 - (ii) appealing under section 57(1) of the Act.

(3) If the superintendent decides to refuse to grant the licence, the superintendent must promptly give the applicant a written notice stating—

- (a) the decision; and

- (b) the reasons for the decision; and
- (c) that the applicant may contest the refusal by—
 - (i) applying under section 134C for reconsideration of the decision; or
 - (ii) appealing under section 57(1) of the Act.

Classes of driver's licences

105.(1) A driver's licence shall state clearly the class or classes of motor vehicles which the holder thereof is thereby authorised to drive, and a driver's licence shall not authorise or be deemed to authorise the holder thereof to drive a motor vehicle of any class not so stated.

(1A) However, the holder of a driver's licence authorising the driving of any class or classes of motor vehicles other than a moped shall, without any endorsement pursuant to subsection (2), be authorised to drive a moped.

(2) The superintendent may, by endorsement on a driver's licence, extend the operation thereof so as to thereby authorise the holder thereof to drive any class of motor vehicle not already stated therein.

(3) A driver's licence may be subject to a condition whereby the holder thereof is thereby authorised to drive a motor vehicle upon certain specified roads only or is thereby prohibited from driving a motor vehicle upon certain specified roads.

(3A) The condition is to be indicated by means of a code specified on the licence.

(3B) For the purposes of the Act and this regulation every such condition shall be deemed to be included in and form part of the licence which shall have effect subject thereto accordingly.

(4) A driver's licence shall authorise the holder thereof to drive any and every motor vehicle of any class stated in that licence upon any and every road in Queensland if, but only if, that licence is not subject to a condition prohibiting the holder thereof from driving, or not authorising the holder thereof to drive, a motor vehicle of the class in question upon the road in question.

Restrictions on issue of driver's licences

106.(1) This section and sections 107, 108 and 109 shall apply so that no provision of the sections shall authorise or be deemed to authorise the issue of a driver's licence to any person at any time when that person is disqualified by the Act or by an order made under the Act or under any other Act or law or law of any other State or Territory or any other country from holding or obtaining a driver's licence.

(2) A superintendent must not issue a provisional or open licence to a person who has not turned 17 years.

(2A) The chief executive or Commissioner may issue a driver's licence to a person who has not turned 17 years if the chief executive or Commissioner is satisfied that, if the driver's licence were not issued—

- (a) the person would suffer severe hardship; or
- (b) the person's family would suffer severe hardship because the person has undertaken a role of special responsibility in relation to the person's family.

(4) A driver's licence shall not be issued to any person—

- (a) who in the opinion of the superintendent—
 - (i) has failed to pass any test prescribed in section 107; or
 - (ii) has any mental or physical disability likely to affect that person's ability to drive safely; or
- (b) who is otherwise disqualified from holding or obtaining a driver's licence; or
- (c) who is not a permanent resident of Queensland; or
- (d) who has not been the holder of a learner's permit for the time period prescribed in section 108; or
- (e) who holds a driver's licence issued under the law of another State or Territory unless the person, when making the application for the driver's licence, delivers to the superintendent—
 - (i) the driver's licence issued under that other law; and
 - (ii) a written request for cancellation of that driver's licence addressed to the person or body that issued it.

(5) Nothing in this section shall limit or otherwise affect any liability, obligation or requirement for any person to be the holder of a valid certificate issued under any other Act or law.

(6) The requirements of subsection (4) also apply to the renewal of a driver's licence.

Testing applicant's fitness to hold driver's licence

107.(1) On receiving an application for the issue or renewal of a provisional or open licence, a superintendent may cause the applicant to be tested as to the applicant's ability to drive a motor vehicle of the class for which that licence is required by the applicant.

(2) Such tests shall include the following—

- (a) sight and hearing tests;
- (b) tests in knowledge of traffic law;
- (c) practical driving tests which shall be carried out upon the particular class of vehicle in respect of which the applicant has applied for a driver's licence and shall, if practicable, include amongst other things—
 - (i) the driving of the motor vehicle in a forward and reverse direction;
 - (ii) the driving of the motor vehicle into or through a restricted space in a forward and reverse direction;
 - (iii) the stopping of the motor vehicle (with the engine running and the gears disengaged) during the ascent of a steep hill and the re-starting of the motor vehicle in a forward direction;
 - (iv) the stopping of the motor vehicle in a reasonable distance by the application of the foot and hand brakes and each of them separately;

and, if necessary, the driving of the motor vehicle while such vehicle is carrying loading as directed by the superintendent.

Term of licence

107A. A licence, other than a driver's licence, is for the period (not longer than 5 years) specified in the licence.³

Eligibility conditional on period of holding learner's permit

108.(1) A provisional or open licence must not be issued to a person who has not held a learner's permit for at least 6 months during the period of 2 years before applying for the licence.

(2) The 6 month period may be 1 continuous period or calculated over more than 1 period during which the person held a learner's permit.

(3) Subsection (1) does not apply to an applicant—

- (a) who produces satisfactory evidence that the applicant previously held a driver's licence—
 - (i) if the application is for a motorcycle licence—for a motorcycle; and
 - (ii) if the application is for another class of driver's licence—for a motor car; or
- (b) who has been granted an exemption by a superintendent under section 108AA; or
- (c) who is issued a driver's licence under section 106(2A).

Exemption from condition of learner's permit period

108AA.(1) A superintendent may exempt from section 108(1) any applicant who the superintendent considers has a special need for a driver's licence on the grounds—

- (a) that the applicant is required to drive a motor vehicle—
 - (i) to or from the applicant's place of employment; or
 - (ii) in the course of the applicant's employment; or
 - (iii) to or from an educational institution that the applicant

³ Driver's licences are dealt with in section 14(6) of the Act.

attends; or

(iv) for the purpose of obtaining medical treatment for the applicant or a member of the applicant's family; and

(b) there is no other means of transport reasonably available to the applicant.

(2) An applicant may lodge a request for the exemption with a superintendent in the approved form.

(3) The application must be supported by a signed statement from—

(a) if the application is made on a ground mentioned in subsection (1)(a)(i) or (ii)—the applicant's employer; or

(b) if the application is made on a ground mentioned in subsection (1)(a)(iii)—the principal, registrar or other person in charge of the educational institution; or

(c) if the application is made on a ground mentioned in subsection (1)(a)(iv)—a medical practitioner.

(4) In deciding whether the applicant should be granted the exemption, a superintendent must have regard to—

(a) in relation to a reason for travel mentioned in subsection (1)(a)—

(i) the time of day at which the person must travel; and

(ii) how often the person must travel; and

(iii) the distance to be travelled; and

(b) the hardship to the person if the driver's licence is not issued; and

(c) the driving history of the applicant.

Term of provisional licences

108A.(1) An applicant for a provisional or open licence is, according to the age of the applicant specified in the Table, column 1, to be issued with a provisional licence for a period not shorter than the period set opposite that age, specified in the Table, column 2, unless the applicant can satisfy the superintendent that the applicant—

(a) has been the holder of a valid provisional licence for a continuous

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period of not less than—

- (i) 1 year, if the provisional licence that the person holds is issued before 1 January 1991;
- (ii) 3 years, if the provisional licence that the person holds is issued on and from 1 January 1991; or

- (b) has held a valid open licence within a period of 5 years;

immediately preceding the date on which the superintendent receives the application for the driver's licence.

Table

Column 1	Column 2
Age of applicant as at the date of the issue of the provisional licence to the applicant	Minimum period for which provisional licence is to be in force
Applicant under 23 years of age	The period of 3 years commencing on, and including, the date of the issue of the provisional licence
Applicant 23 or over, but not 24, years of age	The period of 2 years commencing on, and including, the date of the issue of the provisional licence
Applicant 24 or over, years of age	The period of 1 year commencing on, and including, the date of the issue of the provisional licence

(6) Where a driver's licence to drive a motorcycle is issued, that licence shall restrict the driver to driving a motorcycle with an engine capacity not exceeding 250 mL unless the driver has previously, for a period of 12 months or more, held a provisional or open licence to drive a motorcycle up to any specified engine capacity (being greater than 50 mL) or of unrestricted engine capacity.

Allocation of demerit points

108B.(1) This section does not apply to a person who commits an offence while riding a bicycle, tricycle or power-assisted cycle.

(2) This section applies if—

- (a) a person has paid a penalty, or been dealt with, for a contravention of—
 - (i) an offence mentioned in Schedule 2; or
 - (ii) an offence under a corresponding law that corresponds to an offence mentioned in Schedule 2 (a “**corresponding offence**”); or
- (b) an order has been made against a person under—
 - (i) section 98F of the *Justices Act 1886* for an offence mentioned in Schedule 2; or
 - (ii) a corresponding law for a corresponding offence.

(3) The chief executive may endorse on the person’s traffic history—

- (a) particulars of the offence; and
- (b) the penalty imposed on the person; and
- (c) the number of demerit points allocated for the offence; and
- (d) the date the offence was committed.

(4) The number of demerit points to be allocated for the offence is—

- (a) for an offence under this Act—the number set out beside the offence in Schedule 2; or
- (b) for a corresponding offence—the number set out beside the offence in Schedule 2 that corresponds to the corresponding offence.

(5) The demerit points are taken to be allocated on the day the offence was committed.

(6) When a person’s driver’s licence is suspended or cancelled (whether or not under this Part), the chief executive must disregard the demerit points allocated before the suspension or cancellation when considering a further suspension or cancellation of the person’s licence.

Notice of accumulation of too many demerit points

108BA.(1) The chief executive must give written notice to a person—

- (a) whose driver's licence must be cancelled under section 108BB; or
- (b) whose open licence may be suspended or cancelled under section 108BB(3); or
- (c) who, because of section 108BC, will be unable to apply for a driver's licence for 3 months.

(2) The notice must—

- (a) if the person's driver's licence must be cancelled under section 108BB(1)—inform the person about section 108D; and
- (b) if the person's open licence may be cancelled because of a choice made under section 108BB(3)—
 - (i) inform the person of the choice the person must make under the subsection; and
 - (ii) require the person to make the choice and advise the chief executive of the person's choice in the way, and within the time, specified; and
- (c) require the person—
 - (i) to return the person's driver's licence to the chief executive in the way, and within a time, specified; or
 - (ii) if the person cannot comply with subparagraph (i)—to give the chief executive, within the time specified, a statutory declaration stating why the person cannot comply with the subparagraph.

(3) A time specified under subsection (2)(b) or (c) must be at least 14 days.

(4) The person must comply with the notice, unless the person has a reasonable excuse not to comply with it.

Maximum penalty—20 penalty units.

(5) A statutory declaration given under subsection (2)(c)(ii) is not admissible as evidence in proceedings against the declarant for an offence of driving a motor vehicle without a driver's licence.

Suspension or cancellation of driver's licence on accumulation of demerit points

108BB.(1) The chief executive must cancel a person's driver's licence if—

- (a) 4 or more demerit points are endorsed on a person's traffic history; and
- (b) the demerit points were allocated in a continuous 1 year period while the person held a learner's permit or provisional licence.

(2) The chief executive must require a person to make a choice about the suspension or cancellation of the person's open licence if—

- (a) 12 or more demerit points are endorsed on a person's traffic history; and
- (b) the demerit points were allocated in a continuous 3 year period while the person held a driver's licence.

(3) A person required to make a choice under subsection (2) must choose, within the time specified in the notice under section 108BA(2)(b), between—

- (a) suspension of the person's open licence for 3 months from the day the person returns the licence to the chief executive; or
- (b) cancellation of the person's open licence and, on the person's application, the grant of a provisional licence to the person.

(4) The chief executive must cancel a person's open licence if—

- (a) the person chooses cancellation; or
- (b) the person does not advise the chief executive of the person's choice within the specified time.

(5) The chief executive must cancel a person's provisional or open licence if—

- (a) 2 or more demerit points are endorsed on the person's traffic history; and
- (b) the demerit points were allocated in a continuous 1 year period while the person held a provisional licence issued after the person's open licence was cancelled under subsection (4).

(6) The cancellation of a person's driver's licence under this section takes effect—

- (a) if the licence is returned, or a statutory declaration is given, as required by a section 108BA notice—when the licence is returned or the declaration is given to the chief executive; or
- (b) if the licence is not returned, or a statutory declaration is not given, as required—at the end of the time specified in the notice for the return of the licence; or
- (c) if the licence expires before the time specified in the notice for the return of the licence—on the day after the expiry date of the driver's licence.

Effect of allocation of demerit points to unlicensed persons

108BC. If—

- (a) 4 or more demerit points are endorsed on a person's traffic history; and
- (b) the demerit points were allocated in a continuous 1 year period while the person did not hold a driver's licence;

the person cannot apply for a driver's licence for 3 months from the day specified in the chief executive's notice under section 108BA(1).

Period when person cannot apply for licence after cancellation

108C.(1) In this section—

“**calculation day**” means the day a person—

- (a) returns a driver's licence to the chief executive under section 108BA; or
- (b) gives a statutory declaration mentioned in section 108BA(2)(c)(ii).

(2) If a person's learner's permit is cancelled under section 108BB(1), a superintendent must not grant another learner's permit to the person for 3 months from the calculation day.

(3) If a subsequent learner's permit issued to the person is cancelled

under section 108BB(1), a superintendent must not grant another learner's permit to the person for 6 months from the calculation day.

(4) If a person's provisional licence is cancelled under section 108BB(1), a superintendent must not grant the person a learner's permit or a further provisional licence for 3 months from the calculation day.

(5) If a subsequent provisional licence issued to the person is cancelled under section 108BB(1), a superintendent must not grant the person a learner's permit or another provisional licence for 6 months from the calculation day.

(6) If a person's provisional licence is cancelled under section 108BB(5), a superintendent must not grant the person a learner's permit or another provisional licence for 6 months from the calculation day.

(7) If a person's provisional licence granted under section 20A of the Act is cancelled under section 108BB(1), a superintendent must not grant a learner's permit or provisional licence to the person—

- (a) for 3 months from the calculation day; or
- (b) if the balance of the disqualification period imposed under section 20(5) of the Act is longer than 3 months—the balance of the period.

(8) If a person's open licence is cancelled under section 108BB(1), a superintendent must not grant the person—

- (a) a learner's permit or provisional licence for 3 months from the calculation day; or
- (b) an open licence until the person has, immediately before applying for the open licence, held a provisional licence for at least 1 year.

(9) If a person's open licence is cancelled under section 108BB(5), a superintendent must not grant the person—

- (a) a learner's permit or provisional licence for 6 months from the calculation day; or
- (b) an open licence until the person has, immediately before applying for the open licence, held a provisional licence for at least 1 year.

(10) If a person chooses, under section 108BB(3), to have the person's open licence cancelled, a superintendent must not grant the person another

open licence until the person has, immediately before applying for the open licence, held a provisional licence for at least 1 year.

Section 108C applies even if licence expired

108CA.(1) This section applies to a person—

- (a) whose driver's licence expired after demerit points were allocated to the person's traffic history; and
- (b) whose driver's licence, apart from the expiry, could have been cancelled by the chief executive because of the demerit points.

(2) Section 108C applies to the person as if the person's driver's licence had been cancelled by the chief executive under section 108BB.

(3) For the purposes of subsection (2), the licence is taken to have been cancelled on the day after the expiry date of the licence.

Appeals against automatic cancellation

108D.(1) A person may appeal against the cancellation of the person's—

- (a) learner's permit under section 108BB(1); or
- (b) provisional licence (other than a provisional licence issued under section 20A of the Act) under section 108BB(1) or (5); or
- (c) open licence under section 108BB(1).

(1A) The person may only appeal on the ground that the cancellation would cause extreme hardship to the person or the person's family by depriving the person of the means of earning a living.

(2) An appeal is to be made to the Magistrates Court in the district where the person resides.

(3) A written notice of appeal must be lodged with the Court within 21 clear days of the date of cancellation of the driver's licence.

(4) A copy of the notice of appeal must, within the same time, be served on the chief executive or on any person authorised by the chief executive to receive the notice.

(5) On the lodgement of the appeal, the cancellation is suspended pending

the determination of the appeal but, subject to the decision of the Court on the appeal, the cancellation takes effect for that portion of the period of cancellation that had not expired when the appeal was commenced from the date of the determination of the appeal.

(5A) The chief executive or Commissioner may give the Court information about the person's traffic history.

(6) The Court may affirm or set aside the cancellation of the appellant's driver's licence.

(6A) The Court must not set aside the cancellation of the person's driver's licence unless satisfied—

- (a) the person is an appropriate person to be licensed to drive a motor vehicle having regard to the person's traffic history; and
- (b) the cancellation would cause extreme hardship to the person or the person's family by depriving the person of the means of earning a living.

(7) Despite the *Justices Act 1886*, the decision of the Court is final and binding and without appeal.

(8) The clerk of the court must give the chief executive a copy of the order made under this section.

Application for licence under s 16B or 20A of the Act

108E. An application under section 16B or 20A of the Act, for an order directing that a person be issued with a provisional licence, must be in the approved form.

Application for amendment under s 20B of the Act

108F. An application under section 20B of the Act, for an order amending the restrictions to which a provisional licence is subject, must be in the approved form.

Learner's permit

109.(1) Upon receipt by the superintendent of an application for a permit

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to learn to drive a motor vehicle, the superintendent shall cause the applicant to undergo testing in respect of—

- (a) the applicant's sight and hearing; and
- (b) the applicant's knowledge of the traffic law.

(2) A superintendent must not issue a learner's permit to an applicant unless the superintendent is satisfied that the applicant—

- (a) has turned 16 years and 6 months; and
- (b) has satisfactorily completed the testing under subsection (1).

(2A) The chief executive or Commissioner may issue a learner's permit to a person who has not turned 16 years and 6 months on being satisfied that, if the learner's permit were not issued—

- (a) the person would suffer severe hardship; or
- (b) the person's family would suffer severe hardship because the person has undertaken a role of special responsibility in relation to the person's family.

(3) A learner's permit—

- (a) shall be issued for a period of 12 months;
- (b)—
 - (i) may limit the class of vehicle to which such permit shall apply; and
 - (ii) in the case where the learner's permit applies to a motorcycle—restrict the learner to driving a motorcycle with an engine capacity not exceeding 250 mL unless the learner has previously, for a period of 12 months or more, held a provisional or open licence to drive a motorcycle up to any specified engine capacity (being greater than 50 mL) or of unrestricted engine capacity;
- (c) may limit the hours and locality in which such learner may drive such vehicle;
- (d) shall not be issued to a learner unless such learner, when applying for the permit, satisfies the superintendent that the person who—
 - (i) will occupy the seat next to such learner when the learner is

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learning to drive a motor vehicle (other than a motorcycle, moped, tractor or specially constructed vehicle having seating capacity for the driver only); or

- (ii) will direct such learner when the learner is learning to drive a motorcycle, moped, tractor or specially constructed vehicle having seating capacity for the driver only;

has, for a period of at least 12 months, been licensed to drive the class of motor vehicle which the learner will drive under the authority of the permit;

- (e) may be subject to a condition that the holder of such permit shall not drive a motor vehicle unless there is displayed in a conspicuous position or position and facing directly to the front and rear of such vehicle a plate or plates measuring not less than 146 mm by 146 mm bearing a black letter 'L' clearly marked on a yellow background;
- (f) may be subject to such other conditions and stipulations as may be endorsed thereon by the superintendent.

Maximum penalty—20 penalty units.

(4) A person shall not upon any road drive any motor vehicle upon which is displayed a distinguishing mark in the form of or similar to or which is likely to be mistaken for a distinguishing mark in the form of the design specified in subsection (3)(c)—

- (a) if the distinguishing mark so displayed has a colour scheme other than a black letter 'L' on a yellow background;
- (b) unless, at all times when such mark is so displayed, the holder of a learner's permit is driving or being taught to drive such motor vehicle.

Maximum penalty—20 penalty units.

(4A) However, the provisions of subsection (4)(b) shall not apply to a person who is the driver of a motor vehicle used for the purposes of a driving instruction school within the meaning of the *Motor Vehicle Driving Instruction School Act 1969* and such vehicle is being operated, at the material time, for the purposes of that driving instruction school.

- (5) The holder of a learner's permit must not drive a motor vehicle (other

than a moped, motorcycle, tractor, or specially constructed vehicle with seating capacity for the driver only) on a road unless a person who holds, and who has held for 1 year, a provisional or open licence for the class of vehicle is sitting next to the holder.

Maximum penalty—20 penalty units.

(6) The holder of a learner's permit must not drive, on a road, a moped, motorcycle, tractor or specially constructed vehicle having seating capacity for the driver only, unless the holder of the permit is driving under the direction of a person who holds, and who has held for a period of 12 months, a provisional or open licence for—

- (a) where the vehicle is a moped—a moped or motorcycle; or
- (b) where the vehicle is a motorcycle with an engine capacity not greater than 250 mL—a motorcycle; or
- (c) where the vehicle is a motorcycle with an engine capacity greater than 250 mL—a motorcycle of unrestricted engine capacity; or
- (d) where the vehicle is a tractor or specially constructed vehicle that is not more than 4.5 t gross vehicle mass—a motor vehicle other than for a moped or motorcycle; or
- (e) where the vehicle is a tractor or specially constructed vehicle that exceeds 4.5 t gross vehicle mass—a motor vehicle that exceeds 4.5 t gross vehicle mass.

Maximum penalty—20 penalty units.

(7) The holder of a learner's permit shall not upon any road drive any motorcycle whilst there is being carried upon such motorcycle or upon anything attached to it any other person except a person who is safely seated in a sidecar or on a pillion seat and who holds and has held for a period of at least 2 years a provisional or open licence in respect of a motorcycle.

Maximum penalty—20 penalty units.

Driver's licences issued outside Queensland

110.(1) For the purposes of section 15 of the Act and this regulation relating to drivers' licences, a driver's licence issued under the law of the State or Territory or other country in which the holder thereof usually

resides, or an international driving permit issued in such State, Territory or other country, shall, so long as such driver's licence or driving permit is in force, be deemed to be equivalent in Queensland to and accepted in lieu of a driver's licence for the purpose of authorising the holder thereof to drive in Queensland any vehicle of the type or class to the driving of which the said driver's licence or driving permit is applicable, if, but only if, such holder—

- (a) usually resides outside Queensland and is temporarily in Queensland; and
- (b) has not been given notice by the chief executive or Commissioner in pursuance of subsection (2) of the withdrawal of the privilege conferred by this subsection (1); and
- (c) is not otherwise disqualified from obtaining or holding a driver's licence in Queensland; and
- (d) if required under the law of any State or Territory or country in which the holder's driver's licence was issued to display upon any motor vehicle driven by the holder a 'P' plate or plates, so displays such 'P' plate or plates whilst driving a motor vehicle upon a road in Queensland; and
- (e) being the holder of a learner's permit issued by any State or Territory, complies with the requirements of that permit.

(2) The chief executive or Commissioner may withdraw the privilege conferred on a licensee under subsection (1), if the chief executive or Commissioner considers on reasonable grounds—

- (a) the licensee has a mental or physical incapacity that is likely to adversely affect the licensee's ability to drive; or
- (b) having regard to the licensee's traffic history, it is not desirable that the licensee be allowed to drive a motor vehicle in Queensland.

(2A) The withdrawal takes effect from a date specified in a notice given by the chief executive or Commissioner to the licensee.

(3) Where any of the circumstances set out in section 16A(22)(a) of the Act are applicable to the holder of any such driver's licence or driving permit as aforesaid the privilege conferred on such holder by subsection (1) shall be suspended for a period of 24 hours commencing at the time when the analysis is made or the requisition is made or the indication from the

device is ascertained or the certificate in writing is given, as the case may be.

(4) The police officer who required the specimen shall sign and deliver to the person concerned (or to another person on behalf of that person at the request of that other person) a statement in writing that the privilege conferred on such holder by subsection (1) is suspended by this subsection for the period of 24 hours commencing at the time stated therein.

Production of driver's licences issued outside Queensland

110A. The holder of a driver's licence, or an international driving permit to which section 110(1) applies, must produce the licence or permit to a police officer when required to do so, unless the holder has a reasonable excuse for not producing it.

Maximum penalty—20 penalty units.

Issue of licence without prescribed test

111. Notwithstanding anything contained in this regulation (other than section 108D), a driver's licence may be issued by the superintendent to any person without requiring such person to be tested as prescribed in section 107, if such person is or has within a period of 5 years been the holder of a driver's licence or driving permit, and the superintendent is satisfied that such person has been tested as to the person's ability to drive a motor vehicle of the class in respect of which the person has applied for a driver's licence.

Signature by licensee on licence

115.(1) Every licensee shall, forthwith upon receipt by the licensee of a licence, write, in ink, on the licence, his or her usual signature in the space provided for that purpose.

(2) Any licensee who produces to any authorised officer a licence issued to such licensee which does not bear the usual signature of the licensee in ink in the space provided for that purpose shall be guilty of an offence.

Maximum penalty—20 penalty units.

Conditions of licences

116.(1) A superintendent may grant a licence with conditions stated on the licence.

(2) The licensee must comply with the conditions of the licence while acting under the authority of the licence.

Maximum penalty—20 penalty units.

(3) However, if a condition of a driver's licence is a requirement to carry a medical certificate, the licensee does not commit an offence under subsection (2) if the person produces the certificate within 48 hours to the officer in charge of a police station reasonably specified by the officer.

Amendment of conditions

117.(1) In this section—

“**amendment**” of conditions on a licence includes the imposition of conditions on a licence that was unconditional before amendment.

(2) If a superintendent considers the conditions on a licence should be amended, the superintendent must give the licensee a written notice (the “**show cause notice**”) that—

- (a) states the way the conditions are proposed to be amended; and
- (b) states the reasons for the amendment; and
- (c) outlines the facts and circumstances forming the basis for the reasons; and
- (d) invites the licensee to show cause, within a specified time, why the conditions should not be amended.

(3) The time specified in subsection (2)(d) must be at least 28 days.

(4) The superintendent may, before or after the end of the specified time, extend the time within which the licensee must show cause.

(5) The superintendent may amend the conditions if, after considering any representations made within the time specified or allowed, the superintendent still believes the conditions should be amended—

- (a) in the way mentioned in the show cause notice; or

(b) in another way, having regard to the representations.

(6) If the superintendent decides to amend the conditions, the superintendent must give the licensee a written notice stating—

(a) the way in which the conditions have been amended; and

(b) that the licensee may contest the decision by—

(i) applying under section 134C for reconsideration of the decision; or

(ii) appealing under section 57(1) of the Act.

(7) Subsections (2) to (6) do not apply if the conditions of a licence are to be amended only—

(a) by omitting a condition; or

(b) for a formal or clerical reason; or

(c) in another way that does not adversely affect the licensee's interests.

(8) The superintendent may make an amendment of a type mentioned in subsection (7) by written notice given to the licensee.

(9) An amendment takes effect on the later of the following—

(a) the day the notice is given to the licensee;

(b) the day specified in the notice.

Return of licence for alteration

117AA.(1) A superintendent may, by written notice, require the licensee to return the licence (in a way, and within a time, specified) to enable the conditions stated on the licence to be amended.

(2) The time specified must be at least 14 days.

(3) A licensee must comply with a notice under subsection (1), unless the person has a reasonable excuse not to comply with it.

Maximum penalty—20 penalty units.

(4) The licence conditions as amended under section 117 take effect from the appropriate day under section 117(9), even if the licensee does not return

the licence for alteration.

Restriction concerning licensed motor trucks and articulated vehicles

117A.(1) A person who has not previously held, for a continuous period of 1 year or more, a provisional or open licence authorising that person to drive a motor car, must not be issued with a provisional or open licence to drive a motor truck or motor omnibus.

(2) A person who has not previously held, for a continuous period of 1 year or more, a provisional or open licence authorising that person to drive a motor truck or motor omnibus, must not be issued with a provisional or open licence to drive an articulated motor vehicle.

(3) A person who has not previously held, for a continuous period of 1 year or more, a provisional or open licence authorising that person to drive an articulated vehicle, must not be issued with a provisional or open licence to drive a B-Double or road train.

Disabled person parking permit

118.(1) In this section—

“**permit**” means a disabled person parking permit under section 44N of the Act.

(2) An application for a permit must be in the approved form.

(3) A fresh application must be made each time a permit is applied for.

(4) A form of identification in force on 14 August 1994 under repealed section 44N of the Act—

- (a) continues in force and is taken to be a permit; and
- (b) expires on 28 February 1995.

Amplification or reproduction of words, music etc.

122. A person shall not, unless the person is the holder of a permit issued by the chief executive, Commissioner or superintendent authorising the person so to do, amplify or reproduce any words, music, or other sound whatsoever by means of any electrical or other mechanical appliance,

apparatus, or device—

- (a) upon any road; or
- (b) in or on any place (other than a road) under such circumstances that such amplification or reproduction would cause or be likely to cause persons to gather upon a road to the danger, inconvenience, hindrance, annoyance or obstruction of persons or other traffic upon such road.

Maximum penalty—20 penalty units.

Funeral processions

125.(1) The superintendent may at any time direct the diversion of funeral processions from any road.

(1A) Notice of intention to direct such diversion shall, if practicable, be published in 1 or more newspapers circulating within the locality to which such directions shall apply.

(2) A person shall not drive any hearse, mourning coach, carriage or other vehicle used for any purpose in connection with any funeral procession, upon any road in contravention of a direction given by the superintendent under subsection (1).

Maximum penalty—20 penalty units.

(3) The driver of any vehicle upon any road shall not knowingly drive or attempt to drive such vehicle into or through or otherwise interfere with or interrupt the progress of any funeral procession.

Maximum penalty—20 penalty units.

Advertising, placards, handbills etc.

126.(1) A person shall not—

- (a) upon any road for the purpose of business advertising—
 - (i) carry any advertisement, placard, board, notice or sign;
 - (ii) throw or distribute any handbill or other printed or written matter; or

- (b) in respect of a vehicle on which or alongside of which an advertisement is being displayed—drive, or permit to be driven, that vehicle on a road or cause or permit that vehicle to stand on a road in such circumstances that the primary purpose for which the vehicle is being driven or stood at the material time is business advertising;

unless the person is the holder of a permit issued by the chief executive or Commissioner authorising the person so to do and unless the person complies in every respect with the terms and conditions of such permit.

Maximum penalty—20 penalty units.

(2) However, this section shall not apply to any person taking part in a procession for other than funeral purposes for the holding of which a permit has been issued by the chief executive or Commissioner.

(3) In this section—

“**business advertising**” includes advertising for a single event, financial venture, fete, stall or sale.

(4) Without limiting the liability of any other person where an offence is committed in relation of a breach of subsection (1)(b), the person who at the time of the commission of the breach was the owner of the vehicle shall be deemed to have committed that offence and may be proceeded against and shall be punishable accordingly.

Carrying signs on roads

126B.(1) A person shall not upon any road for any purpose other than business advertising carry any placard, board, notice or sign—

- (a) of a size exceeding 610 mm in width and 610 mm in length; or
(b) which is constructed, framed or supported by any rigid material other than cardboard;

unless the person is the holder of a permit issued by the chief executive or Commissioner authorising the person so to do and unless the person complies in every respect with the terms and conditions of such permit.

Maximum penalty—20 penalty units.

(2) This section does not apply to any person taking part in a procession

for other than funeral purposes for the holding of which a permit has been issued by the chief executive or Commissioner.

Duration and renewal of licence

128.(1) Subject to the Act and this regulation, unless otherwise expressly stated in the licence every licence (other than a driver's licence) and every renewal thereof shall, unless it is sooner suspended, cancelled or surrendered under the Act or this regulation or under any other Act or law, be in force for 12 months from and including the date of issue or renewal, as the case may be.

(1A) However, in the case of a licence being suspended for a period less than that portion of such period of 12 months remaining at the date of the commencement of such period of suspension, such licence, upon the termination of that period of suspension, shall only be in force until the date when it would have expired if it had not been so suspended.

(2) For the purpose of this section the day immediately following the date on which the licence or last preceding renewal thereof, as the case may be, expired, shall, subject to subsection (3) be deemed to be the date of the renewal of any licence renewed under the Act and this regulation.

(3) Where a licence (other than a driver's licence) is renewed subsequent to the date of expiry of the licence or last preceding renewal thereof, as the case may be, the renewal of the licence shall come into force on the date of such subsequent renewal but shall expire on the date on which it would have expired had it been renewed prior to the date of expiry of the licence or last preceding renewal thereof, as the case may be.

(4) A licence shall not be renewed if a period of 12 months has elapsed from the date of expiry of such licence.

(5) The renewal of a licence shall be in the form provided for a new licence and shall be clearly marked with the words 'renewal of licence no.' or 'renewal of permit no.', as the case may be.

Destruction or mutilation of licence

130. A person shall not wilfully deface, mutilate or destroy a licence.
Maximum penalty—20 penalty units.

Licence lost, stolen etc.

131.(1) Whenever a licence other than a driver's licence is lost, stolen, destroyed, mutilated, defaced, or mislaid, or cannot be found, or whenever the particulars upon a licence other than a driver's licence become illegible, the licensee shall forthwith forward written notification thereof to the superintendent.

Maximum penalty—20 penalty units.

(2) A licensee whose licence is lost, stolen, destroyed, mislaid, defaced, or mutilated, or cannot be found, or upon which the particulars have become illegible may apply in writing to the superintendent or in the case of a driver's licence to the chief executive for the issue of a duplicate licence and the superintendent or the chief executive as the case may be may upon proof of the facts to his or her satisfaction by a statutory declaration or otherwise and, upon payment of the prescribed fee cause to be issued in lieu of such licence a duplicate licence which, upon issue, shall become for all the purposes of the Act and this regulation the licence of the person named therein.

(3) A duplicate licence shall be in accordance with the form prescribed for a new licence and indicate that it is a duplicate licence.

(3A) Upon the issue of a duplicate licence the previous licence as aforesaid shall become null and void and the duplicate licence shall be valid for all purposes and uses for which the original licence would have been valid.

(4) If a person has notified the chief executive that a driver's licence has been lost, stolen or destroyed but the driver's licence later comes into the person's possession, the person must return the driver's licence to the chief executive.

Maximum penalty—20 penalty units.

Delivery of expired licence

132. When any licence has expired or has become null and void any police officer may seize and take possession thereof.

Voluntary surrender or cancellation of licence

133.(1) A licensee may by written notification addressed and delivered to the superintendent, surrender any licence, or request the cancellation of such licence.

(2) Such licence shall, if in the possession of such licensee, be forwarded to the superintendent with such written notification.

Grounds for suspension or cancellation

134.(1) Each of the following is a ground for the suspension or cancellation of a licence—

- (a) for a driver's licence or pilot vehicle driver's licence—
 - (i) the licensee has a mental or physical incapacity that is likely to adversely affect the licensee's ability to drive a class of motor vehicle for which the licensee is licensed to drive; or
 - (ii) having regard to the licensee's traffic history, it is not desirable that the licensee be licensed to drive a motor vehicle;
- (b) the licence was obtained on the basis of incorrect or misleading information;
- (c) the licensee has contravened a condition of the licence;
- (d) the licensee is not, or is no longer, an appropriate person to hold the licence.

(2) The question whether a person is, or continues to be, an appropriate person is decided in the same way as the question whether the person would be an appropriate person for the grant of the licence.

Procedure for suspension or cancellation

134A.(1) If a superintendent considers that reasonable grounds exist to suspend or cancel a licence (the "**action**"), the superintendent must give the licensee a written notice (the "**show cause notice**") that—

- (a) states the action proposed; and
- (b) states the grounds for proposing to take the action; and

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- (c) outlines the facts and circumstances forming the basis for the grounds; and
- (d) if the superintendent proposes to suspend the licence—states the proposed suspension period; and
- (e) invites the licensee to show cause, within a specified time, why the action should not be taken.

Examples of paragraph (a)—

The superintendent may propose—

- (a) suspending a licensee's licence for a period shorter than the remaining term of the licence; or
- (b) cancelling a licensee's licence and prohibiting the licensee from applying for another licence for a period equal to, or longer than, the remaining term of the cancelled licence; or
- (c) cancelling a licensee's licence but allowing the licensee to apply immediately for another specified type of licence.

(2) The time specified in subsection (1)(e) must be—

- (a) for a ground mentioned in section 134(1)(a)(i)—at least 48 hours; or
- (b) otherwise—at least 28 days.

(3) The superintendent may, before or after the end of the specified time, extend the time within which the licensee may show cause.

(4) The licensee may show cause by personal or written representations.

(5) If, after considering any representations made within the time specified or allowed, the superintendent still believes that grounds to take the action exist, the superintendent may—

- (a) if the show cause notice was a notice of intention to suspend the licence for a specified period—suspend the licence for a period not longer than the specified period; or
- (b) if the show cause notice was a notice of intention to cancel the licence—
 - (i) cancel the licence; or
 - (ii) suspend the licence for a period.

(6) The superintendent may suspend or cancel a driver's licence by a suspension or cancellation relating to any or all of the classes of motor vehicle that the licence authorises the licensee to drive.

(7) The superintendent must inform the licensee of the decision by written notice.

(8) If the superintendent decides to suspend or cancel the licence, the notice must state—

- (a) the reasons for the decision; and
- (b) that the licensee may contest the decision by—
 - (i) applying under section 134C for reconsideration of the decision; or
 - (ii) appealing under section 57(1) of the Act.

(9) Except for a ground mentioned in section 134(1)(b), the decision takes effect on the later of the following⁴—

- (a) the day the notice is given to the licensee; or
- (b) the day specified in the notice.

Return of suspended or cancelled licence

134B.(1) Having suspended or cancelled a person's licence, the superintendent may give the person a written notice requiring the person to return the licence in a way, and within a time, specified.

(2) The time specified must be at least 14 days.

(3) The person must comply with the notice, unless the person has a reasonable excuse not to comply with it.

Maximum penalty—20 penalty units.

(4) The superintendent must return a suspended licence to the licensee at the end of the suspension period.

⁴ Section 53(2) of the Act applies for a ground mentioned in section 134(1)(b).

Reconsideration of decision by chief executive or Commissioner

134C.(1) An applicant for a licence may apply in the approved form for the chief executive or Commissioner to reconsider the superintendent's decision to refuse to grant the licence.

(2) A licensee may apply in the approved form for the chief executive or Commissioner to reconsider the superintendent's decision—

- (a) to refuse to renew a licence; or
- (b) to impose a condition on a licence; or
- (c) to amend a condition on a licence; or
- (d) to suspend or cancel a licence under section 134A.

(3) The application must be made within 28 days after the date of the written notice of the decision.

(4) The applicant or licensee may offer further information in support of the application.

(5) After reconsideration, the chief executive or Commissioner may—

- (a) confirm the decision; or
- (b) set aside the decision and substitute another decision.

(6) The chief executive or Commissioner must promptly give the applicant or licensee written notice of the decision.

(7) The notice must state that, if the applicant or licensee is dissatisfied with the decision, the applicant or licensee may appeal against the decision under section 57(1) of the Act.

Effect of cancellation or suspension of licence

135. Unless otherwise provided under the Act—

- (a) cancellation or suspension of a licence shall take effect—
 - (i) subject to section 57(3A) of the Act, in the case of automatic cancellation—forthwith upon the happening of the event which causes such cancellation;
 - (ii) in any other case—on the appropriate day under section 134A(9);

- (b) a licence shall cease to have any force or effect—
- (i) in the case of cancellation—from the time that cancellation thereof takes effect;
 - (ii) in the case of suspension—from the time that suspension thereof takes effect for so long as such suspension remains in force;
 - (iii) in respect of a written notification specified in section 133—from the time of receipt of that notification by the superintendent;
 - (iv) in the case of a person who is disqualified from holding or obtaining a driver's licence in another State or Territory or any other country—during the same period of that disqualification;
 - (v) in the case of the holder obtaining a driver's licence under the law of another State or Territory—from the time that other driver's licence is obtained whether or not the driver's licence issued under this Act is surrendered at that time.

Seizure of licences

136.(2) If any police officer suspects that an offence has been committed in respect of any licence produced to the police officer or that such licence is required for the purpose of having an endorsement made thereon such police officer may seize and retain such licence until—

- (a) any investigation involving such licence has been completed; or
- (b) any required endorsement has been made on such licence; or
- (c) such licence has been produced in any proceedings in which its production may be required.

Codes on driver's licences

137.(1) If a code appearing in the Table, column 1 is specified on a driver's licence issued after 1 July 1991, that code indicates the corresponding driver's licence type, class, condition or description appearing in the Table, column 2.

Table

Column 1	Column 2
Code	Licence type
L	learner's permit
P	provisional licence
O	open licence
RP	provisional licence issued pursuant to s 20A of the Act
D	duplicate licence (used in conjunction with licence code L, P or O)
	Licence class
A	motor car
B	motorcycle
C	motor truck
D	motor omnibus
E	articulated motor vehicle
H	specially constructed motor vehicle

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L	controls must be modified
M	current medical certificate must be carried
R	receipt must be carried
S	corrective lenses must be worn
W	hearing aid must be worn

(2) If a code appearing in the Table, column 1 is specified on a driver's licence issued after 1 July 1991 and used in conjunction with the class of driver's licence appearing in column 2, that code indicates the corresponding driver's licence class condition appearing in column 3.

Table

Column 1	Column 2	Column 3
1	any class	automatic vehicle
2	motor truck	maximum 2 axles or maximum gross vehicle mass not exceeding 15 t
3	articulated motor vehicle	maximum 3 axles or maximum gross combination mass not exceeding 24 t
4	articulated motor vehicle	B-double
5	motor omnibus	maximum capacity of 30 adult persons including the driver
6	articulated motor vehicle	road train
N	motorcycle	engine capacity not exceeding 250 mL
P	motorcycle	moped
V	motor omnibus	articulated motor omnibus

(4A) The superintendent, on being satisfied with the correctness of the information supplied by the holder of the driver's licence, shall issue a replacement licence endorsed with the correct name.

(5) In this section—

“address”, for a pilot vehicle licence, means residential address and business address.

Licensee to attend when notified

139. The superintendent may by notice in writing call upon any licensee to attend at the office of such superintendent and such licensee shall at all reasonable times upon receiving such notice in all respects comply with the terms of the notice.

Maximum penalty—20 penalty units.

PART 17A—OFFENCES DEALT WITH UNDER S 16B OF THE ACT

Prescribed penalties etc. for offences dealt with under s 16B of the Act

142A.(1) For the purposes of section 16B of the Act—

- (a) Table 1 sets out the prescribed penalty; and
- (b) Table 2 sets out the prescribed period of disqualification from holding or obtaining a driver's licence;

for an offence to which section 16B applies.

(2) In Table 1 and Table 2, the concentration of alcohol in a person's blood is expressed in terms of the number of milligrams of alcohol per 100 mL of the person's blood.

Table 1—Penalties

Concentration of alcohol in a person's blood	Penalty
	\$
less than 50	100.00
50 but less than 70	100.00
70 but less than 90	250.00
90 but less than 110	400.00
110 but less than 130	500.00
130 but less than 150	600.00

Table 2—Disqualification periods

Concentration of alcohol in a person's blood	Disqualification period (months) for an offence under—		
	s 16(2) of the Act	s 16(2A) of the Act	s 16(2B) of the Act
less than 50	—	3	1
50 but less than 70	1	3	1
70 but less than 90	2	3	2
90 but less than 110	3	3	3
110 but less than 130	5	5	5
130 but less than 150	7	7	7

Prescribed circumstances for withdrawal of a notice

142B. For the purposes of section 16B(12) of the Act, the prescribed circumstances in which the Commissioner may withdraw a notice served on a person are that—

- (a) a detail entered on the notice by a police officer is incorrect in a material particular; or
- (b) at or about the time of the commission of the alleged offence to which the notice relates, the person has committed an indictable

offence in relation to the use of the motor vehicle involved in the commission of the alleged offence.

PART 18—MISCELLANEOUS

Leaving motor vehicles unattended

143. A driver of a motor vehicle shall not permit it to stand unattended without first stopping the engine, locking the ignition, removing the ignition key, effectively applying the brake and, when the motor vehicle is standing upon any grade, turning the front wheels to the kerb or side of the carriageway nearer to the motor vehicle.

Maximum penalty—20 penalty units.

Drivers must not obstruct other traffic

144.(1) The driver of a vehicle upon any road shall not—

- (a) wilfully obstruct, hinder, or prevent the free passage of any person, vehicle or train;
- (b) move into or get out of any—
 - (i) line of vehicles proceeding upon such road;
 - (ii) line or position occupied by vehicles waiting to proceed upon such road;
 - (iii) line or position fixed for vehicles by or pursuant to any section or by any police officer;

in such a manner as to be likely to cause injury or danger to any person or to any vehicle upon such road.

Maximum penalty—20 penalty units.

(2) In this section—

“multi-laned road” means a road—

- (a) that has 2 or more lanes marked on the carriageway available for

traffic moving in the same direction; and

- (b) that is outside a built-up area, or is in a built-up area and has a speed limit greater than 60 km/h indicated by an official traffic sign upon that road.

(3) The driver of a motor vehicle upon any multi-laned road shall not drive the motor vehicle in a lane other than the left lane at a rate of speed which unreasonably delays the movement of other motor vehicles upon that road.

Maximum penalty—20 penalty units.

(4) For the purposes of this section the driver of a motor vehicle upon any multi-laned road who drives the motor vehicle in a lane other than the left lane at a rate of speed which is substantially less than the speed limit for that road shall be deemed to drive a motor vehicle at a rate of speed which unreasonably delays the movement of other vehicles upon that road unless the driver proves that the rate of speed of the motor vehicle was reasonable having regard to all the circumstances at the time.

(5) Such circumstances shall include, but shall not be restricted to, the nature and condition of the road, the amount of traffic on the road, and the effect of any rain, fog, mist, dust or other conditions restricting visibility.

Drinking alcohol from container while driving

144A. The driver of a vehicle shall not consume liquor from any container whilst driving such vehicle on any road.

Maximum penalty—20 penalty units.

Brisbane city driving restrictions

144B.(1) A person shall not at any time between the hours of 7.00 a.m. and 6.00 p.m. Monday to Friday inclusive or between the hours of 7.00 a.m. and 12.00 noon on a Saturday drive a vehicle upon any road or any section thereof which is within the Area of the City of Brisbane and which is bounded by or forms a part of the boundary delineated by the roads specified in the Schedule to this section.

Maximum penalty—20 penalty units.

(2) For the purposes of subsection (1)—

“**vehicle**” shall mean a motor vehicle equipped for the carriage of 1 or more motor vehicles and—

(a)—

(i) having 2 or more tiers of carrying capacity; and

(ii) carrying a motor vehicle on a tier other than the lower or lowest tier as the case may be; or

(b) regardless of the number of tiers of carrying capacity, carrying a motor vehicle which is positioned so as to be wholly or substantially higher than the roof of the control cabin of the vehicle.

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Adelaide Street, between North Quay and Wharf Street; Wharf Street, between Adelaide Street and Eagle Street; Eagle Street, between Queen Street and Mary Street; Mary Street, between Eagle Street and Felix Street; Felix Street, between Mary Street and Margaret Street; Margaret Street, between Felix Street and Edward Street; Edward Street, between Margaret Street and Alice Street; Alice Street, between Edward Street and William Street; William Street, between Alice Street and Queen Street; North Quay, between Queen Street and Adelaide Street.

Opening doors and alighting from vehicles

146.(1) A person shall not—

(a) open or leave open a door of a vehicle on a road; or

(b) alight from a vehicle on to the carriageway of a road;

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

(2) Where an omnibus is fitted with a control whereby its door or doors may be opened and closed by the driver without leaving the driver’s driving position, the driver shall not open the door or doors until the omnibus is stationary and shall not set the omnibus in motion or allow it to continue in

motion unless the door or doors are closed.

Maximum penalty—20 penalty units.

Persons must not solicit from roads

147.(1) A person shall not without the written permission of the chief executive or Commissioner drive or stand any vehicle on a road for the purpose of soliciting employment or business from the vehicle.

(2) A person shall not stand or place himself or herself upon the carriageway of a road for the purpose of soliciting contributions, employment, business or a ride from an occupant of any vehicle.

Maximum penalty—20 penalty units.

Casting or throwing things upon roads

148. A person shall not upon any road cast or drop anything from a moving vehicle so as to injure or be likely to injure any person or animal or damage or be likely to damage any property.

Maximum penalty—20 penalty units.

Interference or damage to roads

149. A person shall not, without lawful authority, dig up, undermine or otherwise interfere with any road or use upon any road anything which may or would be likely to cause danger, obstruction, inconvenience, annoyance or injury to any person or animal upon such road.

Maximum penalty—20 penalty units.

Painting or construction on carriageways prohibited

149A. A person shall not, without lawful authority—

- (a) make or paint any notice, sign, or mark on the surface of any carriageway; or
- (b) construct, erect, or place any placard, board, notice, or sign in or

on any carriageway.

Maximum penalty—20 penalty units.

Removal of things falling on road

150.(1) This section applies if a thing, that might damage a vehicle or injure a person or animal, or a load falls from a vehicle on a road after a collision or other incident.

Example of a thing that might damage or injure—

Glass from a broken headlight.

(2) The driver of the vehicle must immediately remove the thing or load from the road unless the driver has a reasonable excuse.

Maximum penalty—20 penalty units.

Example of a reasonable excuse—

The physical or mental incapacitation of the driver because of a collision.

(3) If a person other than the driver removes the vehicle from the scene of the collision or other incident, the person must immediately remove the thing or load from the road unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

Goods and other obstructions upon road

151.(1) A person shall not—

- (a) stack or store any goods or permit any goods to remain upon any road for a longer period than is necessary for housing or removing such goods and not in any case before sunrise or after sunset on any day;
- (b) place or cause to be placed any rope, wire, or other apparatus across a road in such a manner as to cause or be likely to cause danger to any person using such road;
- (c) place or cause to be placed upon any road anything whatsoever to the obstruction or danger of any person or of traffic.

(2) A person shall not upon any road—

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- (a) sell or offer for sale or solicit in any manner the purchase of any goods so as to cause obstruction to any person or to traffic upon such road;
- (b) play or take part in any game;
- (c) carry any article or substance of an offensive or indecent character or of such length or dimensions as to be an inconvenience, obstruction or danger to any person or to traffic upon such road;
- (d) carry a whip or other object or article in such a manner as to be likely to strike any person;
- (e) crack or use a whip so as to annoy, interfere with or endanger any person, or so as to frighten or interfere with any animal other than any animal which he is using;
- (f) discharge any firearm or throw or discharge any stone or other missile or make any bonfire or throw or set fire to any firework.

Maximum penalty—20 penalty units.

Dangerous objects on roads

152.(1) A person shall not upon any road roll, carry or transport any matter, substance or thing in such a manner as to be a danger to traffic or property.

(2) A person shall not place any blind, shade, covering, awning, or other projection over or along any footway unless such blind, shade, covering, awning or other projection is at least 2.4 m in height in every part from the surface of the road.

Maximum penalty—20 penalty units.

Entering and leaving moving vehicles

153. A person must not enter or leave a moving vehicle on a road.

Maximum penalty—20 penalty units.

Passengers upon omnibuses

154.(1) A person shall not ride upon any part of an omnibus which is not designed or intended for the carriage of passengers.

Maximum penalty—20 penalty units.

(1A) Subsection (1) does not apply to any police officer or to any person employed upon or in connection with such omnibus.

(2) A person who brings onto an omnibus a container shall keep the container and its contents under the person's control whilst the person is on the omnibus and shall take the container and its contents with the person when the person alights.

Maximum penalty—20 penalty units.

Passenger not to be carried outside vehicle

156.(1) A person shall not be upon the outside of any vehicle being driven upon any road.

Maximum penalty—20 penalty units.

(2) A person shall not occupy any portion of the driver's seat on the right side of the driver of any vehicle upon any road.

Maximum penalty—20 penalty units.

(3) A person shall not upon any road drive any vehicle while any person is upon the outside of such vehicle, or while any person occupies any portion of the driver's seat on the right side of such first mentioned person.

Maximum penalty—20 penalty units.

(4) Without limiting the generality of subsections (1) to (3) a person shall be deemed to be upon the outside of a vehicle if the person is upon the hood, bonnet, mudguard, running board, bumper bar, or luggage carrier of such vehicle.

(5) A person shall not ride or travel in or upon a motor vehicle in such a position that any part of the person's body or limbs—

- (a) is upon or in contact with any external step or footboard of the vehicle; or
- (b) extends or protrudes beyond or through any external door,

window or other opening of the vehicle; or

- (c) extends or protrudes beyond or hangs over any side, or the front, rear or any other external portion of the vehicle.

Maximum penalty—20 penalty units.

(6) Subsection (5) does not apply to a person giving a signal under Part 8.

Driving abreast

157.(1) A person shall not upon a road drive a vehicle abreast of any other vehicle being driven in the same direction as the first mentioned vehicle upon that road.

Maximum penalty—20 penalty units.

(1A) Subsection (1) does not apply—

- (a) upon a one-way carriageway;
- (b) where a vehicle is driven for a reasonable distance abreast of another vehicle for the purpose of passing;
- (c) where a vehicle in 1 traffic lane is driven abreast of another vehicle in another traffic lane;
- (d) to the riding of a bicycle, tricycle or power-assisted cycle abreast of not more than 1 other bicycle;
- (e) to the riding of bicycles, tricycles or power-assisted cycles upon a carriageway set aside exclusively for bicycles.

(2) A person shall not upon the carriageway of any road ride a horse abreast of more than 1 other horse being ridden in the same direction as the first mentioned horse upon that carriageway.

Maximum penalty—20 penalty units.

Driving backwards

158. A person shall not drive a motor vehicle in reverse on a carriageway—

- (a) unless the person can do so with safety;

- (b) for a greater distance than is reasonable having regard to the circumstances.

Maximum penalty—20 penalty units.

Driving on footway or reservation

159.(1) A person shall not drive a vehicle upon a footway except when driving directly across such footway for the purpose of entering or leaving a private driveway, loading dock, or other place provided for access of vehicles between a road and any adjacent premises or place.

Maximum penalty—20 penalty units.

(1A) Subsection (1) does not apply to a person riding a bicycle, tricycle or power-assisted cycle if the person—

- (a) takes reasonable precautions to avoid colliding with persons and things on the footway; and
- (b) rides in such a way as not to cause danger or an obstruction to persons and things on the footway.

(2) If a road includes 2 or more separate carriageways divided by a reservation or reservations, a driver shall not cross from one carriageway to another except at a place improved, designed or ordinarily used for vehicular traffic.

Maximum penalty—20 penalty units.

(3) Notwithstanding the provisions of subsections (1) and (2), an employee of the Australian Postal Commission may ride a bicycle, tricycle or power-assisted cycle, moped or a motorcycle upon a footway or reservation if but only if—

- (a) the driver thereof is actually engaged in the delivery of postal articles; and
- (b) the engine capacity of any motorcycle does not exceed 110 mL; and
- (c) the power-assisted cycle, moped or motorcycle is not driven at a rate of speed greater than 7 km/h; and
- (d) the driver takes reasonable precautions to avoid collision with, and drives in such a manner as not to cause danger or obstruction to,

any person or thing upon such footway or reservation; and

- (e) the driver takes the shortest practicable route from the carriageway to the point of delivery and the shortest route from the point of delivery to the carriageway after such delivery is made.

Use of segregated footways, shared footways, bicycle paths and bicycle lanes by bicycles etc.

159A.(1) Wherever a bicycle lane is provided on a carriageway and is in reasonable condition for use, a rider of a bicycle, tricycle or power-assisted cycle travelling along that carriageway shall, where practicable, use that bicycle lane.

(1A) A person riding a bicycle, tricycle or power-assisted cycle upon a bicycle lane shall not permit any part of the person's vehicle to cross a line marked upon the carriageway to separate such bicycle lane from any other portion of the carriageway unless—

- (a) it is safe to do so; and
- (b) the person has signalled his or her intention to do so as required by this regulation.

(1B) A person riding a bicycle, tricycle or power-assisted cycle upon a bicycle lane shall travel only in the direction of the traffic flow in the adjacent lane unless the contrary is indicated by an official traffic sign.

(2) A person riding a bicycle, tricycle or power-assisted cycle upon a bicycle lane or bicycle path shall keep the person's vehicle as close as practicable to the left boundary of such bicycle lane or bicycle path.

(3) When overtaking a moving vehicle upon a bicycle lane or bicycle path, a person riding a bicycle, tricycle or power-assisted cycle shall—

- (a) pass to the right of that vehicle at a safe distance unless the vehicle to be overtaken is making or apparently about to make a right hand turn, in which case the person riding the bicycle, tricycle or power-assisted cycle may pass to the left thereof and shall not pass to the right thereof;
- (b) indicate his or her intention to overtake as prescribed in section 45;

- (c) not ride in front of the vehicle overtaken until his or her bicycle, tricycle or power-assisted cycle is safely clear.

(4) A person riding a bicycle, tricycle or power-assisted cycle on a segregated footway shall not ride that bicycle, tricycle or power-assisted cycle on the portion of the footway which corresponds to the side of the segregated footway sign applicable to the rider's direction of travel on which a symbol of a person is depicted.

(5) A person riding a bicycle, tricycle or power-assisted cycle upon a shared footway shall give way to any pedestrian entering or upon that shared footway.

(6) A person riding a bicycle, tricycle or power-assisted cycle upon a shared footway, segregated footway or bicycle path shall, when passing a bicycle, tricycle or power-assisted cycle travelling in the opposite direction, keep left of that bicycle, tricycle or power-assisted cycle.

Maximum penalty—20 penalty units.

Use of wheelchairs

159B.(1) Notwithstanding the provisions of section 159—

- (a) a person pushing or pulling a wheelchair carrying an incapacitated person upon a road;
- (b) an incapacitated person using a wheelchair, whether the means of propulsion thereof be manual, mechanical, electrical or any other means whatsoever, and causing that wheelchair to travel upon a road;

shall, subject as is otherwise provided in this section, use a footway.

Maximum penalty—20 penalty units.

(2) Where no footway exists, or where it is unfit for use, the wheelchair may be propelled along the carriageway if it is kept as close as is practicable to the left hand boundary of the carriageway.

(2A) When it is required that the wheelchair cross a carriageway from 1 side to the other, the wheelchair shall be propelled as nearly as it is practicable by the most direct route available.

Maximum penalty—20 penalty units.

(3) A person to whom this section applies shall—

- (a) ensure that the wheelchair does not travel at a speed in excess of 7 km/h; and
- (b) exercise proper care for the safety and welfare of pedestrians and other road users.

Maximum penalty—20 penalty units.

Safety helmets for users of bicycles etc.

159C.(1) A person who—

- (a) rides a bicycle, tricycle or power-assisted cycle on a road or bicycle path; or
- (b) is a passenger on a bicycle, tricycle or power-assisted cycle (other than a pedicab) being ridden on a road or bicycle path;

must wear a safety helmet.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to—

- (a) a bicycle or tricycle that has a wheel base of less than 640 mm; or
- (b) a person in respect of whom there exists a certificate signed by a medical practitioner, certifying that because of a physical characteristic of the person, it would be unreasonable for the person to wear a safety helmet during the period specified in the certificate.

(3) Safety helmets referred to in subsection (1) are helmets that comply with Australian Standard AS 2063 Lightweight Protective Helmets, Part 1–1986 Basic Performance Requirements, and Part 2–1986 Helmets for Pedal Cyclists or another standard that in the opinion of the chief executive is at least equal to that standard.

Limitation on use of bicycles, tricycles, power-assisted cycles, toy vehicles or wheelchairs

159D.(1) A person must not ride a bicycle, tricycle, power-assisted cycle, toy vehicle or wheelchair on a road or bicycle path if a propellant is attached

to the person, bicycle, tricycle, power-assisted cycle, toy vehicle or wheelchair.

(2) A person must not ride a power-assisted cycle on a bicycle path or footway if the cycle's power source is operating.

(3) A person must not ride a power-assisted cycle on a carriageway unless the person is at least 16.

Maximum penalty—20 penalty units.

Riding in trailers

160.(1) A person shall not drive a vehicle towing a trailer including a caravan trailer while any person is in the trailer.

(2) A person shall not ride in a trailer including a caravan trailer while it is being towed.

Maximum penalty—20 penalty units.

Register of motor vehicles repaired or painted

161.(1) For the purposes of section 58 of the Act the register required to be kept shall be deemed to be in the prescribed form and to contain the prescribed information if there are inserted therein particulars as to—

- (a) name and address of occupier of garage or premises where repairs or painting are carried out; and
- (b) name and address of owner of motor vehicle and person leaving motor vehicle repaired or repainted; and
- (c) date and time such motor vehicle received; and
- (d) particulars of such motor vehicle, including registered number; and
- (e) make and model, colour, engine number (old and new numbers if engine changed), and chassis number (if readily available); and
- (f) nature of repairs or painting, including colour of painting.

(2) In this section—

“painting” means the painting of any part of a motor vehicle which has or

may have been damaged as a result of a collision between such vehicle and any other vehicle or any person, or any train or other property, and also includes any other painting which alters the description of a vehicle.

“repairs” means the repairing, renovating, or replacing of any part of a motor vehicle which has or may have been damaged as a result of a collision between such vehicle and any other vehicle or any person, or any train or other property.

Car minders

162.(1) The superintendent may by signed notice addressed to and served upon any person, prohibit such person from parking, minding, caring for, or taking charge of any motor vehicle (other than a motor vehicle of which such person is the driver) upon any road, or from offering the person’s services for any such purpose.

(2) A person upon whom any such notice has been served shall not upon any road, park, mind, care for, or take charge of a motor vehicle, other than a motor vehicle of which the person is the driver, or offer the person’s services for any such purpose.

Maximum penalty—20 penalty units.

(3) Nothing in this section shall authorise the superintendent to prohibit the proprietor of a parking station or parking area from parking, minding, caring for, or taking charge of a motor vehicle in or upon any parking station or parking area or from offering the proprietor’s services for any such purpose, whether by the display or publication of any advertisement in relation to such parking station or parking area, or otherwise, and whether the services are performed or offered to be performed by such proprietor or by an employee of the proprietor.

Queues

163. Any queue on any road may be prohibited or controlled by any police officer, and any person who disobeys or causes any person to disobey the direction of any police officer in relation to any such prohibition

or control shall be guilty of an offence.

Maximum penalty—20 penalty units.

School patrols for supervisors

164.(1) For the purpose of assisting, directing and supervising on their way to or from school the children attending any school the chief executive or Commissioner may, by the issue of an authority in writing, authorise—

(a)—

- (i) the principal for the time being of any school to appoint pupils of such school or other persons; or
- (ii) any person to appoint other persons;

to act as school patrols;

(b) any person to act as a school crossing supervisor;

for the purposes of this regulation at such school crossings as may be specified in such authority.

(2) Such authority—

- (a) shall not authorise any person to establish or act as a school patrol or school crossing supervisor at any school crossing or place not specified in the authority; and
- (b) may at any time be withdrawn by the chief executive or Commissioner by the giving of written notice to the holder thereof; and
- (c) may be surrendered at any time by the holder thereof.

(3) Any pupil or other person appointed to act as a school patrol shall not be deemed to be in the employment of the chief executive, Commissioner or a police officer.

(4) It shall be the duty of a school patrol or school crossing supervisor to—

- (a) exhibit the sign described in subsection (6) at the school crossing by holding such sign in the manner and at such times as are specified respectively in subparagraphs (i) and (ii)—

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- (i) so that its wording is clearly visible to the driver of a vehicle approaching such school crossing;
 - (ii) at such times when there is a pause in the flow of traffic having regard to the number of vehicles approaching such school crossing; and
- (b) direct persons not to enter the school crossing except when the sign is exhibited as provided in paragraph (a).

(4A) However, failure by a school patrol or school crossing supervisor to comply with the injunctions of subsection (4) shall not be treated as an offence.

(5) Any person duly authorised in pursuance of the provisions of subsection (1) shall take all proper steps for the responsible and effective custody of every sign required to be displayed in accordance with this section when such sign is not in use.

(6) For the purposes of subsection (4), the sign exhibited by a school patrol or school crossing supervisor shall be as specified in the Manual of Uniform Traffic Control Devices.

(7) A school patrol may, and a school crossing supervisor shall, when on duty at a school crossing, wear such uniform, insignia or badge of office as may be approved by the chief executive or Commissioner.

(8) The chief executive or Commissioner shall cause school patrols and school crossing supervisors when on duty at a school crossing to be inspected at least once during each 6 months.

(9) Nothing in this regulation shall be deemed to limit or affect the jurisdiction of a teacher over the teacher's pupils or to require a pupil or other person to assume or retain the functions of a school patrol.

(10) A person shall not use any sign or so conduct himself or herself to appear to be exercising the functions of a school patrol or school crossing supervisor except as is provided in this section.

Maximum penalty—20 penalty units.

(11) In this section—

“**school**” includes any place used for the purpose of religious instruction, whether on a Sunday or any other day.

“**principal**” includes the person for the time being in charge of any such place so used for that purpose.

Temporary stands

166. A temporary stand may be appointed upon a road by a police officer for all or any description of vehicles and any police officer may give such directions as such police officer considers necessary for regulating the use of such stand by drivers of any such vehicles.

Seizure, removal etc. of stalls, goods etc. upon roads

167.(1) Any police officer may seize and remove and detain or cause to be removed and detained at a place for safekeeping or for any purpose deemed necessary for giving effect to any provision of this regulation, any stall, stand, appliance, apparatus, device or other structure or contrivance or any goods found upon any road, in such place, condition, manner or circumstances that its presence or use constitutes a breach or evidence of a breach of this regulation or is causing or likely to cause danger, hindrance, inconvenience or obstruction to traffic upon such road.

(2) Upon seizure being effected under subsection (1) the provisions of section 44(2) to (6) of the Act shall, subject to any necessary adaptations, apply to and in respect of any stall, stand, appliance, apparatus, device or other structure or contrivance or any goods so seized.

(3) However, if the owner of anything so seized cannot be readily located it may be dealt with under section 10.15 of the *Police Service Administration Act 1990*.

Seizure, detention etc. of things unlawfully carried etc.

168.(1) Any police officer may seize and detain any advertisement, placard, board, notice, sign, handbill or other thing carried, thrown, displayed, deposited or distributed or being upon or near a road or being carried for the purpose of being thrown or distributed in contravention of this regulation.

(2) Anything seized under subsection (1) shall, upon the conviction of any person for an offence in relation to such thing or for an offence

involving the use, carrying, throwing, displaying, depositing or distributing of such thing, unless the court otherwise orders, be forfeited to Her Majesty and thereafter disposed of as the Minister shall order.

(2A) Any such forfeiture shall be in addition to any penalty or imprisonment which may be imposed on any person convicted of any such offence.

(3) Subject to the provisions of subsections (2) and (2A), anything seized under subsection (1) may, notwithstanding that proceedings are not taken or a conviction is not recorded against any person for an offence against this regulation in relation thereto, if the Minister so directs be forfeited to Her Majesty and thereafter shall be disposed of as the Minister shall order.

Delegation to sign documents

169. The chief executive or Commissioner may delegate the power to give or sign a document that the chief executive or Commissioner is required or permitted to give or sign under the Act.

Police reports

170.(1) A report made by a police officer or a copy of such report may be furnished by the Commissioner to a police department or other department of the Commonwealth or any State or Territory concerning or in relation to the qualifications or fitness of any person who is or has been or is likely to be in Queensland to hold any licence, permit, certificate or other document or authority of a like nature, issued in any State or Territory, in relation to vehicles or traffic, and concerning or in relation to the antecedents, character and conduct of any such person.

(2) A police officer shall not incur any civil or criminal liability in respect of any report made or furnished to a police department or other department as aforesaid.

Prescribed places of courts and training programs

170A.(1) For the purposes of section 16C of the Act the prescribed places of conviction of a person—

- (a) of an offence defined in section 16 of the Act, are the Magistrates

Courts in the places mentioned in the Schedule to this section, Part A; and

(b)—

- (i) of an offence defined in section 17 of the Act; or
- (ii) upon indictment or summarily of an offence defined in section 328A of the Criminal Code;

shall be those places set out in the Schedule to this section, Part B.

(2) For the purposes of section 16C of the Act the prescribed places—

- (a) at which a training program (approved by the Minister) is conducted by the Department of Transport, shall be those places set out in the Schedule to this section, Part C; and
- (b) at which a defensive driving course is conducted by the Department of Transport, shall be those places set out in the Schedule to this section, Part D.

SCHEDULE TO SECTION 170A

PART A

PRESCRIBED PLACE OF CONVICTION

subsection (1)(a)

Baralaba

Biloela

Blackwater

Brisbane

Calen

Capella

Carmila

SCHEDULE TO SECTION 170A (continued)

Clermont

Duaringa

Emerald

Finch Hatton

Gladstone

Mackay

Miriam Vale

Moranbah

Mount Larcom

Moura

Proserpine

Rockhampton

Rolleston

Sarina

Springsure

St Lawrence

Theodore

Woorabinda

Yeppoon

SCHEDULE TO SECTION 170A (continued)

PART B**PRESCRIBED PLACE OF CONVICTION**

subsection (1)(b)

Supreme Court
District Court
Magistrates Court

Brisbane

Circuit Court
District Court
Magistrates Court

Toowoomba

Supreme Court
District Court
Magistrates Court

Rockhampton

Supreme Court
District Court
Magistrates Court

Townsville

Circuit Court
District Court
Magistrates Court

Cairns

District Court
Magistrates Court

Southport

SCHEDULE TO SECTION 170A (continued)

PART C

PRESCRIBED PLACE OF TRAINING PROGRAM

subsection (2)(a)

Biloela

Blackwater

Brisbane

Clermont

Emerald

Gladstone

Mackay

Moranbah

Proserpine

Rockhampton

Sarina

Yeppoon

SCHEDULE TO SECTION 170A (continued)

PART D**PRESCRIBED PLACE OF DEFENSIVE DRIVING
COURSE**

subsection (2)(b)

Brisbane

Cairns

Gold Coast

Rockhampton

Toowoomba

Townsville

**PART 19—BREATH ANALYSING INSTRUMENTS
AND SPECIMENS OF BLOOD FOR LABORATORY
TESTS****Definitions****173.** For the purposes of this Part—**“reagent ampoule”** means an ampoule from a batch of ampoules which has been test checked by an analyst.**“standard alcohol solution”** means a solution of ethyl alcohol and distilled water prepared by an analyst and certified as suitable for use with an approved breath analysing instrument.

Testing breath analysing instruments

174. A legally qualified medical practitioner or authorised police officer, when using a ‘Breathalyzer U.S. Patent 2,824,789’ breath analysing instrument, shall—

- (a) before a person’s breath is analysed and after completing such analysis ascertain that the breath analysing instrument used is in proper working order by testing such instrument with standard alcohol solution;
- (b) when testing a breath analysing instrument to determine that it is in proper working order use only standard alcohol solution as prepared by the Government Chemical Laboratory Queensland and as produced to him or her duly identified by a control number and in a sealed container;
- (c) when operating a breath analysing instrument use only reagent ampoules endorsed with a manufacturer’s control number.

Evidence—breath analysing instruments

175. A certificate purporting to be under the hand of an analyst that—

- (a) the analyst prepared a quantity of a solution consisting of ethyl alcohol and distilled water; and
- (b) such solution was suitable for use with an approved breath analysing instrument; and
- (c) the analyst sealed such solution in each of a number of containers; and
- (d) the analyst endorsed on each such container a control number;

shall upon its production in evidence be conclusive evidence unless the contrary is proved that any such container bearing that control number contained standard alcohol solution.

Evidence—reagent ampoules

176. A certificate purporting to be under the hand of an analyst that the analyst test-checked a number of reagent ampoules from a batch of ampoules bearing the same manufacturer’s control number and found that

each ampoule so tested contained 3.0 mL of 0.025% potassium dichromate in 50% sulphuric acid by volume and a catalyst shall, upon its production in evidence, be conclusive evidence unless the contrary is proved that any such reagent ampoule bearing that control number contained 3.0 mL of 0.025% potassium dichromate in 50% sulphuric acid by volume and a catalyst.

Evidence—police officers

177. Evidence by a police officer that the police officer used a device for carrying out a breath test on a specimen provided by a person shall be sufficient evidence that the device used by the police officer was a device approved by the Minister for the purposes of such test unless the contrary is proved.

Blood specimens

178.(1) In taking a specimen of blood for the purpose of a laboratory test a doctor shall—

- (a) take such specimen from any vein selected by the doctor;
- (b) not use any substance which the doctor believes on reasonable grounds to be or to contain alcohol or ether when cleaning the site of the venipuncture or for the purpose of cleaning any needle or syringe used for the purpose of the taking by the doctor of such specimen;
- (c) take a sufficient quantity of blood for the purpose of such laboratory test and if required pursuant to the Act take such additional quantity of blood either at the same time or immediately thereafter as will be a sufficient specimen to give to the person who made such requirement;
- (d) place the specimen of blood in a specimen tube;
- (e) place upon the specimen tube an identifying number with the doctor's initials thereon;
- (f) sign a certificate stating—
 - (i) the name of the person who supplied the specimen; and

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- (ii) the place where and the date and time when the specimen was supplied; and
- (iii) the identifying number the doctor placed on the specimen tube containing the specimen; and
- (iv) the name, rank and station of the police officer who asked the person to supply the specimen.

(2) Duplicate and triplicate copies of the certificate referred to in subsection (1) are to be made and the duplicate copy is to be forwarded to the analyst with the specimen of blood to which it refers.

(3) A certificate signed in accordance with this section shall be admissible in evidence and, in the absence of proof to the contrary, shall be conclusive evidence of the matters certified to therein.

(3A) A duplicate of a certificate forwarded to the analyst in accordance with this section shall be sufficient authority for the analyst to issue a certificate of an analysis of a specimen of the blood of the person named in the duplicate certificate.

(4) It shall be conclusively presumed that no substance containing alcohol or ether was used by a legally qualified medical practitioner unless he or she gives evidence on oath that he or she did so.

(4A) Where a legally qualified medical practitioner gives evidence on oath that any substance containing alcohol or ether was used by him or her it shall be conclusively presumed that the use of any such substance did not affect the result of any analysis of a specimen taken by him or her unless the contrary is proved.

(5) Where in a certificate issued by an analyst for the purposes of the Act the analyst in respect of the specimen of blood to which such certificate relates certifies that there was sufficient quantity of blood for the purposes of an analysis and that such specimen was capable of analysis, such certificate shall be sufficient evidence of those matters unless the contrary is proved.

Evidence—certificates about breath and blood specimens

178A. Where, in any certificate made by him or her for any purpose where he or she is required under the Act to make a certificate consequent

upon the providing of a specimen of breath for the purposes of analysis by a breath analysing instrument or a specimen of blood for a laboratory test, or, as the case may be, the failure to provide any such specimen, a medical practitioner or authorised police officer certifies that he or she has given all necessary directions as required by the relevant provisions of the Act in connection with the provision of whatever specimen was required in the case in question, and that a copy of a certificate signed as required by the Act was delivered to such person to whom by the Act it was required to be given, such certificate shall be conclusive evidence until the contrary is proved of the matters so certified.

Evidence—certificates

178B. Where, by any section under this Part, a certificate of or purporting to be signed by a medical practitioner, an authorised police officer or an analyst is made evidence of any matter, a certificate purporting to be signed by a medical practitioner, an authorised police officer or an analyst, as the case may be, as to that matter shall, upon its production in any proceeding, be accepted as evidence—

- (a) that the signature thereto is that of the person by whom the certificate purports to be made;
- (b) of all matters contained therein including the status, authority or qualification of the person by whom the certificate purports to be made;

and until the contrary is proved shall be conclusive such evidence.

Evidence—authority to operate breath analysing instrument

179. In any proceedings under the Act it shall not be necessary for any police officer to produce in evidence any Certificate of Authority issued by the Commissioner that the police officer is authorised to operate a breath analysing instrument and evidence by a police officer that he or she is so authorised shall be sufficient evidence of that fact.

Failure to comply with Part

180. Unless it is proved that any failure to comply with any of the

sections under this Part substantially affected any breath analysis or the result of any laboratory test of a specimen of blood it shall be presumed that any such failure did not in any way affect the result of any such analysis or test.

Dealing with blood specimens

181. Any specimen of blood given to a person from whom a specimen of blood for a laboratory test was obtained shall be dealt with by the legally qualified medical practitioner in the same manner as if the specimen of blood were a specimen of blood for a laboratory test.

Medical exemption from breath test

182. A doctor's certificate given for the purposes of section 16A(5B)(a) of the Act must be in the approved form.

Delivery of blood and urine specimens

183. For the purposes of section 16A(16A) of the Act, delivery of a blood or urine specimen made other than personally must be made in accordance with the International Air Transport Association Dangerous Goods Regulations.

PART 20—FREEWAYS

Animals on freeway

184. A person shall not drive or ride upon or walk upon or lead any animal upon a freeway contrary to an indication on a sign erected upon or near the freeway.

Maximum penalty—20 penalty units.

PART 21—VEHICLE DIMENSIONS—EXCEEDING PRESCRIBED LIMITS

Division 1—Over dimension vehicles

Over dimension vehicles—use on roads

185.(1) A person must not drive an over dimension vehicle on a road unless, when driving the vehicle, the person—⁵

- (a) complies with the current performance guidelines; and
- (b) carries the guidelines in the vehicle.

Maximum penalty—20 penalty units.

(2) However, a person unable to comply with the guidelines may apply to a superintendent under section 103 (Licences—applications) for a permit to drive an over dimension vehicle on a road.

(3) If a superintendent grants the permit, the person may drive the vehicle on a road in accordance with the permit.

(4) A person who, when driving the vehicle for which the permit has been granted, contravenes a condition of the permit commits an offence.

Maximum penalty—20 penalty units.

Performance guidelines

185A.(1) The chief executive may issue, in an approved form, performance guidelines about the movement of over dimension vehicles.

(2) The guidelines may be issued about—

- (a) roads on which an over dimension vehicle may or may not be driven; and
- (b) the maximum permissible dimensions of the vehicle and its load (if any); and

⁵ Section 4 defines “drive” to include “stand” when used in relation to a vehicle.

- (c) the times when the vehicle may or may not be driven; and
- (d) signs and warning devices to be displayed on the vehicle; and
- (e) the speed at which the vehicle may be driven; and
- (f) when the vehicle must be escorted by a pilot vehicle; and
- (g) another matter relevant to the safe movement of the vehicle.

(3) The roads on which an over dimension vehicle may or may not be driven may be marked on a map in the guidelines.

Division 2—Excess dimension vehicles

Requirements for grant of pilot vehicle licences

187.(1) The chief executive shall not issue a pilot vehicle licence to an applicant unless the chief executive is satisfied that—

- (a) the applicant is in all respects a fit and proper person to hold a pilot vehicle licence, having regard to the nature of pilot vehicle operations; and
- (b) the vehicle to which the pilot vehicle licence applies is a motor car;
- (c) the motor car, together with its equipment, is suitable for operation as a pilot vehicle, having regard to the requirements of Schedule 3; and
- (d) the motor car is registered in accordance with the relevant provisions of the *Transport Infrastructure (Roads) Regulation 1991* or corresponding legislation of any other State, or of a Territory; and
- (e) the applicant is the owner of the motor car.

(2) A pilot vehicle licence—

- (a) shall authorise the operation as a pilot vehicle of the motor car to which it applies; and
- (b) shall state the place from which the business of operating the motor car as a pilot vehicle may be conducted; and
- (c) shall not be capable of transfer from one person to another.

(3) It shall be a condition of every pilot vehicle licence that the motor car to which it applies shall at all times be operated and equipped in accordance with the requirements set out in Schedule 3, and such other requirements as the chief executive may specify having regard to the specific nature of the operations likely to be conducted by the licence holder, and shall at all times comply with the requirements of any other Act having applicability to the design, construction and use of that vehicle.

(4) It shall be a condition of every pilot vehicle licence that the holder thereof, and any person employed by the holder in relation to the operation as a pilot vehicle of the motor car to which the licence applies, shall comply at all times with the provisions of the *Radiocommunications Act 1992* (Cwlth), and shall not cause or permit or suffer any other person to contravene the provisions of that Act.

Requirements for grant of pilot vehicle driver's licences

188.(2) The chief executive shall not issue a pilot vehicle driver's licence to an applicant unless the chief executive is satisfied that—

- (a) the applicant holds, and has held for the whole of the 3 year period before the day of application, a provisional or open licence authorising the applicant to drive a motor car; and
- (b) the applicant is in all respects a fit and proper person to hold a pilot vehicle driver's licence.

(3) Notwithstanding the provisions of subsection (2), the chief executive may require any applicant for a pilot vehicle driver's licence to establish, by such written and practical examination as the chief executive shall determine, proficiency as a pilot vehicle driver.

Term of pilot licences

189.(1) A pilot vehicle licence or pilot vehicle driver's licence shall be in force for not longer than 12 months.

(1A) For the purpose only of calculating any renewal date, the licence shall be deemed to be in force for the period of any suspension thereof.

(2) Unless otherwise approved by the chief executive having regard to the circumstances of any particular case, an application for renewal of a pilot

vehicle licence or a pilot vehicle driver's licence shall be made to the chief executive not earlier than 4 weeks, and not later than 2 weeks, prior to the expiration of the licence.

(3) The chief executive shall not renew a pilot vehicle licence or a pilot vehicle driver's licence unless the chief executive is satisfied that the applicant has complied with the requirements of his or her licence and this regulation, and continues to be a fit and proper person to hold the licence.

Who can operate pilot vehicles

190.(1) Subject to subsection (1A), a person must not operate a vehicle as a pilot vehicle unless—

- (a) the person holds a pilot vehicle driver's licence; and
- (b) the operation of the vehicle as a pilot vehicle is authorised under a pilot vehicle licence; and
- (c) any excess dimension permission that is required in relation to the vehicle being escorted has been obtained; and
- (d) the person complies with every condition of the licences mentioned in paragraphs (a) and (b) and the permission mentioned in paragraph (c).

Maximum penalty—20 penalty units.

(1A) Subsection (1) does not apply to a primary producer operating a vehicle as pilot vehicle if—

- (a) the excess dimension vehicle being escorted is intended, or is carrying an indivisible article that is intended, for use in primary production on land owned or controlled by the primary producer; and
- (b) the pilot vehicle is a motor car that complies with the provisions of Schedule 3, other than section 7.

(2) The holder of a pilot vehicle licence shall not cause or permit the vehicle to which the licence applies to be operated as a pilot vehicle unless—

- (a) where such permission is required to be obtained, the prior written permission of the chief executive, Commissioner or superintendent under Schedule 1, section 43 has been obtained in

respect of the movement of the excess dimension vehicle being escorted;

- (b) all conditions specified in any prior written permission, and in the pilot vehicle licence, so far as concern the escort of the excess dimension vehicle are complied with;
- (c) the driver of the pilot vehicle is the holder of a current pilot vehicle driver's licence.

Maximum penalty—20 penalty units.

Operation of pilot vehicles

192.(2) The driver of a pilot vehicle shall drive that vehicle at such distance from the excess dimension vehicle as will provide adequate warning to drivers of other vehicles of the presence on the road of the excess dimension vehicle and as will allow the driver to provide adequate warning to the driver of the excess dimension vehicle of potential danger.

Maximum penalty—20 penalty units.

(3) The driver of a pilot vehicle shall give all such directions to the driver of the excess dimension vehicle being escorted, and all such warnings to the drivers of other vehicles, as are in the circumstances reasonable for the driver to give for the purpose of preventing any occurrence likely to result in death of, or injury to any person or loss or damage to any property.

Maximum penalty—20 penalty units.

(4) The driver of any excess dimension vehicle being escorted by a pilot vehicle shall comply with any direction or signal given by the driver of the pilot vehicle under subsection (3).

Maximum penalty—20 penalty units.

(5) Subject to subsection (5A), the driver of a pilot vehicle, and the driver of the excess dimension vehicle being escorted by that vehicle, shall at all times maintain contact by means of two-way radio equipment.

Maximum penalty—20 penalty units.

(5A) Subsection (5) does not apply to a primary producer to whom section 190(1A) applies.

(6) The driver of a vehicle which is being operated as a pilot vehicle shall

at all times ensure that—

- (a) the headlights of the vehicle are lit; and
- (b) each rotating flashing amber light or strobe-type flashing amber light with which the vehicle is equipped is operating.

Maximum penalty—20 penalty units.

Return of pilot vehicle driver's licences

193. The holder of a pilot vehicle driver's licence who ceases to hold a provisional or open licence for a motor car shall forthwith forward his or her pilot vehicle driver's licence to the chief executive.

Maximum penalty—20 penalty units.

Removal of pilot vehicle markings

202. Except where authorised by the chief executive to the contrary, a person shall—

- (a) before the person sells or otherwise disposes of a vehicle in respect of which the person holds a current pilot vehicle licence;
- (b) at the expiry of a pilot vehicle licence issued to the person in respect of any vehicle;

remove from the vehicle any marking which indicates or would tend to indicate that the vehicle is operated as a pilot vehicle.

Maximum penalty—20 penalty units.

Pilot vehicle escort record

203.(1) In this section—

“approved form” means the form approved by the chief executive of the department.

“licensee” means the holder of a pilot vehicle driver's licence.

(2) This section does not apply in relation to a journey undertaken as an escort for an excess dimension vehicle for which excess dimension permission has been obtained.

(3) A licensee must keep a record in the approved form containing, for each journey undertaken as an escort for an excess dimension vehicle, the following details—

- (a) the starting time and place;
- (b) the destination;
- (c) the route;
- (d) the dimensions of the excess dimension vehicle;
- (e) the dimensions and a description of any loading carried by the excess dimension vehicle;
- (f) any other details required by the approved form.

Maximum penalty—20 penalty units.

(4) Before escorting an excess dimension vehicle on a journey, a licensee must—

- (a) complete the pilot vehicle escort record with the details mentioned in subsection (3) that the licensee knows at the time; and
- (b) give a copy of the record to the driver of the excess dimension vehicle.

Maximum penalty—20 penalty units.

(5) The licensee and the driver of the excess dimension vehicle must each—

- (a) during the journey—
 - (i) keep his or her copy of the record in his or her vehicle; and
 - (ii) produce the copy for inspection if requested by an authorised officer; and
- (b) at the end of the journey—complete his or her copy of the record with the details mentioned in subsection (3).

Maximum penalty—20 penalty units.

(6) The licensee is not required to comply with this section in relation to a journey if—

- (a) another licensee also escorted the excess dimension vehicle on the journey; and

- (b) the other licensee has complied with this section in relation to the journey.

Carrying indivisible articles

205.(1) For the purposes of this section—

“indivisible article” means any item of plant, equipment or other loading being carried upon a motor vehicle as a single item, and not being readily capable of being dismantled.

(2) Notwithstanding the provisions of Schedule 1, Part 3, Division 1 but subject to subsections (3) to (7)—

- (a) any prior written permission of the chief executive, Commissioner or superintendent under that Part shall not include a condition that the motor vehicle in respect of which permission is sought be escorted by a pilot vehicle or a police vehicle where—
- (i) the motor vehicle is carrying an indivisible article which is not more than 21.4 m in length, the overall length of the loaded motor vehicle does not exceed 25 m, neither the article nor the motor vehicle exceeds 3.5 m in width, and the overall height of the loaded motor vehicle does not exceed 4.3 m; or
 - (ii) the motor vehicle is carrying an indivisible article which is loaded upon a drawn or articulated self-steering trailer exceeding 16 m in length when measured from the point of articulation to the rear extremity of the motor vehicle or of the article loaded thereon, the overall length of the loaded motor vehicle does not exceed 25 m, neither the article nor the motor vehicle exceeds 3.5 m in width, and the overall height of the loaded motor vehicle does not exceed 4.3 m; or
 - (iii) the motor vehicle is an articulated vehicle of the type commonly known as a low loader, the overall dimensions of which, whether loaded or not, do not exceed 25 m in length, 3.5 m in width, and 4.3 m in height;
- (d) it shall be a condition of any prior written permission of the chief executive, Commissioner or superintendent under that Part that a

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motor vehicle in respect of which permission is sought shall be escorted by—

- (i) 1 pilot vehicle and 1 police vehicle (or such greater number in either case as the written permission shall specify) where the motor vehicle is carrying an indivisible article which exceeds 30 m in length but does not exceed 35 m in length, neither the article nor the motor vehicle exceeds 4.6 m in width, and the overall height of the loaded motor vehicle does not exceed 5 m;
- (ii) 2 police vehicles (or such greater number as the written permission shall specify) where the motor vehicle is carrying an indivisible article which exceeds 35 m in length, neither the article nor the motor vehicle exceeds 4.6 m in width, and the overall height of the loaded motor vehicle does not exceed 5 m.

(2A) Subject to this section, a person is not required to have excess dimension permission for an excess dimension vehicle that is a motor vehicle carrying an indivisible article—

- (a) if—
 - (i) the motor vehicle is escorted by at least 1 licensed pilot vehicle; and
 - (ii) the article is not more than 25 m long or 4 m wide; and
 - (iii) the loaded motor vehicle is not more than 4 m wide or 5 m high; or
- (b) if—
 - (i) the motor vehicle is escorted by at least 1 licensed pilot vehicle; and
 - (ii) the motor vehicle is an articulated vehicle of the type commonly known as a ‘low loader’; and
 - (iii) the dimensions of the loaded motor vehicle do not exceed 30 m in length, 3.5 m in width or 5 m in height; or
- (c) if—
 - (i) the motor vehicle is escorted by at least 2 licensed pilot

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vehicles; and

- (ii) the article is not more than 30 m long or 4.6 m wide; and
- (iii) the loaded motor vehicle is not more than 4.6 m wide or 5 m high.

(3) Notwithstanding the provisions of subsection (2) but subject to subsection (7), it shall be a condition of any prior written permission of the chief executive, Commissioner or superintendent that a motor vehicle in respect of which permission is sought shall be escorted by—

- (a) 2 pilot vehicles and 1 police vehicle (or such greater number in either case as the written permission shall specify) where the motor vehicle is carrying an indivisible article and the width of the article or motor vehicle exceeds 4.6 m but does not exceed 6.1 m;
- (b) 1 pilot vehicle and 2 police vehicles (or such greater number in either case as the written permission shall specify) where the motor vehicle is carrying an indivisible article and the width of the article or motor vehicle exceeds 6.1 m.

(4) A person shall not drive a motor vehicle on which is loaded an indivisible article which exceeds 30 m in length unless a rear-end steering unit is employed.

Maximum penalty—20 penalty units.

(5) A person shall not drive a motor vehicle on which is loaded an indivisible article which exceeds 6.1 m in width unless the edges of the article are defined by flashing amber lights.

Maximum penalty—20 penalty units.

(6) Whether or not the prior written permission of the chief executive, Commissioner or superintendent is required for the purposes of Schedule 1, Part 3, Division 1, a low loader as hereinbefore referred to, or an articulated vehicle of the type commonly known as a step deck trailer, shall be employed in any case where the overall height of a loaded vehicle, being a motor vehicle carrying an indivisible article, exceeds 4.8 m.

(7) The chief executive, Commissioner or superintendent may, in determining the conditions attaching to any prior written permission as referred to in subsection (2)(d) or (3), either reduce the number of police vehicles or pilot vehicles otherwise required to escort the motor vehicle or

totally omit any requirement that the motor vehicle be escorted by a police vehicle or a pilot vehicle, provided that—

- (a) the prior written permission relates only to movement of the motor vehicle within the police district of Roma, Charleville, Longreach, Mount Isa or Mareeba, or within any part of the police district of Cairns which is to the north of Mossman, or within any part of the police district of Townsville which is to the west of Pentland; and
- (b) the chief executive, Commissioner or superintendent is of the opinion that notwithstanding such reduction or omission the motor vehicle will be adequately escorted, having regard to—
 - (i) the nature of the roads, and the volume of traffic likely to be encountered, on the route to be followed; and
 - (ii) the nature of the loading on the motor vehicle.

Application of ss 205B–E

205A. Sections 205B to 205E apply only in relation to an excess dimension vehicle for which, under section 205(2A), excess dimension permission is not required.

Requirements for an excess dimension vehicle being escorted

205B.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

(2) A person driving an excess dimension vehicle being escorted by a pilot vehicle must ensure that the excess dimension vehicle has—

- (a) a rotating flashing amber light or strobe-type flashing amber light attached to its roof; and
- (b) signs attached to—
 - (i) the front, so as to be clearly visible to approaching traffic; and
 - (ii) the rear, so as to be clearly visible to following traffic; indicating, in black letters against a reflective yellow background,

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the nature of the construction or loading of the vehicle, by using the words 'wide load', 'long load', 'long wide load', or other appropriate words; and

- (c) red flags of at least 300 mm by 300 mm, attached to each corner of the vehicle or its load, whichever exceeds the standard dimensions.

Maximum penalty—20 penalty units.

(3) On the signs mentioned in subsection (2)(b)—

- (a) the black letters must be at least 140 mm high; and
- (b) the reflective yellow background must comply with Australian Standard 1906 Part 1—class 1 or 2.

Maximum penalty—20 penalty units.

(4) A person driving an excess dimension vehicle that is not being escorted by a pilot vehicle must ensure that any light or lamp attached to the vehicle, of the type mentioned in subsection (2)(a), is not operated.

Maximum penalty—20 penalty units.

Times that excess dimension vehicles may be driven

205C.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

(2) Subject to this section, a person must not drive an excess dimension vehicle on a road out of daylight hours.

Maximum penalty—20 penalty units.

(3) Despite subsection (2), a person may drive an excess dimension vehicle until 7 p.m. if—

- (a) the journey being undertaken on that day can be completed by that time; and
- (b) the person reasonably considers that to do so—
 - (i) would be safe, having regard to road and traffic conditions; and
 - (ii) would not unreasonably inconvenience the public.

(4) Despite subsection (2), a person may drive an excess dimension vehicle in the City of Brisbane or any other city from 2 a.m. if the person reasonably considers that it is necessary to do so to complete the journey being undertaken on that day, or to be out of the city, by 7 a.m.

Requirements for excess dimension vehicle being driven out of daylight hours

205D.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

(2) Without limiting section 205C, a person must not drive an excess dimension vehicle out of daylight hours unless subsections (3) and (4) are complied with.

Maximum penalty—20 penalty units.

(3) The excess dimension vehicle must be escorted by at least 1 pilot vehicle driving in front and 1 pilot vehicle driving behind, unless—

- (a) the person is driving after daylight hours to complete a journey in compliance with section 205C(3); and
- (b) this regulation does not otherwise require more than 1 pilot vehicle to escort the excess dimension vehicle on the journey.

(4) The extremities of the excess dimension vehicle or its load, whichever exceeds the standard dimensions, must be clearly indicated by—

- (a) amber lights at the front and red lights at the rear, evenly spaced in a line across the vehicle or load—
 - (i) at intervals of no more than 70 cm; and
 - (ii) starting and finishing at a point within 15 cm of the side; and
 - (iii) situated between 1 m and 2 m above the ground; and
 - (iv) being of equal wattage to the vehicle's clearance lamps; and
- (b) amber or white lights on both sides, evenly spaced in a line along the length of the vehicle or load at intervals of no more than 2 m.

Restrictions on driving an excess dimension vehicle in certain areas

205E.(1) This section applies only in relation to an excess dimension vehicle mentioned in section 205A.

(2) A person must not drive an excess dimension vehicle—

- (a) in the City of Brisbane or any other city; or
- (b) on a single lane section of the Pacific Highway between the New South Wales Border and Nerang;

between 7 a.m. and 9 a.m. or between 4 p.m. and 6 p.m. on a business day.

Maximum penalty—20 penalty units.

(3) Subject to subsection (4), a person must not drive an excess dimension vehicle, between 7 a.m. and sunset on a Saturday, Sunday or public holiday, in the area bounded by a line from the point where the Queensland/New South Wales border meets the coast, then to Warwick, then to Toowoomba, then to Gympie, then due east to the coast, then along the coastline to the start.

Maximum penalty—20 penalty units.

(4) Despite subsection (3), a person may drive an excess dimension vehicle—

- (a) between 10 a.m. and 4 p.m. on a Sunday; and
- (b) between 12 midday and sunset on a Saturday or a public holiday;

on the Warrego Highway between Toowoomba and Gales.

(5) A person must not drive an excess dimension vehicle on a part of the South East Arterial Road north of its intersection with the Gateway Arterial Road.

Maximum penalty—20 penalty units.

(6) A person must not drive an excess dimension vehicle in the City of Brisbane between 7 a.m. and sunset—

- (a) from the Thursday before Easter to the Tuesday after Easter inclusive; or
- (b) from 23 December to 2 January inclusive.

Maximum penalty—20 penalty units.

(7) A person must not drive an excess dimension vehicle that is more than 30 m long or 4.6 m wide, between 9 a.m. and 4 p.m. on a business day, in the City of Brisbane other than on O.D. Route 2.

Maximum penalty—20 penalty units.

(8) A person must not drive an excess dimension vehicle that is more than 25 m long or 3.5 m wide in the Brisbane Central Traffic Area between 7 a.m. and 6 p.m. on a business day.

Maximum penalty—20 penalty units.

(9) A person driving an excess dimension vehicle on the following roads or sections of a road must first contact the following police to request a police escort—

- (a) a part of the Old Marlborough Sarina Road on the Sarina Range—Sarina police;
- (b) a part of the Peak Downs highway on the Eton Range—Mackay superintendent of Traffic;
- (c) the Burdekin River bridge—Home Hill police;
- (d) any road on the Kuranda Range—Cairns police.

Maximum penalty—20 penalty units.

Agricultural implements

206. Notwithstanding the provisions of Schedule 1, Part 3, Division 1 the prior written permission of the chief executive, Commissioner or superintendent under that Part shall not be required in respect of an agricultural implement where—

- (b) the overall width of the implement does not exceed 3.5 m, or 3.66 m where the movement of the implement is within the police district of Roma, Charleville, Longreach, Mount Isa or Mareeba, or within any part of the police district of Cairns which is to the north of Mossman, or within any part of the police district of Townsville which is to the west of Pentland; and
- (c) its height is not more than 5 m; and
- (d) the following conditions are complied with—

Conditions (section 206)

1. A 'slow vehicle' or 'wide load' sign shall be attached at the rear of the implement in a position clearly visible to following traffic.
2. The sign referred to in condition 1 shall be in letters not less than 140 mm high and shall consist of medium spaced black lettering with reflective yellow background as described in AS1744-1975 STANDARD ALPHABET FOR ROAD SIGNS Series D.
3. An operating rotating flashing amber light or strobe-type flashing amber light shall be attached to the top, or as near to the top as practicable, of the implement so that it is visible from the front and rear.
4. Red flags at least 300 mm by 300 mm shall be displayed on each corner of the implement.
5. Travel shall occur during daylight hours only.
6. Movement shall not be made through the area of any city during the hours of 7.00 a.m. to 9.00 a.m. or 4.00 p.m. to 6.00 p.m., Monday to Friday.
7. The implement must not be moved, between 7 a.m. and sunset on a Saturday, Sunday or public holiday, in the area bounded by a line from the point where the Queensland/New South Wales border meets the coast, then to Warwick, then to Toowoomba, then to Gympie, then due east to the coast, then along the coastline to the start.
8. Further to the requirements of condition 7, movement shall not be made in the area of the City of Brisbane from and including 23 December in one year and to and including 2 January in the following year, or from and including the day before Good Friday to and including the day after Easter Monday.
9. Before moving the implement on the following roads or sections of a road, a person must contact the following police to request a police escort—
 - (a) a part of the Old Marlborough Sarina Road on the Sarina Range—Sarina police;
 - (b) a part of the Peak Downs highway on the Eton Range—Mackay Superintendent of Traffic;
 - (c) the Burdekin River bridge—Home Hill police;

(d) any road on the Kuranda Range—Cairns police.

10. The implement must not be moved on a part of the South East Arterial Road north of its intersection with the Gateway Arterial Road.

PART 22—CAMERA—DETECTED OFFENCES

Division 1—Traffic control light offences

Prescribed offence—traffic control light

207. For the purposes of Part 6B of the Act and Division 2 of this Part, a prescribed offence is an offence of failing to obey a traffic control light signal which is displaying a red circle or a red arrow as provided in section 19(1)(c)(i) and (d)(iii) respectively.

Notice under s 44R of the Act

208.(1) A notice under section 44R of the Act must be in the approved form.

(2) The notice must—

- (a) be identified by a unique number; and
- (b) specify the full name, or surname and initials, and full address of the alleged offender; and
- (c) specify the alleged offence in a way clearly showing the nature of the offence; and
- (d) specify the place, time and date of the offence; and
- (e) specify particulars identifying the vehicle; and
- (f) specify the penalty and demerit points for the offence; and
- (g) inform the alleged offender that the offender may examine a copy of the photographic evidence of the alleged offence.

Division 2—Evidentiary matters**Operation and testing of photographic detection device—traffic lights**

209. Where a photographic detection device is used to provide evidence of a prescribed offence committed at an intersection or junction, the following provisions must be complied with—

- (a) the camera must be positioned and aimed to ensure a photograph taken by the camera depicts—
 - (i) the rear of the vehicle proceeding into the intersection or junction; and
 - (ii) a relevant traffic control light at that intersection or junction;
- (b) the induction loop vehicle detector must be installed in, on or under the road surface on either side of the stop line before which vehicles must stop if the traffic control light is showing a red signal;
- (c) the camera, the induction loop and the traffic control light must be linked up and the camera programmed so that—
 - (i) when the traffic control light changes to a red signal the induction loop is activated after a programmed delay; and
 - (ii) while the loop is activated the camera instantaneously takes an exposure of the vehicle first passing over the loop; and
 - (iii) as that vehicle or both that vehicle and other vehicles proceed through the intersection or junction and the traffic control light continues to show a red signal the camera takes a second exposure or a series of subsequent exposures; and
 - (v) when the traffic control light changes from a red signal the loop is deactivated; and
 - (vi) the process referred to above is repeated in relation to each cycle of the traffic control light;
- (d) each person who inserts into or removes a film magazine from the camera, or relocates the camera with a film magazine in place, must—
 - (i) ensure that the camera is correctly positioned and aimed; and

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- (ii) use the camera's testing mode (but by reference to green light cycles) to ensure that the camera and induction loop operate correctly as referred to in paragraph (c); and
 - (iii) if a fault is indicated, take corrective action and repeat the testing process until no fault is indicated by the camera in its testing mode;
- (e) if the tests or the film when developed indicate a fault has affected the proper operation of the photographic detection device as required under this section, the film must be rejected for evidentiary purposes.

SCHEDULE 1

SCHEDULE TO PART 13

section 68(1) of the regulation

PART 1—GENERAL

Vehicles must comply with Schedule

1. Except where otherwise approved by the chief executive, Commissioner or superintendent, or where the context of this Schedule otherwise indicates or requires, every vehicle which is, or is to be, driven or used upon a road shall be provided with the items of equipment appropriate thereto set forth in, and conforming with the provisions of, this Schedule; and every such vehicle shall be so constructed, equipped and loaded that it will comply with all other provisions appropriate thereto specified in such Schedule.

Optional equipment must comply with Schedule

2. Where in this Schedule it is provided or indicated that any item of equipment is optional and such item is used upon a vehicle it shall conform with the requirements of this Schedule.

Unauthorised lamps

3. No lamp or device capable of projecting or reflecting light shall be attached to any motor vehicle unless it is a lamp or device required or permitted to be attached to such vehicle by this Schedule.

Compliance with other laws

4. In addition to complying with the above requirements, the weight of any vehicle and everything in its construction, form, equipment, working and general condition must be such that it will not contravene any provision

SCHEDULE 1 (continued)

of any Act, regulation or local law and will not cause danger or unreasonable annoyance to any person.

Modification of vehicles for drivers with physical disabilities

5. The chief executive or Commissioner may require that any vehicle shall be specially constructed, equipped or adapted, in a manner not provided for in this Schedule where it is to be used by a person who is suffering from a physical disability or in such other circumstances as may be necessary in the interests of public safety.

Removal of equipment required by ADRs

5A. A person shall not remove from a vehicle registered under the provisions of the *Transport Infrastructure (Roads) Act 1991*, any parts or items of equipment of or fitted to such vehicle in accordance with the requirements of the Australian Design Rules, except for the purpose of repairing or replacing such parts or items of equipment.

**PART 2—MOTOR VEHICLES GENERALLY,
INCLUDING TRAILERS LAMPS AND REFLECTORS***Division 1—Compulsory lighting equipment***Headlamps and parking lamps—certain motor vehicles**

6. All motor vehicles (except trailers, motorcycles with or without a sidecar and 3-wheeled motor vehicles which do not exceed 1.5 m in width)—

- (1) Two headlamps, 1 on each side having their centres equidistant from the centre lines of the vehicle, but not less than 600 mm apart, at equal heights from the ground, of approximately equal candle power, and, subject to section 20, capable of an effective

SCHEDULE 1 (continued)

range of at least 50 m; or

- (2) Four headlamps, in sets of 2, 1 set on each side, having their centres equidistant from the centre line of the vehicle, but not less than 600 mm apart, at equal heights from the ground, each set of approximately equal candle power, and, subject to section 20, capable of an effective range of at least 50 m; and
- (3) In the case of a vehicle first registered on or after 1 January 1966—2 parking lamps, 1 on each side, having their centres equidistant from the centre line of the vehicle, but not less than 600 mm apart, at equal heights from the ground, of approximately equal candle power, and so affixed that no part of the vehicle or any loading or equipment thereon on the side to which any such lamp is affixed projects more than 510 mm laterally from the centre of such lamp.

Headlamps and parking lamps—motorcycles

7.(1) Motorcycles generally—1 headlamp capable, subject to section 20, of an effective range of at least 50 m.

(2) Motorcycle with engine not exceeding 200 mL capacity and with lighting system so designed and constructed that it has not an effective range of at least 50 m—

- (a) where the engine capacity does not exceed 100 mL—1 headlamp capable of an effective range of at least 12 m;
- (b) where the engine capacity exceeds 100 mL but does not exceed 200 mL—1 headlamp capable of an effective range of at least 25 m.

(3) Motorcycle with sidecar—

- (a) 1 headlamp as described in subsection (1) or (2), whichever is appropriate; and
- (b)—
 - (i) a lamp of a power not exceeding 7 W which when lighted will show a clear white light visible in darkness at a distance

SCHEDULE 1 (continued)

of at least 200 m from the front of the vehicle, and so affixed to the sidecar that no part of the vehicle or its loading extend outwards for more than 300 mm from its centre; or

- (ii) in the case of a vehicle first registered on or after 1 January 1966—2 parking lamps of approximately equal candle power—
 - (A) 1 affixed to the motorcycle; and
 - (B) 1 affixed to the sidecar so that no part of the vehicle or any loading or equipment thereon extends outwards for more than 300 mm from its centre.

Headlamps and parking lamps—3-wheeled vehicles

8. Three-wheeled vehicles, other than motorcycles, not more than 1.5 m wide—

- (1) Where the width of the vehicle does not exceed 1.1 m—1 headlamp as described in subclause (1) or (2) of clause 7 of this Schedule, whichever is appropriate.
- (2) Where the width of the vehicle exceeds 1.1 m but does not exceed 1.5 m—
 - (a)—
 - (i) 1 headlamp as described in section 7(1) or (2), whichever is appropriate; and
 - (ii)—
 - (A) affixed to each side of the vehicle a lamp of a power not exceeding 7 W which when lighted will show a clear white light visible in darkness at a distance of at least 200 m from the front of the vehicle and which is so affixed that no part of the vehicle or its equipment on that side of the vehicle projects more than 150 mm laterally from its centre; or
 - (B) in the case of a vehicle first registered on or after 1 January 1966—2 parking lamps, 1 on each side,

SCHEDULE 1 (continued)

having their centres equidistant from the centre line of the vehicle, at equal heights from the ground of approximately equal candle power, and so affixed that no part of the vehicle, or any loading or equipment thereon on the side to which any such lamp is affixed projects more than 150 mm laterally from the centre of such lamp; or

(b)—

- (i) 2 headlamps as described in section 6 or, if the vehicle has an engine and lighting system as described in section 7(2)—headlamps having such effective range described in such section as is appropriate; and
- (ii) in the case of a vehicle first registered on or after 1 January 1966—2 parking lamps, 1 on each side, having their centres equidistant from the centre line of the vehicle, at equal heights from the ground, of approximately equal candle power, and so affixed that no part of the vehicle, or any loading or equipment thereon on the side to which any such lamp is affixed projects more than 150 mm laterally from the centre of such lamp.

Rear lamps

9.(1) A motor vehicle must have a lamp attached to the rear of the vehicle.

(2) The lamp must—

- (a) have a power of no more than 7 W; and
- (b) have its centre no more than 1 m from the ground; and
- (c) be visible in darkness at a distance of 200 m as a clear red light.

(3) A sugar cane trailer hauled during the hours of darkness must have 2 lamps and each lamp must—

- (a) be attached to the rear of the trailer; and

SCHEDULE 1 (continued)

- (b) have a power of no more than 7 W; and
- (c) have its centre no more than 1 m from the ground; and
- (d) be visible in darkness at a distance of 200 m as a clear red light.

Number plate lamps

10.(1) All motor vehicles—1 or more lamps capable of projecting white light so that it will illuminate and render easily visible at a distance of at least 20 m each letter, symbol or figure upon the number plate carried upon the rear of the vehicle.

(1A) Such lamp may comprise part of the rear lamp described in section 9, or may be a separate lamp.

(2) Subsection (1) applies to a sugar cane trailer only if it is hauled during the hours of darkness.

Clearance and side marker lamps—certain motor vehicles

11. All motor vehicles which with any loading or equipment thereon but exclusive of any rear-vision mirror or signalling device are 2.2 m or more in width except articulated vehicles—

- (1)** on the forepart, 2 clearance lamps, 1 on each side;
- (2)** on the rear, 2 clearance lamps, 1 on each side;
- (3)** in the case of a vehicle which exceeds 7.5 m in length, 2 side marker lamps, 1 on each side at the rear. However, it shall be sufficient compliance with this requirement if the rear clearance lamps are so constructed and affixed that the light from each of them is visible at right angles to the side of the vehicle to which it is affixed.

Clearance and side marker lamps—articulated vehicles

12. All articulated vehicles, irrespective of width—

- (1)** Hauling unit—2 clearance lamps, 1 on each side facing to, and

SCHEDULE 1 (continued)

visible from, the front.

(2) Semitrailer—

- (a) on the front, 2 clearance lamps, 1 on each side;
- (b) on the rear, 2 clearance lamps, 1 on each side; and where the semitrailer exceeds 7.5 m in length, at least 1 clearance lamp on each side spaced approximately evenly between the front and rear clearance lamps;
- (c) on each side, 2 side marker lamps, 1 at or near the front and 1 at or near the rear; and where the semitrailer exceeds 7.5 m in length, at least 1 side marker lamp on each side spaced approximately evenly between the front and rear side marker lamps.

Clearance and side marker lamps and reflectors—certain trailers

13.(1) Trailers other than pole-type trailers, which with any loading thereon are 2.2 m or more in width or which project more than 150 mm laterally on either side beyond the motor vehicles by which they are drawn—

- (a) on the front, 2 clearance lamps, 1 on each side;
- (b) on the rear, 2 clearance lamps, 1 on each side; and where the trailer exceeds 7.5 m in length, at least 1 clearance lamp on each side spaced approximately evenly between the front and rear clearance lamps;
- (c) on each side, 2 side marker lamps, 1 at or near the front, and 1 at or near the rear; and where the trailer exceeds 7.5 m in length, at least 1 side marker lamp on each side spaced approximately evenly between the front and rear side marker lamps.

(1A) However, in the case of a trailer constructed principally for the carriage of boats and which is 2 m or more in width or projects more than 150 mm laterally on either side beyond the motor vehicle by which it is drawn, it shall be sufficient compliance with this requirement if there are affixed near the centre of the trailer 2 clearance lamps, 1 on each side, and 2 side marker lamps, 1 on each side.

SCHEDULE 1 (continued)

(2) Trailers drawn by motor vehicles, such trailers being 1 m or more in width—on each side of the front of any such trailer, 1 clearance lamp.

(3) A sugar cane trailer wider than 2.19 m hauled during the hours of darkness must have 2 white reflectors attached to the front of the trailer.

(4) The reflectors mentioned in subsection (3) must both be positioned at the same distance from the ground no less than 350 mm and no more than 900 mm from the ground.

(5) One reflector mentioned in subsection (3) must be positioned no more than 150 mm from the left side of the trailer and the other reflector the same distance from the right side of the trailer.

Clearance and side marker lamps and reflectors—pole-type trailers**14. Pole-type trailers—****(1)—**

- (a) At or near each end of the forward facing section of the bolster, or, where there is more than 1 bolster, of the foremost bolster, a clearance lamp showing amber light to the front; and
- (b) At or near each end of the bolster, or where there is more than 1 bolster, the rearmost bolster, a clearance lamp showing red light to the rear.

(1A) However, where a trailer is fitted with 2 bolsters the illumination required to the front and rear may be provided by clearance lamps affixed to each side of the rearmost bolster.

(2)—

- (a) At or near each end of the bolster, or, where there is more than 1 bolster, of any 1 of them, 1 side marker lamp;
- (b) Along the entire length of the right-hand and left-hand faces of the pole, red reflectors spaced at intervals of not more than 1.25 m;
- (c) Two reflectors on each side of the forward facing section of

SCHEDULE 1 (continued)

the foremost bolster.

Clearance and side marker lamps and reflectors—motor vehicles hauling pole-type trailers

15. Motor vehicles fitted with 1 or more bolsters and designed to draw pole-type trailers—

(1) At or near the front of the vehicle, 1 clearance lamp on each side.

(2)—

(a) At or near each end of the forward facing section of the bolster, or, where there is more than 1 bolster, of the foremost bolster, a clearance lamp showing amber light to the front; and

(b) At or near each end of the bolster, or, where there is more than 1 bolster, of the rearmost bolster, a clearance lamp showing red light to the rear.

(2A) However, where a vehicle is fitted with 2 bolsters the illumination required on such bolsters to the front and rear may be provided by clearance lamps affixed to each side of the rearmost bolster.

(3)—

(a) At or near each end of the bolster, or, where there is more than 1 bolster, of any 1 of them, 1 side marker lamp;

(b) One reflector on each side of the forward facing section of the foremost bolster.

Brake lamps

17.(1) At least 1 brake lamp must be attached to vehicles of the following classes—

(a) any omnibus;

(b) any motor vehicle (other than a motorcycle) registered for the first time on or after 1 January 1934;

SCHEDULE 1 (continued)

- (c) any motorcycle the engine of which exceeds 200 mL capacity and which is first registered on or after 1 January 1962.

(1A) However, in the case of a motor vehicle to which is attached a general purpose load-carrying trailer having an unladen weight of not more than 250 kg, or a trailer which comprises a concrete mixer or air compressor, or a plant or equipment trailer, it shall be a sufficient compliance if a brake lamp is affixed at the rear of the towing vehicle on the right-hand or off-side thereof and the dimensions or construction of the trailer with any loading or equipment thereon are such as not to obscure such lamp.

(2) A sugar cane trailer must have 2 brake lamps at the rear of the trailer.

(3) The brake lamps mentioned in subsection (2) must both be positioned at the same distance from the ground no less than 350 mm and no more than 1 500 mm from the ground.

(4) One brake lamp mentioned in subsection (2) must be positioned no more than 400 mm from the left side of the trailer and the other brake lamp the same distance from the right side of the trailer.

Rear reflectors

18.(1) All motor vehicles, except motorcycles without a sidecar, at the rear, 2 red reflectors, symmetrically affixed 1 to each side.

(2) All motorcycles without a sidecar, at the rear, 1 red reflector.

(3) A sugar cane trailer hauled during the hours of darkness must have 2 red reflectors at the rear of the trailer.

(4) The reflectors mentioned in subsection (3) must both be positioned at the same distance from the ground no less than 350 mm and no more than 900 mm from the ground.

(5) One reflector mentioned in subsection (3) must be positioned no more than 400 mm from the left side of the trailer and the other reflector the same distance from the right side of the trailer.

SCHEDULE 1 (continued)

Flashing warning lights

18A.(1) The following vehicles must have at least 1 flashing light fitted to the top of the vehicle—

- (a) a vehicle marked as a department vehicle and used by the department for enforcement purposes;
- (b) a tow truck;
- (c) a public utility service truck (including, for example, a garbage truck);
- (d) another special purpose vehicle, other than an emergency vehicle, that may be required to stop in hazardous positions on a road (including for example, road making equipment).

(2) The light on a vehicle mentioned in subsection (1)(b) to (d) must not be lit if the vehicle is being driven at more than 10 km/h.

(2A) If a sugar cane trailer is being hauled by another vehicle, the trailer or other vehicle must have attached to it—

- (a) at least 1 lit flashing amber light more than 1 m above its turn indicators; or
- (b) if the flashing light cannot be conveniently attached as required under paragraph (a)—at least 1 lit flashing green light within 1 m of its turn indicators.

(3) When lit, the light must emit—

- (a) for a vehicle mentioned in subsection (1)(a)—purple light (of the P group in AS 2700); and
- (b) for a vehicle mentioned in subsection (1)(b) to (d)—amber light.

(4) When lit, the light must emit light that is visible, in normal sunlight, at a distance of 200 m from the vehicle.

School buses—flashing warning lamps and signs

18B. A school bus shall have fitted thereto—

- (a) 4 flashing amber lamps—2 at the front and 2 at the rear. Such

SCHEDULE 1 (continued)

lamps shall be—

- (i) mounted as high and as widely spaced laterally as practicable which when lit shall emit an amber flashing light visible in normal sunlight at all distances up to 200 m to vehicles approaching from the front and rear; and
 - (ii) capable of being activated simultaneously by the driver from the driver's normal driving position when the vehicle is stationary; and
- (b) 2 signs—1 at the front and 1 at the rear. Such signs shall be—
- (i) inscribed with the words 'school bus' in black lettering of a size not less than 100 mm in height and not less than 60 mm in width on a yellow background; and
 - (ii) mounted as far as practicable in close proximity to the amber lamps referred to in paragraph (a).

Division 2—General requirements with regard to compulsory lighting equipment prescribed in Division 1

Headlamps other than alternative headlamps

19.(1) Each headlamp shall—

- (a) be so fitted that its centre is not higher than 1.4 m from the ground nor in the case of a motor vehicle first registered on or after the 1 January 1962, less than 600 mm from the ground;
- (b) be capable of showing white light only and of projecting its main beam of light in front of the vehicle;
- (c) in the case of any motor vehicle (not being a motor vehicle which has an engine with a capacity of 200 mL or less) first registered on or after the 1 January 1934—be equipped with a dipping device by means of which—
 - (i) in the case of a motor vehicle, other than a motor vehicle fitted with 4 headlamps in sets of 2, or a motor vehicle fitted

SCHEDULE 1 (continued)

with an alternative headlamp or headlamps—the beam of light projected from the lamp can be deflected downwards, or both downwards and to the left, to such an extent that the top of the high-intensity portion of the light at a distance of 22 m in front of the vehicle is not more than 1 m above the level on which the vehicle stands;

- (ii) in the case of a motor vehicle fitted with 4 headlamps, in sets of 2—1 set on each side, the light from each set can be extinguished and, at the same time, the light from 1 lamp in each set can be brought into operation, so that the beam of light projected from such lamp is deflected downwards, or both downwards and to the left, as specified in subparagraph (i);
- (iii) in the case of a motor vehicle fitted with an alternative headlamp or headlamps—the light from the headlamp can be extinguished and, at the same time, the light from the alternative headlamp or headlamps brought into operation, so that the beam of light projected from such lamp or lamps is deflected downwards, or both downwards and to the left, as specified in subparagraph (i).

(2) The headlamps shall be such that when the beam of light therefrom is in the dip position they will have an effective range of at least 25 m.

Headlamps without dipping devices

20. In any case where the lamp is not required to be equipped with a dipping device, it shall be such that the beam of light projected therefrom shall—

- (a) be deflected downwards to such an extent that the top of the high-intensity portion of the light at a distance of 8 m in front of the vehicle is not higher than the level of the centre of the lamp, and, at a distance of 22 m in front of the vehicle, is not more than 1 m above the level on which the vehicle stands;
- (b) in conjunction with any other headlamp required to be alight at the time have an effective range of at least 25 m.

SCHEDULE 1 (continued)

Alternative headlamps requirements

22. Where a motor vehicle is equipped with 2 such lamps they shall be of approximately equal candle power and shall be affixed 1 on each side of the vehicle equidistant from its centre line, at equal heights from the ground, and so that the centres of the lamps are not less than 600 mm apart.

Parking lamps

22A.(1) Every motor vehicle, other than a motorcycle first registered on or after 1 January 1973, under the *Transport Infrastructure (Roads) Act 1991*, and at all subsequent times thereafter, shall be equipped with 2 lamps—

- (a) each of a power not exceeding 7 W;
- (b) affixed to the front of such vehicle and which when lighted shall show a white light visible under normal atmospheric conditions at all distances up to 200 m from the front of the vehicle;
- (c) so positioned that—
 - (i) their centres are equidistant from the centre line of such vehicle; and
 - (ii) a part of such vehicle or of any loading or equipment thereon does not extend laterally on the same side as the lamp more than 510 mm beyond the centre line of the lamp; and
 - (iii) the distance between their centres is not less than 600 mm.

(2) Every motorcycle with sidecar attached, first registered on or after 1 January 1973, under the *Transport Infrastructure (Roads) Act 1991*, and at all subsequent times thereafter, shall be equipped with a parking lamp or lamps affixed on the forward part of such motorcycle.

(3) Every parking lamp prescribed in subsections (1) and (2) shall be so wired that if already alight it will remain lighted or if not already alight will become lighted when any headlamp or alternative headlamp with which the motor vehicle is equipped is lighted.

SCHEDULE 1 (continued)

Rear lamps

23.(1) Every lamp shall be so wired that if already alight it will remain lighted or if not already alight it will become lighted whenever any headlamp or alternative headlamp, but not additional headlamp, with which the motor vehicle is equipped is lighted.

(2) However, this section shall not apply if the lamp is so wired, and the switch controlling the lighting of such lamp is in such a position or so constructed that the lamp cannot be extinguished by any person on or within such motor vehicle.

Clearance and side marker lamps and reflectors—colours**24. Colour—****(1) Clearance lamps—**

- (a) mounted at or near the front of the motor vehicle as required by sections 11(1), 12(2) and 15(1) shall be capable of displaying an amber light to the front of the vehicle;
- (b) mounted at or near the rear of the motor vehicle, not being an articulated motor vehicle, as required by section 11(2), shall be capable of displaying a red light to the rear of the vehicle;
- (c) other than those referred to in paragraphs (a) and (b), shall be capable of showing both an amber light to the front and a red light to the rear of the motor vehicle.

(2) Side marker lamps—side marker lamps shall be capable of showing light as follows—

- (a) mounted near the front of a vehicle—amber;
- (b) mounted near the rear of a vehicle—red;
- (c) other than those referred to in paragraphs (a) and (b)—amber.

(2A) However, where side marker lamps and clearance lamps are mounted in combination it shall be a sufficient compliance with subsection (2) if the combination of such lamps is capable of

SCHEDULE 1 (continued)

displaying an amber and red light to the side of the vehicle.

- (3) Reflectors—colour—any reflector facing to the front of a vehicle shall be capable of reflecting white or an amber colour and if facing to the rear or to the side of a vehicle, a red colour.

Clearance and side marker lamps and reflectors—mounting**25. Mounting—**

- (1) Clearance lamps and side marker lamps shall be so affixed that—
- (a) no part of the vehicle or any loading or equipment thereon excluding any rear-vision mirror or signalling device on the side to which any such lamp is affixed projects more than 150 mm laterally from the centre of such lamp;
 - (b) in the case of any semitrailer—all such lamps are as far as practicable of the same height above the level of the ground on which the vehicle stands;
 - (c) in the case of any motor vehicle, other than a pole-type trailer, or trailer constructed principally for the carriage of boats—the rear clearance lamps and rear side marker lamps are not more than 300 mm forward of the rearmost point of the side of the vehicle to which any such lamp is affixed and in the case of a semitrailer or trailer, the front clearance lamps and front side marker lamps are not more than 300 mm rearward of the foremost point of the side of the vehicle to which any such lamp is affixed;
 - (d) the centre of any such lamp affixed at or near the rear of a motor vehicle is not less than 600 mm nor more than 1.5 m above the level of the ground on which the vehicle stands.
- (2) In the case of any motor vehicle first registered on or after 1 January 1962—having 2 or more headlamps, clearance lamps, where required at or near the front of the vehicle, shall be so affixed that the centres thereof are not less than 750 mm above the centres of the headlamps.
- (3) Reflectors generally—any reflector shall be so affixed that—

SCHEDULE 1 (continued)

- (a) the centre thereof where practicable is not higher than 1 m from the ground and in any case is not higher than 1.5 m from the ground; and
- (b) except in the case of reflectors required to face to the side, no part of the vehicle on the side to which such reflector is affixed projects more than 250 mm laterally from the outside extremity of such reflector where the vehicle or trailer is 2.2 m or more in width, or more than 400 mm laterally from the outside extremity of such reflector where the vehicle or trailer is less than 2.2 m in width.

Alternative clearance lamps

26. Where in this Schedule it is provided that a clearance lamp shall be capable of displaying an amber light to the front and a red light to the rear, 2 separate lamps may be affixed to the vehicle provided such lamps comply with the requirements of this Schedule with regard to the colour of the light to be displayed and the position of the clearance lamp for which they are substituted.

Clearance and side marker lamps—power rating

27. Every clearance lamp and side marker lamp shall be of a power not exceeding 7 W and shall be capable of showing a clear light visible in darkness at a distance of at least 200 m.

Combined clearance and side marker lamps

28. A clearance lamp and a side marker lamp may be combined as 1 lamp provided the combined lamp is capable of giving illumination as required in this Schedule in relation to both a clearance lamp and a side marker lamp.

Reflectors

29. Any reflector—

SCHEDULE 1 (continued)

- (a) shall be such that, at any time during hours of darkness when the upper beam of light from any headlamp complying with the provisions of this regulation and placed at any distance not exceeding 100 m is projected directly on to the reflector it will give a reflection of light which is clearly visible to the driver of the motor vehicle to which such lamp is affixed;
- (b) shall be affixed in a vertical position facing squarely in the required direction;
- (c) shall be unobscured and clean;
- (d) may be in the form of reflecting sheeting or tape or other efficient reflecting material.

Reflectors on bolsters

30. Reflectors required on a bolster fitted to a motor vehicle shall be so affixed that the centres thereof are not more than 1.5 m above the ground and so that no part of the vehicle or any loading or equipment thereon on the side to which such reflectors are affixed projects more than 250 mm laterally from the outside extremity of any such reflector.

Brake lamps

31.(1) Any brake lamp shall—

- (a) be affixed at the rear of the motor vehicle;
- (b) when lighted display a clear red light to the rear of the vehicle so that it will be visible at a distance of at least 60 m by day or night;
- (c) be so affixed that the centre of the lamp is not higher than 1.5 m from the level of the ground on which the vehicle stands and so that it, or where there are 2 or more such lamps, 1 of them, is in the centre, or to the right-hand or off-side of such vehicle;
- (d) be such that it will light when any service brake on the vehicle or combination of vehicles is applied.

(2) Subsection (1) shall not have application to optional brake lamps as

SCHEDULE 1 (continued)

provided for in section 36.

Rear reflectors

32. Any rear reflector—

- (a) shall be red;
- (b) shall comply where appropriate with the requirements for reflectors generally in sections 24, 25 and 29;
- (c) shall be affixed in a vertical position facing squarely to the rear;
- (d) may be in the form of a reflecting lens fitted to any rear lamp required or permitted by this Schedule.

Wiring of lamps

33. The wiring of any clearance lamp, side marker lamp or rear lamp prescribed by this regulation in respect of any motor vehicle shall—

- (a) consist of stranded wire with a conductor size of not less than 14 strands of 0.304 8 mm diameter copper or other suitable wire;
- (b) be effectively supported at intervals of not more than 600 mm except in the case of any pole-type trailer so constructed that the length of the pole forward of the trailer frame can be altered;
- (c) be soldered and effectively insulated at all joints, except where a joint is made by a connector which provides effective insulation and electrical contact;
- (d) be located in such a position that it cannot become overheated, cannot contact moving parts, nor constitute a fire hazard due to its proximity to the fuel system;
- (e) be protected from chafing; and the edges of all holes in metal, through which the wiring passes, shall be rolled, or bushed with a grommet of suitable insulating material.

SCHEDULE 1 (continued)

Prevention of glare

34. Any lamp attached to a motor vehicle shall be so constructed and adjusted that it will prevent, as far as possible, any glare from the light shown by it affecting adversely the vision of any person.

*Division 3—Optional lamps and reflectors***Approval of additional lamps and reflectors**

35. In addition to the compulsory lighting equipment required under Division 1, motor vehicles may be equipped with lamps and reflectors as provided in this Division or with such additional lamps and reflectors as may be approved by the chief executive or Commissioner.

Optional rearward facing lamps and reflectors

36.(1) All motor vehicles—

- (a) not more than 2 rear lamps which are capable of displaying to the rear of the vehicle a red light and which have no connection with the brakes;
- (b) reflectors which are capable of projecting to the rear of the vehicle a red reflection of light from the lamp of any following vehicle;
- (c) not more than 2 reversing lamps capable of showing white or amber light to the rear and so arranged that they will where practicable light only when the vehicle is proceeding backwards. Where 2 lamps are used they must be of the same colour and symmetrically placed;
- (d) not more than 2 brake lamps.

(2) The centre of any such rear lamp or reflector shall be not higher than 1.5 m from the ground and of any such reversing lamp not higher than 1 m from the ground, while any such brake lamp shall be—

- (a) fitted in such manner as not to increase the risk of injury to any person; and

SCHEDULE 1 (continued)

- (b) securely fastened; and
- (c) positioned so as not to obscure the normal rearward vision of the driver.

Optional forward facing lamps and reflectors

37. All motor vehicles—

- (1) Two lamps of a power not exceeding 7 W which will show a white light to the front of the vehicle. Such lamps shall be affixed symmetrically to the vehicle.
- (2) Reflectors symmetrically placed on each side of the vehicle or fitted to the right-hand or off-side of the vehicle. Any such reflector shall be capable of projecting to the front of the vehicle a white reflection of light.

Interior lamps

38. All motor vehicles—any lamp to illuminate the interior of the vehicle for the convenience of the driver and any other person in it and which will not project any light other than necessary for such purpose.

Signalling devices

39. All motor vehicles—a lamp or lamps complying with the requirements of section 72 for the purpose of indicating an intention of turning to the right or to the left.

Illuminated roof mounted signs

39A.(1) All motor vehicles except motorcycles and mopeds—a lamp constituting an illuminated sign mounted on the roof of the vehicle or on a device affixed to, or placed across, the roof of the vehicle.

- (2) The sign must—
 - (a) be mounted in a secure manner; and

SCHEDULE 1 (continued)

- (b) not be wider than the roof of the vehicle; and
- (c) not exceed 0.6 m² in area; and
- (e) not change content or colour; and
- (f) not show the colour red; and
- (g) have an internal source of illumination; and
- (h) have an illumination that is steady and diffused; and
- (i) have—
 - (i) an illumination the intensity of which does not exceed 12 cd; or
 - (ii) a source of illumination comprising not more than 5 globes, each globe—
 - (A) having a power not exceeding 7 W; and
 - (B) being positioned so that the centres of the globes are not less than 120 mm apart; and
- (j) not incorporate an official traffic sign or a sign or other feature that closely resembles an official traffic sign.

Fog lamps

40.(1) All motor vehicles except motorcycles—

- (a) 2 fog lamps affixed to the front of the vehicle, 1 on each side of and equidistant from the centre line of the vehicle, at equal height from the ground and so that the centres of such lamps are not less than 600 mm apart; or
- (b) 1 fog lamp, if there are also affixed symmetrically to the front of the vehicle and at equal height from the ground 2 lamps of a power not exceeding 7 W each, the centres of which are not less than 1 m apart.

(2) Motorcycles—1 fog lamp.

(3) Any fog lamp referred to in this section shall conform to the following requirements—

SCHEDULE 1 (continued)

- (a) it shall be capable of showing white or amber light only;
- (b) the axis of the beam of light from it shall be deflected downwards or both downwards and to the left;
- (c) its centre shall be not higher than the centre of any compulsory headlamp or of any alternative headlamp affixed to the vehicle.

Spot or search lamp

41. All motor vehicles—a spot or search lamp.

Additional headlamps

42.(1) All motor vehicles—at the front 1 or 2 additional headlamps for use in conjunction with or in substitution for the compulsory or alternative headlamps and with an effective range of at least 50 m.

(2) The centre of any such lamp shall be no higher than 1.4 m from the ground and any such lamp shall be capable of showing white light only and of projecting its main beam in front of the vehicle.

(3) The provisions of sections 19 and 20 shall not apply to such lamps.

Flashing warning lights for emergency vehicles

42A.(1) An emergency vehicle may be fitted with a flashing warning light.

(1A) The light when lit must—

- (a) be fitted to the top of the emergency vehicle; and
- (b) emit light visible, in normal sunlight, at a distance of 200 m from the vehicle.

(1B) The light when lit must emit—

- (a) for a vehicle being used by the Police Service—blue or red light;
or
- (b) otherwise—red light.

SCHEDULE 1 (continued)

(1C) A motor vehicle (other than an emergency vehicle) must not be fitted with a red or blue flashing warning light except with the written permission of the Commissioner.

(2) Vehicles permitted to display red or blue flashing warning lamps may be permitted to fit additional flashing lamps in any position on the vehicle provided no part of the lens of such lamps is visible either directly or indirectly to the driver of the vehicle when seated in the normal driving position.

(3) Provided that the flashing lamp turn signal devices at the front of the vehicle show amber light, motor vehicles may be fitted with equipment which will cause the flashing lamp turn signal devices prescribed in Schedule 1, section 72(3)(f), both front and rear and on both sides of the vehicles, to flash simultaneously and regularly at a rate of not less than 60 and not more than 120 flashes per minute at any time the switch controlling the said manner of flashing is placed in the 'on' position.

(4) The operation of the flashing lamp turn signal devices must be indicated by a visible and audible tell-tale.

PART 3—MOTOR VEHICLES GENERALLY, INCLUDING TRAILERS

Division 1—Dimensions of vehicles

Use of noncomplying vehicles on roads

43.(1) In this section—

“**permit**” for a vehicle means a current permit that allows the vehicle to be driven on a road despite the dimensions of the vehicle and its load (if any).

(2) A person must not drive a vehicle on a road if the vehicle and its load (if any) exceeds the dimensions set out in this Division unless—

SCHEDULE 1 (continued)

- (a) for an over dimension vehicle—the person complies with section 185 of the regulation (Over dimension vehicles—use on roads); or
- (b) otherwise—a permit has been granted for the vehicle under section 102 of the regulation (Permits certifying exemption from regulation).

Length—motor vehicles

44. A motor vehicle must not be longer than—

- (a) for a vehicle combination (other than a B-Double or road train)—19 m; and
- (b) for an articulated motor omnibus—18 m; and
- (c) for a rigid motor vehicle, B-Double or road train—12.5 m.

Length—trailers

44A.(1) On a semitrailer or dog trailer, the distance from the front articulation point to—

- (a) the rear overhang line must not be longer than 9.5 m; and
- (b) the rear of the trailer must not be longer than 12.3 m.

(2) The part of a semitrailer or anything attached to a semitrailer in front of the trailer's front articulation point (other than another vehicle) must not protrude beyond the prescribed limit.

(3) The prescribed limit is an imaginary line created by drawing a semicircle of 1.9 m radius from the centre of, and forward of, the front articulation point.

(4) A semitrailer with more than 1 front articulation point must comply with subsections (1) and (2) when measured at each of the points.

(5) A trailer built to carry cattle, horses, pigs or sheep must not be longer than 12.5 m.

SCHEDULE 1 (continued)

(6) When measuring the trailer's length for subsection (5), the trailer's drawbar must not be taken into account.

Length—rear overhang

44B.(1) The rear overhang of a vehicle must not exceed the lesser of 3.7 m and—

- (a) for a semitrailer or dog trailer—60% of the distance between the front articulation point and the rear overhang line; or
- (b) for any other trailer—the distance between the front of the body or load carrying area and the rear overhang line; or
- (c) for another vehicle—60% of the distance between the centre of the front axle and the rear overhang line.

(2) A semitrailer with more than 1 front articulation point must comply with subsection (1)(a) when measured at each of the points.

Length—trailer drawbars

44C.(1) On a dog trailer, the distance between the coupling pivot point on the drawbar and the centre of the front axle group—

- (a) must not be more than 5 m; and
- (b) if the trailer is used in a road train that is longer than 19 m—must not be less than 3 m.

(2) On a trailer (other than a semitrailer) with only a single axle group, the distance between the coupling pivot point on the drawbar and the centre of the axle group must not be more than 8.5 m.

Width

45.(1) A vehicle must not be wider than 2.5 m.

(2) When measuring a vehicle's width for subsection (1), a rear-vision mirror, light or reflector attached to the vehicle must not be taken into account.

SCHEDULE 1 (continued)

Height

46. A vehicle must not be higher than—

- (a) for a vehicle built to carry cattle, horses, pigs or sheep—4.6 m; or
- (b) for a double-decker bus—4.4 m; or
- (c) for another vehicle—4.3 m.

Height—ground clearance

46A. A vehicle or vehicle combination must have a ground clearance of at least—

- (a) at a point within 1 m of an axle—100 mm; and
- (b) at the midpoint between adjacent axles— $\frac{1}{30}$ of the distance between the centre of each axle; and
- (c) at any other point—the distance that allows the vehicle or combination to pass over a peak in the road if the gradient on either side of the peak is 1:15.

*Division 2—Trailer couplings***Trailer coupling requirements**

47. Any coupling for use between a motor vehicle and any trailer, caravan or other vehicle to be towed by it and to control the movement of such trailer, caravan or other vehicle shall comply with the following requirements—

- (1) It shall be so constructed that—
 - (a) it will permit sufficient angular movement between the 2 vehicles;
 - (b) it can be disconnected regardless of the angle of the towed vehicle to the towing vehicle;
 - (c) any vehicle being towed cannot become accidentally

SCHEDULE 1 (continued)

disconnected from the towing vehicle.

- (2) It shall be such that it will prevent, as far as possible, lateral swing of the vehicle being towed.
- (3) The brackets or other means of securing its forward and rearward portions to the towing vehicle and the vehicle to be towed shall be of sufficient strength and rigidity.
- (4) It shall be of sufficient strength to be capable of drawing with safety the vehicle to be towed and any loading or equipment thereon.

Ball coupling requirements

47A.(1) A coupling used as a connection between passenger cars and derivatives thereof and a trailer which trailer is first registered on or after 1 January 1971, and which is of a laden weight not exceeding 2.3 t shall be a ball coupling conforming with Australian Standard D18-1968 for Ball Couplings for Automotive Purposes.

(2) Such ball coupling shall have a loading capacity equal to the static weight of the trailer loaded to its maximum load.

Safety connections on trailers

47B.(1) On and after 1 June 1964, in addition to the requirements of section 47, there shall be affixed to a substantial portion of the towing vehicle and to the frame, tow bar or other substantial portion of the trailer, caravan or other towed vehicle, a safety connection consisting of a chain or chains, cable or cables, or other non-rigid connection or connections.

- (2) Such safety connection shall—
- (a) be of sufficient strength to be capable of holding in tow the trailer, caravan or other towed vehicle in the event of failure or accidental detachment of the trailer coupling;
 - (b) be as short as practicable;
 - (c) be so connected and affixed that—

SCHEDULE 1 (continued)

- (i) it is not liable to accidental disconnection but is readily detachable from the towing vehicle; and
- (ii) it permits all normal angular movements of the coupling without more slack than is necessary; and
- (iii) it will prevent the forward end of the drawbar from striking the ground in the event of failure or accidental detachment of the coupling.

(3) The equipment used in affixing any safety connection to the towing vehicle and to the trailer, caravan or other towed vehicle shall be of sufficient strength to ensure the holding in tow by the safety connection of the trailer, caravan or other towed vehicle in the event of failure or accidental detachment of the coupling.

(4) This section shall not apply to any trailer, caravan or other towed vehicle if such trailer, caravan or other vehicle is fitted with a braking system as described in section 58(2)(b), or to any semitrailer or pole-type trailer.

(5) In the case of a trailer, caravan or other vehicle to be towed registered in any other State or Territory or other country it shall be sufficient compliance with this section if the safety connection used conforms with the requirements of the law for the time being in force in such State, Territory or other country.

Weight and dimensions of trailers

48.(1) A trailer shall not be of such weight or dimensions that it will be likely to prevent the driver of a vehicle drawing it from safely controlling it and such vehicle.

(2) A semitrailer shall be securely joined to the forward portion of an articulated vehicle.

(3) A motorcycle equipped to tow a trailer and any trailer to be towed by a motorcycle must conform with the Consolidated Draft Regulations defining Vehicle Construction, Equipment and Performance Standards for Road Vehicles.

SCHEDULE 1 (continued)

(4) However, the trailer shall not exceed 2.7 m in length or 1.25 m in width.

Division 4—Mudguards and rear markings**Application of Division**

52. The requirements of this Division shall apply to all motor vehicles on or after 1 January 1962.

Mudguards

53. All motor vehicles except those referred to in section 54—a mudguard for each wheel on the foremost axle and for each wheel on the rearmost axle; and in the case of a motorcycle and sidecar, a mudguard for the wheel of the sidecar.

When mudguards not required

54. Vehicles excepted—

- (1) Any motor vehicle used solely or principally to haul a trailer, semitrailer or pole-type trailer—in respect of the rearmost wheels only.
- (2) Any pole-type trailer used solely or principally for work in a forest.
- (3) Any fork lift truck.
- (4) Any other vehicle where the body of the vehicle is such that mudguards are unnecessary or impracticable.

Mudguard requirements

55. Any mudguard required for a vehicle under this Division shall comply with the following requirements—

- (1) It shall be so constructed and affixed that—

SCHEDULE 1 (continued)

- (a) it will, as far as practicable, catch or deflect downwards any stones, mud, water or other substance thrown upwards by the rotation of the wheels;
 - (b) in the case of a motor vehicle, other than a motorcycle, it will itself, or in conjunction with other components of the vehicle or its body or chassis, prevent direct contact with the upper half of the wheel in a forward collision.
- (2) Its width shall be not less than the overall width of the wheel or wheels for which it is provided. However, if the motor vehicle has a body of the tray type, the width of which, with any loading or equipment thereon, is 2.2 m or exceeds 2.2 m, the width of the mudguard shall be not less than 380 mm.
- (3) It shall be in good order and condition, and free from any cracks and tears and any sharp or jagged edges.

Mudguard markings

56. In the case of any motor vehicle which with any loading or equipment thereon is 2.2 m, or exceeds 2.2 m, in width, and which has a body of the tray type, that portion of the external surface of any mudguard affixed thereto which is visible to the rear of the vehicle shall be white or silver in colour and, in addition, there shall be displayed by painting or other process across the full width of the rearmost portion of the tray, a horizontal band of a uniform depth of at least 75 mm and white or silver in colour.

Division 5—Brakes**Brakes—certain vehicles**

57. All motor vehicles, including the forward portion of an articulated vehicle, except motorcycles, trailers and semitrailers—

- (1)—
- (a) One efficient braking system comprising brakes capable of acting directly on all road wheels, with 2 separate methods of

SCHEDULE 1 (continued)

actuation, such brakes being so arranged that, in the event of failure of either method of actuation, there will remain effective braking on not less than 2 wheels; or

- (b) Two independent and efficient braking systems, 1 capable of acting directly on not less than half the number of road wheels or where the vehicle has less than 4 wheels, on 2 wheels.
- (2) In the case of a motor vehicle registered for the first time on or after 1 January 1934—the service brakes shall not act through the differential.
- (3) The emergency brake of any braking system shall be operated by a separate lever fitted with a ratchet or locking device capable of holding such lever in any desired position and such brake shall be applied by direct mechanical action without the intervention of any hydraulic, electrical or pneumatic device.
- (3A) However, notwithstanding subsections (1) to (3), emergency brakes applied by spring action following upon the release of air pressure or vacuum preventing such brakes from operating (“**spring actuated emergency brakes**”) may be fitted to a motor vehicle. In such case, the following requirements shall apply—
- (a) spring actuated emergency brakes shall be so fitted and arranged that they will act directly on and be applied equally to every wheel of each axle of the motor vehicle to which they are fitted;
 - (b) the lever or control by which spring actuated emergency brakes are caused to be applied shall be fitted with a device which will lock such lever or control against inadvertent operation causing such spring actuated emergency brakes to be released and shall be so located as to enable the driver of the motor vehicle to apply or release such spring actuated emergency brakes from the normal driving position;
 - (c) the spring actuated emergency brakes when not deliberately brought into use shall be prevented from operating by the normal air or vacuum supply of the motor vehicle. They

SCHEDULE 1 (continued)

shall be applied by the near instantaneous discharge of the air or vacuum by which they are prevented from operating through the operation of the lever or control specified in paragraph (b);

- (d) a separate air or vacuum reservoir complying with the provisions of subsection (5)(d) and (e) to provide at least 2 releases of the spring actuated emergency brakes when the normal air or vacuum supply is not available shall be provided in the motor vehicle together with a lever or control so located as to enable the driver to release and apply the spring actuated emergency brakes from the normal driving position;
 - (e) the spring actuated emergency brakes shall not be so constructed as to operate automatically on loss of stored air or vacuum supply before the pressure or vacuum in the spring actuated emergency braking system has fallen below the level at which the low level warning signal of such spring actuated emergency braking system operates;
 - (f) where spring actuated emergency brakes are fitted to a motor vehicle used to tow a trailer, semitrailer or pole trailer they shall not operate automatically before the brakes referred to in section 58(2)(b), being brakes in the event of a breakaway, nor shall their application cause the application of any other brakes of the trailer, semitrailer, or pole trailer;
 - (g) spring actuated emergency brakes shall be capable of stopping the motor vehicle to which they are fitted in the distances specified in section 63(2).
- (4) When braking is applied to any wheel it shall be applied with equal force to all wheels on the same transverse axis of the vehicle.
- (5)—
- (a) Every omnibus which is fitted with an air assisted or vacuum assisted braking system and every motor vehicle first registered on and after 1 January 1963, the aggregate

SCHEDULE 1 (continued)

weight of which is 6.096 3 t or more, which is fitted with such a braking system, shall have a reservoir or reserve capacity for air or vacuum, as the case may be, incorporated in such braking system.

- (b) Every motor vehicle which is fitted with an air operated or vacuum operated braking system shall have a reservoir or reserve capacity for air or vacuum, as the case may be, incorporated in such braking system.
 - (c) The reservoir or reserve capacity required by this subsection (5) shall be of adequate volume to ensure that, if the engine stops, or the source of air or vacuum fails, an application of the service brakes can be made which is capable of stopping the vehicle in accordance with the requirements specified in sections 62 and 63.
 - (d) Reservoirs required under this subsection (5) shall be of adequate strength, and air reservoirs shall be provided with a drain plug or other means to permit removal of water or other foreign matter which may accumulate at the lowest point of the reservoir.
 - (e) Any reservoir or reserve capacity required under this subsection (5) shall be so safeguarded by a check valve or equivalent device that, in the event of failure or leakage in its connection to the source of air or vacuum, the air or vacuum reserve shall not be depleted by the failure or leakage.
- (6) Every motor vehicle used to tow a trailer, semitrailer or pole-trailer required to be equipped with brakes shall be equipped with means whereby in the event of breakaway of the trailer, semitrailer or pole-trailer, the service brakes of such motor vehicle will remain fully operative and capable of stopping the motor vehicle in accordance with the requirements specified in sections 62 and 63.
- (7) In the case of a motor vehicle which is a tractor or implement which is not mounted on a conventional motor vehicle chassis—it shall be sufficient for the purposes of this section if the vehicle is

SCHEDULE 1 (continued)

equipped with at least 1 effective braking system capable of stopping and holding the vehicle.

Brakes—trailers

58. Trailers, pole-type trailers and semitrailers, the weight of which in any case, together with the weight of any equipment or loading thereon, exceeds 508.02 kg—

- (1) An efficient brake which operates on not less than 2 wheels and, except in the case of a trailer which is equipped with overrun brakes, so constructed that it can be applied from the driver's seat of the hauling vehicle.
- (1A) Overrun brakes shall not be fitted to any trailer the unladen weight of which together with the weight of any equipment or loading thereon exceeds 1.016 05 t, and no trailer fitted with overrun brakes shall be attached to or drawn by any vehicle having an unladen weight which is less than the total weight of such trailer and the equipment or loading on such trailer.
- (2) Trailers exceeding an aggregate weight of 2.032 1 t first registered on and after 1 January 1962, and semitrailers and pole-type trailers first registered on and after 1 January 1962—
 - (a) if fitted with an air or vacuum operated braking system—a storage reservoir for air or vacuum as the case may be which meets the requirements of section 57(5);
 - (b) a braking system of such a character that it will be applied automatically and promptly upon breakaway from the towing vehicle. Means shall be provided to maintain application of the brakes in the event of breakaway for at least 15 minutes.
- (3) Despite subsection (2), a sugar cane trailer—
 - (a) if its aggregate trailer mass is less than 6 t—requires no brakes; or
 - (b) if its aggregate trailer mass is 6 t or more and no more than 12 t—must have an efficient air or hydraulic braking system

SCHEDULE 1 (continued)

on at least 2 of its wheels capable of operation at the normal driving position by the driver of the vehicle hauling the trailer; or

- (c) if its aggregate trailer mass is more than 12 t and no more than 19 t—must have an efficient air or hydraulic braking system on all its wheels capable of operation at the normal driving position by the driver of the vehicle hauling the trailer.

Brakes—motorcycles

59. Motorcycles—2 independent and efficient service braking systems, 1 capable of acting directly on the front wheel and the other on the rear wheel.

Brakes—adjusting devices

60. Any braking system required by section 57, 58, or 59 shall be fitted with a device or devices which will enable the adjustment or taking up of the normal wear of the brakes. Such device or devices shall be capable of being secured or locked over the whole of its or their effective range.

Brakes—prevention of mechanical damage

61. The brake tubing and brake hose and the brake cables, rods and other linkage used in any brake system shall be so constructed as to ensure adequate, reliable and continued functioning and be so fitted to the vehicle as to prevent chafing, kinking or other mechanical damage under normal motion of any part of the vehicle.

Performance ability of brakes

62. Every brake with which a motor vehicle is equipped shall be capable of stopping the vehicle within a reasonable distance under the conditions prevailing at the time of its application.

SCHEDULE 1 (continued)

Brake specifications

63. Without limiting the generality of section 62, the following provisions shall apply to the brakes specified—

(1) Service brakes—

- (a) the service brake of a motor vehicle, other than an omnibus, shall be such that the motor vehicle or, where there is a trailer or other vehicle attached to it, the motor vehicle and such trailer or other vehicle, when travelling at a speed of 32.187 km/h on a dry, smooth, level road, free from loose material, can at all times, when fully loaded—
- (i) be stopped by 1 sustained application of the brake within the distance specified in respect of the class of vehicle or vehicles concerned in Table A, column 2; and
- (ii) be decelerated to a stop from any higher speed at which the vehicle operates by 1 sustained application of the brake at the average deceleration rate specified in Table A, column 3 and applicable to the class of vehicle or vehicles concerned.

Table A

Column 1	Column 2	Column 3
Class of vehicle	Metres to stop when brake applied at 32.187 km/h	Average deceleration in metres per second
Car)		
Car and trailer combination)		
Motorcycle (front and rear brakes together))		
Motor vehicle having aggregate weight less than 2.540 t)	9.144	4.267 2

SCHEDULE 1 (continued)

Motor vehicle and trailer combination having combined aggregate weight less than 2.540 1 t)

Motor vehicle having aggregate weight 2.540 1 t or more)

Motor vehicle and trailer combination having combined aggregate weight 2.540 1 t or more) Vehicle not equipped with brakes on all wheels when manufactured)	13.716	2.895 6
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- (b) the service brake of a motor omnibus shall be such that the vehicle when unladen and travelling at a speed of 32.187 km/h on a dry, smooth, level road, free from loose material, can, at all times, be stopped by 1 sustained application of the brake within a distance of 9.144 m and can be decelerated to a stop from any higher speed at which the vehicle operates at an average rate of not less than 4.267 2 metres per second per second.

(2) Emergency brake—

- (a) the emergency brake affixed to any vehicle shall be capable of holding the vehicle and any trailer or semitrailer attached thereto stationary on any grade;
- (b) the emergency brake of a motor vehicle shall be such that the vehicle, when travelling at a speed of 32.187 km/h on a dry, smooth, level road, free from loose material, can, at all times, when fully loaded—
- (i) be stopped by application of the brake within the distance specified in respect of the class of vehicle or vehicles concerned in Table B, column 2; and
- (ii) be decelerated by 1 sustained application of the brake at the average deceleration rate specified in Table B, column 3 and applicable to the class of vehicle or vehicles concerned.

SCHEDULE 1 (continued)

Table B

Column 1	Column 2	Column 3
Class of vehicle	Metres to stop when applied at 32.187 km/h	Average deceleration in metres per second per second
Car)		
Motor vehicle having aggregate weight less than 2.540 1 t)	22.86	1.706 88
Car and trailer combination)		
Motor vehicle having aggregate weight 2.5401 t or more)	34.290 4	1.158 24
Motor vehicle and trailer combination)		
Motor omnibus of any weight)	18.288	2.133 6

Division 6—Miscellaneous

Except where otherwise specified or indicated, this Division shall apply to all motor vehicles.

Steering**64. Steering—**

- (1) The vehicle shall be capable of being readily steered and shall have steering arms and connections which will eliminate danger of any accidental detachment or over-locking.
- (1A) All steering connections are to be secured with bolts fitted with nuts and such nuts are to be locked or pinned.
- (2) Except in the case of a motorcycle or other motor vehicle which is

SCHEDULE 1 (continued)

steered by means of handlebars, the steering wheel or control must be arranged upon the right-hand or off-side of the vehicle.

- (3) In the case of a motorcycle or other motor vehicle which is steered by means of handlebars, the steering control may be central but must not be arranged on the left-hand or near-side of the vehicle.
- (4) Where the steering mechanism or any part thereof is in an exposed position it shall be suitably protected.

Turning circle

65. Turning circle—the vehicle shall be capable of continuously turning either to the left or to the right in a circle not exceeding 25 m in diameter as determined by reference to the extreme outer edge of the tyre track at ground level.

Rear overhang and loading space**66A.—**

- (1) The length of the loading space rearward of the line from which rear overhang is measured shall not exceed—
 - (a) the length of the loading space forward of the line in the case of the vehicle with a tare exceeding half its gross vehicle weight;
 - (b) 90% of the length of the loading space forward of the line in the case of a vehicle with a tare not exceeding half its gross vehicle weight.
- (2) In the case of a vehicle with a tare not exceeding 2 t the rear overhang shall not exceed 50% of the distance from the centre line of the front axle to the line from which rear overhang is measured.

SCHEDULE 1 (continued)

Front and rear projection of a motorcycle

66B.(1) No part of a motorcycle (being a motorcycle to which a sidecar is attached) shall project more than 600 mm ahead of the outer extremity of the front wheel or more than 900 mm behind the outer extremity of the rear wheel.

(2) No part of a motorcycle (not being a motorcycle to which a sidecar is attached) shall project more than 150 mm ahead of the outer extremity of the front wheel or more than 300 mm behind the outer extremity of the rear wheel.

Drip trays

67.(1) Drip tray—the vehicle shall be so equipped that no inflammable material can drop on any exhaust pipe, starter motor, generator or other electrical equipment.

(2) Where a drip tray is fixed underneath the carburettor it shall be so constructed that any overflow of petrol will not remain in the tray.

Safety glass**68. Safety glass—**

- (1)** Vehicles first registered on or after 1 January 1942, shall be equipped with safety glass in the windscreen.
- (2)** Vehicles first registered on or after 1 January 1962, shall be equipped with safety glass or non-shatterable transparent material wherever transparent material is used in windows and interior partitions.
- (3)** Vehicles irrespective of date of first registration shall have any replacement after 1 January 1962, of material in any windscreen, window or interior partition made with non-shatterable transparent material.

SCHEDULE 1 (continued)

Movable windows

69.(1) Every window shall be sound and properly fitted and each movable window shall be fitted with a suitable device to enable it to be opened and closed.

(2) At least half the number of windows shall be capable of being opened.

Audible warning devices

70.(1) A motor vehicle (other than a trailer) must be fitted with at least 1 warning device that makes a sound to warn a person of the presence of the vehicle.

(2) The device must make a sound with a constant amplitude, tone and frequency.

(3) The sound may be made by any energy source including compressed air.

(4) A motor vehicle (other than an emergency vehicle) must not be fitted with a repeater horn or siren except with the written permission of the Commissioner.

Reversing alarms

70A.(1) Reversing Alarm—subject to the provisions of section 70, a device may be fitted to a motor vehicle which when, and only when, reverse gear is selected emits an intermittent audible signal on a regular time cycle.

(2) The signal shall be no louder than is necessary to warn persons potentially in danger from the reversing vehicle.

Windscreen wipers

71. Windscreen wiper—

(1) Every motor vehicle fitted with a windscreen shall except as provided in subsection (2) be equipped with a device which is capable of effectively removing rain, snow or other moisture

SCHEDULE 1 (continued)

from the portion of the windscreen immediately in front of the driver of the vehicle and such device shall—

- (a) be so constructed and positioned that it can be operated or controlled by the driver while retaining the driver's correct driving position; and
 - (b) in the case of a motor vehicle first registered on or after 1 January 1934—be operated by electrical, pneumatic or other continuous mechanical means.
- (2) Every motor vehicle fitted with a windscreen and first registered on or after 1 January 1962, shall except as provided in this subsection be equipped with a device or devices operated by electrical, pneumatic or other continuous mechanical means capable of effectively removing rain, snow or other moisture from the portion of the windscreen immediately in front of the driver and from a corresponding area of windscreen to the left of the vertical centre line of the windscreen and the device or devices as the case may be shall—
- (a) be so constructed and positioned as to be controlled by the driver while retaining the driver's correct driving position; and
 - (b) if operated by engine manifold vacuum—be provided with a vacuum reservoir and pump to maintain their efficient operation while the vehicle is in motion.
- (3) However, the requirements of this section shall not apply to a motorcycle, special purpose or other motor vehicle equipped with a windscreen so constructed as to permit the driver while retaining the driver's correct driving position to obtain over the top, below or to the side of the windscreen, adequate vision of the roadway ahead of the vehicle in the event of vision through the windscreen being obscured.
- (4) The requirements of subsection (2) shall not apply to a motor vehicle equipped with a windscreen so constructed that the windscreen does not extend to the left beyond the longitudinal centre line of the vehicle.

SCHEDULE 1 (continued)

Signalling devices**72. Signalling devices—****(1)—**

- (a) Where the distance from the centre of the steering wheel to the outer extremity on the right-hand side of a motor vehicle or any load thereon exceeds 610 mm, or the construction, equipment or loading of a motor vehicle or of any trailer drawn by it is such that it would prevent a driver of the vehicle, while remaining in a proper driving position, from giving by use of the driver's arm and hand a clear signal of the driver's intention to turn right or to stop or reduce speed suddenly—
 - (i) there shall be affixed to any such vehicle first registered before 1 January 1962, a signalling device for signalling 'turn right', such device to conform with the requirements of subsections (2) and (3)(b) and (f); and
 - (ii) there shall be affixed to any such vehicle first registered before 1 January 1934, a signalling device for signalling 'stop', such device to conform with the requirements of subsections (2) and (3)(a), or at least 1 brake lamp conforming with the requirements specified in sections 31 and 34.
- (b) Devices affixed to any motor vehicle for the purpose of signalling 'stop', 'turn right', or 'turn left', must comply with the requirements of this section.
- (c) Flashing turn signals in accordance with subsections (2) and (3)(f) shall be affixed to every motor vehicle (other than a motorcycle) which is first registered on or after 1 January 1962, with the exception of—
 - (i) any pole-type trailer used solely or principally for work in a forest;
 - (ii) any forklift truck;
 - (iii) any motor vehicle equipped with a semaphore type of

SCHEDULE 1 (continued)

‘turn right’ signalling device in accordance with subsections (2) and (3)(d) and which device is of a type supplied as original equipment on that particular motor vehicle when it was manufactured.

(1A) However, in the case of a motor vehicle to which is attached a general purpose load carrying trailer having an unladen weight of not more than 250 kg, or a trailer which comprises a concrete mixer or air compressor, or a plant or equipment trailer, it shall be a sufficient compliance with the requirements of this subsection (1)(c) in respect of any such trailer if the flashing turn signals specified herein are affixed to the towing vehicle, and the dimensions or construction of the trailer with any loading or equipment thereon are not such as to obscure such signals.

(1B) In addition, every motorcycle manufactured on or after 1 January 1985 shall at the time of first registration thereof under the *Transport Infrastructure (Roads) Act 1991*, and at all subsequent times thereafter have affixed thereto flashing turn signals in accordance with subsections (2) and (3)(f).

(2)—

- (a) All signals are to be clearly visible under normal atmospheric conditions by day and night at a distance of at least 60 m.
- (b) Illuminated devices must not be glaring or dazzling to other road users or impair the driver’s vision.
- (c) The device when not in operation shall not be likely to mislead the driver of any vehicle or any person controlling traffic.
- (d) The device shall be readily operable by the driver from a proper driving position.
- (e) The device shall be mounted so that the signal can be observed by the driver directly by means of a fixed mirror or the operation of the device must be indicated by means of a visible or audible telltale.

SCHEDULE 1 (continued)

(3)—

- (a) Hand shaped 'stop' signalling device—a 'stop' signal may be given on the right side of a vehicle by means of a replica of a human hand. The hand shall be not less than 150 mm long and the width not less than half the length with the palm of the hand turned to the front, the thumb adjacent to the vehicle and with the fingers extended and pointing upwards. The hand may be white or amber in colour and if illuminated shall be lit by a steady white or amber light.
- (b) Hand shaped 'turn right' signalling device—a 'turn right' signal may be given on the right side of a vehicle by means of a replica of a human hand with the palm turned to the front and the thumb uppermost with the fingers extended and pointing to the right. The hand shall be not less than 150 mm long and the width not less than half the length. The colour shall be amber or white and if illuminated shall be lit by a steady white or amber light.
- (c) Hand shaped 'turn left' signalling device—a device affixed to the left side of the vehicle and with the fingers pointing to the left but otherwise identical with that described in paragraph (b) may be used for indicating a left turn.
- (d) Semaphore 'turn right' signalling device—a 'turn right' signal may be given on the right side of a vehicle by means of an illuminated sign of amber colour not less than 150 mm long, and of a width being not less than 25 mm and not exceeding $\frac{1}{4}$ of the length. At least 150 mm of the length of the sign must be visible both to the front and rear of the vehicle while a signal is being given. The height shall not exceed 2 m, and shall not be less than 500 mm.
- (e) Semaphore 'turn left' signalling device—a device affixed to the left side of the vehicle but otherwise identical with that described in paragraph (d) may be used for indicating a left turn.
- (f) Flashing lamp 'turn right' and 'turn left' signalling devices—

SCHEDULE 1 (continued)

Each flashing lamp signalling device on the right side of a vehicle shall be paired by a similar lamp symmetrically positioned on the left side of the vehicle. The lamps of each pair shall be not less than 800 mm apart or more than 500 mm from the extreme width of the vehicle and they shall not be higher than 2 m or lower than 400 mm.

However, in the case of a motorcycle the front lamps shall not be less than 300 mm nor more than 800 mm apart and the rear lamps shall be not less than 300 mm apart.

The switching on of a flashing light must be followed by the appearance of the light within a maximum period of 1 second and the light shall flash regularly at a rate of not less than 60 per minute and not more than 120 per minute.

All flashing signalling lamps on the same side of a vehicle must flash in phase and must be operated by the same control switch.

The lamps may be fitted as follows—

- (i) on rigid vehicles not exceeding 7.5 m in length—2 lamps capable of showing a white or amber light clearly visible from the front of the vehicle and an amber light clearly visible to the rear of the vehicle;
- (ii) on rigid vehicles not exceeding 7.5 m in length—4 or more lamps of which 2 shall face forward and be mounted on or towards the front of the vehicle and 2 shall face rearward and be mounted on or towards the rear of a vehicle. The forward facing lamps shall be either amber or white and the rearward facing lamps shall be amber.

However, the rearward facing lamps of vehicles first registered before 1 January 1962, may be red;

- (iii) on articulated vehicles and on rigid vehicles exceeding 7.5 m in length—4 or more lamps capable of showing an amber light of which 2 shall be mounted on or towards the rear of the vehicle and 2 on the forepart of

SCHEDULE 1 (continued)

the vehicle. The rearmost lamps shall have an illuminated area facing to the rear. The foremost lamps shall have an illuminated area facing forward. One pair of lamps on or towards the front of the vehicle, or in the case of an articulated vehicle on the forepart of the vehicle, shall have an illuminated area facing rearwards and clearly visible from the rear.

Rear-vision mirrors**73. Rear-vision mirror—**

- (1) There shall be affixed to every motor vehicle a mirror or mirrors so designed and fitted and of such dimensions as to be capable of reflecting to the driver of such vehicle as far as practicable a clear view of the road to the rear of such vehicle and of any following or overtaking vehicle.
- (2) At least 1 such mirror shall be affixed to each side of the motor vehicle and may project 150 mm beyond the maximum width of the motor vehicle, its equipment excluding signal devices, its load, or the width of any trailer it may be drawing—
 - (a) if the vehicle is designed for the carriage of goods or is a public passenger vehicle designed to carry not fewer than 8 passengers; or
 - (b) if the trailer be of greater width than the vehicle hauling it; or
 - (c) in any case where, because of the manner in which the vehicle is constructed, equipped or loaded or the fact that it is drawing a trailer or other vehicle, or for any other reason, the driver could not, by means of a mirror affixed to the inside of the vehicle, have reflected to the driver as far as practicable a clear view of the road to the rear of the vehicle and of any following or overtaking vehicle.
- (2A) However, in the case of a motor vehicle with a gross vehicle weight of 8.5 t and over such mirrors may project 230 mm on each side beyond the maximum width of the vehicle provided

SCHEDULE 1 (continued)

each such mirror is capable of collapsing to 150 mm.

- (3) A mirror as specified in subsection (1) and fitted to a motor vehicle, other than a passenger car derivative, with a gross vehicle weight of 2.1 t and over shall be at least 150 cm² in area.
- (4) A rear-vision mirror fitted to a motor vehicle manufactured on or after 1 July 1973, and intended to be capable of reflecting to the driver of such vehicle as far as practicable a clear view of the road to the rear of such vehicle and of any following or overtaking vehicle shall have a flat reflecting surface.

Number plates**74. Number plates—position and fitting—**

- (1) There shall, where necessary, be securely fastened to a motor vehicle suitable fittings for the front and rear number plates.
- (2) The front number plate shall be located in front of and parallel to the front axle and no higher than 1.3 m from the ground.
- (2A) The rear number plate shall be located at the rear of the vehicle and parallel to the rear axle and no higher than 1.3 m from the ground.
- (3) A part of a vehicle, including any loading carried thereon, or any fitting to a vehicle shall not be so located as to obscure any letter, symbol or figure of a number plate.

Avoidance of danger and nuisances

75. Avoidance of danger and nuisances—all parts and fittings of a motor vehicle shall be such that—

- (a) they will not be likely to render unsafe the use of the vehicle, or to cause injury or annoyance to any person;
- (b) smoke will not be projected from the exhaust or elsewhere. The outlet of the exhaust shall be so affixed that the exhaust will not be projected directly on to the roadway;

SCHEDULE 1 (continued)

- (c) an undue amount of oil or grease will not be dropped on to the roadway;
- (d) undue or avoidable noise or vibration will not be caused.

Silencers

76. Silencer—there shall be securely affixed to the vehicle an efficient silencing device so constructed that all exhaust from the engine is projected through such device in such a manner that it will prevent the creation of undue noise.

Driver's view

77. Driver's view—the vehicle shall be so constructed or equipped that the driver will have a view of traffic on each side of it and in all directions in front of it, sufficient to enable the driver to drive it with safety.

Engine numbers

78. Engine number—an identification number must be clearly and legibly stamped directly upon the main component of the engine of the motor vehicle.

Forwards and backwards travel

79. Vehicle to travel backwards or forwards—any motor vehicle which, when unladen, weighs more than 300 kg, shall be capable of being driven backwards and forwards.

Ventilation

81.(1) Ventilation—motor vehicles constructed principally for the carriage of goods—effective means of ventilation shall be provided for the driver otherwise than by means of windows and door openings.

(2) However, it shall be a sufficient compliance with this requirement if the vehicle is equipped with suitably placed pivoted or hinged windows.

SCHEDULE 1 (continued)

Tyres and wheels

82.(1) Tyres and wheels—all motor vehicles—every tyre fitted to a motor vehicle shall be free from any apparent defect likely to render unsafe the use of the vehicle or likely to cause or result in injury to any person or damage to any goods in or upon the vehicle, and shall have a tread pattern of a depth of not less than 1.5 mm on all parts of it which normally come in contact with the road surface; such tyres and their rims shall be of a size and capacity sufficient to carry the total weight of the vehicle and its loading. The tyres shall not be fitted with cleats or any other gripping device of a type likely to cause damage, other than normal wear and tear, to any road.

(2) There shall not be fitted to any motor car any tyre which has been treated by regrooving.

(3) There shall not be fitted to any passenger car, passenger car derivative or multipurpose passenger car a tyre that has been treated by retreading unless the tyre has been retreaded and marked in accordance with the provisions of Australian Standard AS 1973—‘Retreaded Pneumatic Passenger Car Tyres’ except that the original letter ‘R’ in the size branding may be substituted for the word ‘radial’ and the original letter ‘B’ in the size branding may be substituted for the words ‘bias belted’.

(4) Notwithstanding any requirement of this Schedule to the contrary, tyres and rims fitted to a passenger car or passenger car derivative need not comply with section 100(1) or 101(1) if—

- (a) the combination of tyre and rim—
 - (i) has a diameter that is—
 - (A) not more than 15 mm more than the diameter specified by the vehicle’s manufacturer; or
 - (B) not more than 25 mm less than the diameter specified by the vehicle’s manufacturer; and
 - (ii) accords with the specifications contained in—
 - (A) in the case of a vehicle manufactured prior to 1 January 1974—1 of the following manuals—
 - the Tyre and Rim Standards Manual of the Tyre

SCHEDULE 1 (continued)

and Rim Association of Australia;

- the 1981 Tire and Rim Association Inc. Year Book;
- the British Standard, BS AU 50;
- the Japan Automobile Tyre Manufacturers Association;
- the Japanese Industrial Standards (JIS-D4202) and (JIS-D4218);
- the European Tyre and Rim Technical Organisation Practices (E.T.R.T.O.);
- the Deutsche Industrie Norm (DIN) 7818;
- the Deutsche Industrie Norm (DIN) 7817; or

(B) in the case of a vehicle manufactured on or after 1 January 1974—Table 2 of Australian Design Rule 23; and

- (b) the rim does not vary in diameter by more than 51 mm from that specified by the manufacturer; and
- (c) the tyre's speed category is at least—
 - (i) if the category specified by the vehicle's manufacturer is less than 140 km/h—the specified category; or
 - (ii) if the category specified by the vehicle's manufacturer is 140 km/h or more—140 km/h; and
- (d) in respect of load—the load rating of the tyre is equal to or exceeds the lowest load rating shown on the placard attached to the vehicle.

(4A) If a vehicle is fitted with tyres that have a speed category not lower than 140 km/h but lower than the category specified by the vehicle's manufacturer, a label must be attached to the vehicle stating—

‘This vehicle is fitted with tyres that have a speed category less than the category specified by the vehicle's manufacturer’.

SCHEDULE 1 (continued)

(4B) The label must be clearly visible to a person sitting in the driver's seat of the vehicle.

(5) There shall not be fitted to any passenger car, passenger car derivative or multipurpose passenger car using passenger car tyres—

- (a) any combination of tyre and rim which, when fitted to the vehicle, fouls the wheel housing or running gear under any condition; or
- (b) tyres of more than 1 type of carcass construction, provided that the tyres on any vehicle may vary in respect of cord materials and number of plies; or
- (c) any wheel in which—
 - (i) there is a circumferential weld other than that which attaches the rim to the wheel centre; or
 - (ii) the rim width is more than 26 mm wider than the widest option specified by the vehicle manufacturer; or
 - (iii) the wheel securing stud holes are not circular; or
 - (iv) the pitch circle diameter of the wheel securing stud holes is different from that of the original equipment wheel studs; or
- (d) any wheel which will result in the widest track specified by the vehicle manufacturer being exceeded by more than 26 mm; or
- (e) in respect of any vehicle manufactured on or after 1 July 1985—any wheel which is not approved as original equipment or original equipment replacement by the motor vehicle manufacturer, or is not indelibly marked with the wheel's nominal diameter and width, offset, and the mark of a standard of an approved organisation in a location so that they are readily visible when the wheel is correctly installed on the vehicle; or
- (ea) for the purpose of paragraph (e), a standard of an approved organisation shall be a standard issued by 1 of the following organisations—
 - Wheel Industries Association (Australia);
 - Standards Association Australia;

SCHEDULE 1 (continued)

- Technischer Überwachungen, Verein; or Japanese Industrial Standards; or
- (f) a spacer between wheel and hub additional to any provided by the vehicle manufacturer; or
- (g) a wheel nut which does not engage the thread of the wheel stud for at least the same length as the wheel nut provided by the vehicle manufacturer or a wheel nut which does not match the taper on the wheel stud hole; or
- (h) any eccentric wheel stud or eccentric wheel nut.

(6) No increase in wheel track measurement shall be permitted to vehicles manufactured with a combination of front wheel drive, McPherson strut front suspension and negative scrub radius steering geometry unless specified by the vehicle manufacturer.

Sidecars**83. Motorcycle with sidecar—**

- (1) A sidecar shall not be so attached to a motorcycle nor shall it be of such weight or dimensions that it will prevent the driver from safely driving the vehicle or from having a sufficient view to the front, rear and either side of the vehicle to enable the driver to drive the vehicle with safety.
- (2) A sidecar shall not be affixed to the right side of a motorcycle.

Pillion riding

84. Pillion riding—if a motorcycle is to be used for pillion riding there shall be securely affixed to the cycle for use by the pillion rider, a suitably constructed and located footrest on each side and a suitable seat in a serviceable condition.

Omnibus and motor truck—information to be painted**85. Every motor omnibus and motor truck shall have—**

SCHEDULE 1 (continued)

- (a) the letter 'T' followed by the unladen weight of the vehicle; and
- (b)—
 - (i) where the vehicle is a rigid vehicle—the letters 'RGVM' followed by the registered gross vehicle mass of the vehicle as determined in accordance with the regulations under the *Transport Infrastructure (Roads) Act 1991*; or
 - (ii) where the vehicle is a rigid vehicle equipped to tow a trailer, with a laden mass of 3.5 t or more—the letters 'RGVM' followed by the registered gross vehicle mass of the vehicle as determined in accordance with the regulations under the *Transport Infrastructure (Roads) Act 1991*, and, immediately thereunder, the letters 'RGCM' followed by the registered gross combination mass of the vehicle as determined in accordance with the regulations under the *Transport Infrastructure (Roads) Act 1991*; or
 - (iii) where the vehicle is an articulated vehicle—the letters 'RGCM' followed by the registered gross combination mass of the vehicle as determined in accordance with the regulations under the *Transport Infrastructure (Roads) Act 1991*;

painted in block letters and figures on the right side thereof at least 50 mm high and kept in such a condition as to be clearly legible at a distance of 4.5 m.

Televisions

86.(1) Television receiver—any television receiver shall be installed so that the screen or any part of it is not directly or indirectly visible to the driver from the driving position, its controls, other than the sound volume control and the main switch are not within the driver's reach, it does not impede driver or passenger movement in the vehicle and it is unlikely to increase the risk of occupant injury.

(2) Television monitor—a television system which operates only when reverse gear is selected may be installed as an aid to driver vision such that

SCHEDULE 1 (continued)

the screen can be viewed directly or indirectly by the driver provided the monitor is able to receive only the signal from the accompanying television camera and the equipment is securely mounted in a position such that no part of the equipment—

- (a) obscures driver vision; and
- (b) impedes driver or passenger movement in the vehicle; and
- (c) is likely to increase the risk of occupant injury.

Doors

86A.(1) Doors—any motor vehicle or trailer equipped with fuel burning facilities or living or sleeping accommodation shall have outward opening doors only.

- (2) Such doors shall not be located on the right hand side.

Engine locking devices

86B. Every motor vehicle powered with a compression ignition engine and manufactured on or after 1 January 1971, shall at the time of first registration thereof under the *Transport Infrastructure (Roads) Act 1991* and at all subsequent times thereafter, be equipped with a locking device which shall prevent such compression ignition engine from being started by any accidental or inadvertent means.

Rear end protection

86C.(1) Every semitrailer manufactured on or after 1 January 1971, shall at the time of first registration thereof under the *Transport Infrastructure (Roads) Act 1991*, and at all subsequent times thereafter, be provided with an approved continuous rear bumper which shall be so constructed and located that—

- (a) with the vehicle unladen, the contact surface of such bumper is not more than 600 mm from the level of the ground upon which such vehicle stands;

SCHEDULE 1 (continued)

- (b) the bumper contact surface is located not more than 600 mm from the rear of the vehicle and is painted white;
- (c) the ends of such bumper extend to within 300 mm of each side of the vehicle, unless the rearmost point of the tyres is within 600 mm of the rear of the vehicle, in which case, the ends of such bumper shall extend to within 300 mm of such tyres on each side of the vehicle;
- (d) the member which is, or directly supports, the bumper contact surface is of material having no less strength than steel tubing of 100 mm outside diameter and 8 mm wall thickness;
- (e) the structure supporting the member prescribed in paragraph (d) can transmit no less force than that member can sustain, and provides a continuous force path to vehicle members of a strength consistent with the forces to be sustained.

(2) The provisions of subsection (1) shall not apply to semitrailers so constructed that cargo access doors, tailgates or other such like structures thereon when closed, afford protection comparable to that prescribed by such provisions; and a vertical plane tangential to the rearmost surface of the rear wheels is 155 mm or less from a parallel vertical plane containing the rearmost point of the semitrailer.

Compliance or personal import vehicle plates

86D.(1) In this section—

“compliance plate” means a compliance plate within the meaning of the *Motor Vehicle Standards Act 1989* (Cwlth).

“identification plate” means an identification plate within the meaning of the *Motor Vehicle Standards Act 1989* (Cwlth).

(2) A compliance plate must be attached, in a conspicuous place, to a motor vehicle built from 1 January 1972 to 31 August 1989 (both inclusive).

(3) A compliance plate or identification plate must be attached, in a conspicuous place, to a motor vehicle built after 31 August 1989.

SCHEDULE 1 (continued)

(4) Subsections (2) and (3) do not apply to a vehicle that—

- (a) may be imported into Australia without a compliance plate under the *Motor Vehicle Standards Act 1989* (Cwlth); and
- (b) complies with each Australian Design Rule that applies to it under section 100 or 101.

(5) A compliance plate or identification plate must not be modified, defaced or removed from a vehicle without the chief executive's approval.

Speedometers

86E.(1) Every motor vehicle manufactured on or after 1 January 1972 up to and including 30 June 1974, and capable of being driven at a speed in excess of 40.234 km/h on a level road shall be fitted with a speedometer which shall indicate the vehicle speed in miles per hour so that the indicated speed shall not be below the actual speed by more than 10% when the vehicle is driven at a speed in excess of 48.28 km/h.

(1A) Such speedometer shall be so fitted that it is readily visible to the driver.

(2) Every motor vehicle manufactured on or after 1 July 1974 and capable of being driven at a speed in excess of 40 km/h on a level road shall be fitted with a speedometer which shall give an indication of the vehicle speed on a single scale calibrated in kilometres per hour.

(2A) At the time of first registration thereof under the *Transport Infrastructure (Roads) Act 1991*, the accuracy of such instrument shall be such that the indicated speed is not less than the actual speed by more than 10% when the vehicle speed is greater than 50 km/h.

(2B) Such speedometer shall be so fitted that it is readily visible to the driver.

(3) Every motor vehicle manufactured on or after 1 July 1982 and capable of being driven at a speed in excess of 40 km/h on a level road shall be fitted with a speedometer which shall give an indication of the vehicle speed on a single scale calibrated in kilometres per hour.

(4) At the time of first registration thereof under the *Transport*

SCHEDULE 1 (continued)

Infrastructure (Roads) Act 1991, the accuracy of such instrument shall be such that the indicated speed is not more or less than the actual speed by more than 10% when the vehicle speed is greater than 40 km/h.

(5) Such speedometer shall be so fitted that it is readily visible to the driver.

Automatic transmissions

86F.(1) All motor vehicles, except motorcycles and specially constructed vehicles, manufactured on or after 1 January 1976 and equipped with an automatic transmission shall conform with the following requirements—

- (a) the transmission control lever position shall be permanently displayed within the driver's compartment of the vehicle;
- (b) the sequence of transmission control lever positions shall—
 - (i) include a neutral position located between the reverse drive and forward drive positions; and
 - (ii) in cases where a park position is included—such park position shall be located at the end of the sequence, adjacent to the reverse drive position;
- (c) in the case of passenger cars and derivatives with steering column mounted transmission control levers—the movement of the control lever from neutral to reverse shall be clockwise except that in cases where all control lever positions are to the right of the vertical longitudinal plane through the centre of the steering wheel, the movement of the control lever from neutral to reverse shall be anticlockwise. A device shall be provided which indicates the transmission position selected. The movement of the indicator shall be generally in the same linear or rotational direction as the movement of the transmission control lever;
- (d) in the case of passenger cars and derivatives in which the transmission control lever is mounted in a position other than on the steering column—all control lever positions shall lie to the left of the vertical longitudinal plane through the centre of the steering wheel and movement of the control lever from neutral to reverse

SCHEDULE 1 (continued)

shall be generally upwards, forward or to the left according to whether the control lever is constrained to move generally in a vertical, longitudinal or transverse direction;

- (e) the engine starter shall be inoperative when the transmission control lever is in a forward or reverse drive position;
- (f) in cases where more than 1 forward transmission gear ratio is available—at least 1 forward drive ratio other than the highest speed transmission ratio shall, when engaged, prevent automatic upshift through the transmission range for all speeds and loads within the speed range up to and including 40 km/h.

(2) For the purpose of this section—

“automatic transmission” shall mean a transmission in which there is no driver controlled system for disconnecting the drive between the engine and the driving wheels other than the system for selecting gear ratios.

Odometers

86G.(1) Every motor vehicle manufactured on or after 1 July 1982 and capable of being driven at a speed in excess of 40 km/h on a level road shall be fitted with an odometer which shall indicate the distance travelled by the motor vehicle in at least 1 km units from 1 km to 999 999 km.

(2) At the time of first registration thereof under the *Transport Infrastructure (Roads) Act 1991* the accuracy of such instrument shall be such that the distance travelled by the vehicle as indicated by the odometer is not more or less than the actual distance travelled by more than 4%.

Rear marking plates

86H.(1) In this section—

“motor vehicle” means any motor vehicle or motor vehicle and trailer or semitrailer combination having a gross vehicle mass exceeding 12 t other than a motor omnibus.

(2) Subject to subsection (4), a rear marking plate must be attached to—

SCHEDULE 1 (continued)

- (a) each side of the rear of a motor vehicle; or
 - (b) if a motor vehicle is towing a trailer or semitrailer—each side of the rear of the trailer or semitrailer.
- (2A)** A rear marking plate must comply with—
- (a) Diagram 1; or
 - (b) Australian Standard 4001.
- (3)** Each rear marking plate shall be—
- (a) built in accordance with Australian Standard 4001.1 or so that—
 - (i) it bears—
 - (A) the name of the manufacturer of the plate; and
 - (B) a statement identifying the class of retroreflective material used in the plate; and
 - (C) the Australian Standard to which the material has been manufactured;
 - in letters and numerals not more than 10 mm in height; and
 - (ii) the surface consists of a material which is retroreflective and which has a photometric performance and a durability not less than the standard level specified for Class 2 retroreflective material by Australian Standard 1906—Retroreflective Materials and Devices for Road Traffic Control Purposes, Part I—1976 Retroreflective Materials; and
 - (b) affixed to the motor vehicle, trailer or semitrailer in accordance with Australian Standard 4001.2 or so that—
 - (i) it faces rearwards of the motor vehicle, trailer or semitrailer; and
 - (ii) no part extends beyond the outside extremity of that side of the motor vehicle, trailer or semitrailer to which the plate is affixed; and
 - (iii) the lower edge is horizontal and not higher than 1.5 m nor

SCHEDULE 1 (continued)

lower than 400 mm above the ground and is the same height above the ground as the rear marking plate affixed to the other side of the motor vehicle, trailer or semitrailer; and

- (iv) the outer most edges are within 150 mm of the outside extremity of that side of the motor vehicle, trailer or semitrailer to which the plate is affixed; and
- (v) it is within 20° of a transverse vertical plane at a right angle to the vertical plane through the longitudinal axis of the motor vehicle, trailer or semitrailer; and
- (vi) the lower and outer most edges are yellow in colour.

(4) Where, in the opinion of the chief executive, due to the design or construction of a motor vehicle or, in the case of a motor vehicle and trailer or semitrailer combination, the trailer or semitrailer, the affixing of rear marking plates in compliance with subsection (3)(b) is not practicable, the chief executive may—

- (a) direct that the rear marking plates be affixed to the motor vehicle, trailer or semitrailer, as the case may be, in the manner specified by the chief executive; or
- (b) approve the affixing to the motor vehicle, trailer or semitrailer, as the case may be, of—
 - (i) a rear marking plate in the form, dimensions and colours, as depicted in diagram 2;
 - (ii) a combination of rear marking plates in the forms, dimensions and colours as depicted in diagram 3; or
 - (iii) a combination of rear marking plates in the forms, dimensions and colours as depicted in diagram 4;

as would, in the opinion of the chief executive, provide early warning of the motor vehicle.

(5) Where the chief executive grants an approval under subsection (4)(b)—

- (a) each rear marking plate shall be—
 - (i) constructed in compliance with the requirements specified in

SCHEDULE 1 (continued)

subsection (3)(a); and

- (ii) securely affixed to the motor vehicle, trailer or semitrailer in accordance with the directions of and in the manner specified by the chief executive; and
- (b) in the case of an approval to affix a combination of rear marking plates—the surface area of the plates affixed to the motor vehicle, trailer or semitrailer shall not be less than 0.32 m².

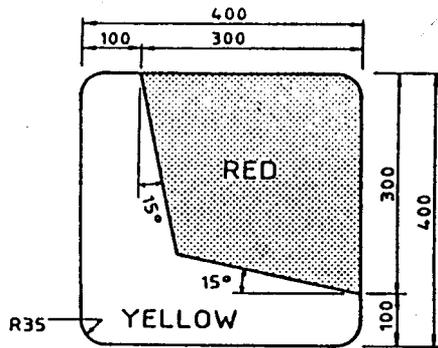


DIAGRAM 1

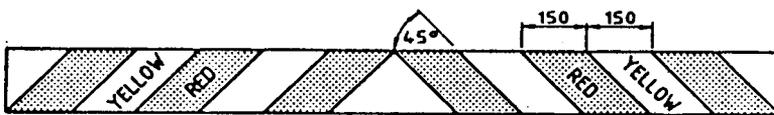


DIAGRAM 2



DIAGRAM 3

SCHEDULE 1 (continued)

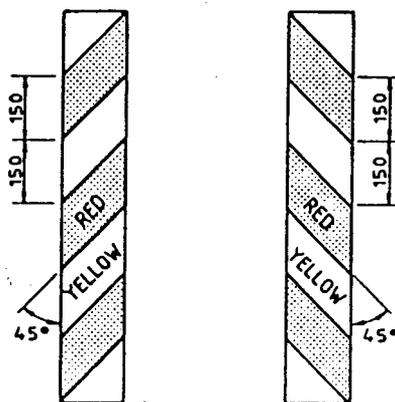


DIAGRAM 4

Speed limiting of heavy trucks and buses

86L(1) The following classes of vehicle, if manufactured on or after 1 January 1988, must meet the requirements of clauses 4 to 9, both inclusive, of the publication entitled 'Maximum Road Speed Limiting For Heavy Trucks and Buses' issued by the Federal Office of Road Safety and with the authority of the Australian Transport Advisory Council—

- (a) motor trucks exceeding 20 t gross vehicle mass or 30 t gross combination mass, whichever is the lesser weight—from the date of registration or renewal of registration when either occurs on or after 31 March 1991;
- (b) motor omnibuses exceeding 14.5 t gross vehicle mass—from the date of registration or renewal of registration when either occurs on or after 31 March 1991;
- (c) motor trucks exceeding 15 t gross vehicle mass—from the date of registration or renewal of registration when either occurs on or after 31 December 1991;
- (d) motor trucks exceeding 15 t gross vehicle mass which are registered under the *Transport Infrastructure (Roads) Act 1991* as a vehicle used solely for primary production—on and from 1 January 1993.

SCHEDULE 1 (continued)

(2) The requirements of subsection (1) do not apply to motor vehicles manufactured on or after 1 January 1991, which comply with Australian Design Rule 65/00.

PART 4—VEHICLES DRAWN BY ANIMAL POWER—SPECIAL PROVISIONS

Front and rear lights—2 wheeled vehicles

87. Every 2 wheeled vehicle—2 lamps on opposite sides, each showing when lighted a bright white light to the front and a red light to the rear of such vehicle.

Front and rear lights—4 or more wheeled vehicles

88.(1) Every 4 wheeled vehicle or any vehicle having more than 4 wheels other than a pole-type trailer or jinker—

- (a) 2 lamps on opposite sides at the front at a height of not more than 1.9 m from the ground, each showing when lighted a bright white light to the front; and
- (b) 1 lamp at the rear of the vehicle in the centre thereof or to the right-hand or off-side of such centre at a height not more than 1.5 m from the ground, showing when lighted a bright red light to the rear.

(2) Every pole-type trailer or jinker—

- (a) 2 lamps on opposite sides at the front at a height of not more than 1.9 m from the ground, each showing when lighted a bright white light to the front;
- (b) 1 lamp upon the rear end of the pole of the trailer or jinker showing when lighted a bright red light to the rear.

SCHEDULE 1 (continued)

Rear reflectors

89.(1) Every vehicle or trailer—at the rear, 2 red reflectors, symmetrically affixed 1 to each side and not higher than 1.5 m from the ground.

(2) However, this section shall not apply in respect of any vehicle or trailer to which are affixed rear clearance lamps or rear reflectors as prescribed by sections 90 and 91.

Clearance lamps—motor vehicles

90. Every vehicle not being a trailer which, together with any loading or equipment thereon is 2.2 m or more in width—

(1) On the forepart, 2 clearance lamps, 1 on each side.

However, this subsection shall not apply in respect of any vehicle where no part of such vehicle or any loading or equipment thereon on either side of such vehicle on which lighted lamps as prescribed by sections 87 and 88 are affixed, projects more than 150 mm laterally from the centre of such lamp.

(2) On the rear, 2 clearance lamps, 1 on each side, or alternatively 2 red reflectors, 1 on each side.

Clearance lamps—trailers

91. Any trailer which together with any loading or equipment thereon is 2.2 m or more in width or which projects 150 mm or more laterally on either side beyond the vehicle by which it is drawn—

(1) On the front, 2 clearance lamps, 1 on each side.

(2) On the rear, 2 clearance lamps, 1 on each side, or alternatively 2 red reflectors, 1 on each side.

Reflector requirements

92. Any reflector affixed in accordance with the provisions of this Part to

SCHEDULE 1 (continued)

a vehicle drawn by animal power shall comply with the relevant provisions for reflectors set out in sections 24, 25 and 29 relating to motor vehicles.

Maximum dimensions

93. Any vehicle drawn by animal power, including a vehicle and trailer, together with any loading and equipment thereon—

- (a) length—12 m;
- (b) width—2.5 m;
- (c) height—4.3 m.

Brakes

94.(1) Any vehicle or vehicle and trailer drawn by animal power—an efficient brake capable of stopping and holding the vehicle.

(2) However, a vehicle having 2 wheels and drawn by an animal attached to such vehicle by means of harness suitable and sufficient to enable the vehicle to be stopped thereby shall be deemed to be equipped with an efficient brake.

(3) In addition, the use of the nave brake is prohibited on any van, lorry, wagon, or other description of heavy animal-drawn vehicle.

PART 5—BICYCLES ETC.—SPECIAL PROVISIONS**Headlamps, rear lamps and reflectors**

95.(1) Every bicycle, tricycle, power-assisted cycle, handcart, barrow or other similar vehicle propelled or designed for propulsion by human power—

- (a) upon a central part of the front thereof—a lamp which when lighted shows a bright white light to the front;

SCHEDULE 1 (continued)

- (b) upon the rear thereof—a lamp which when lighted shows a clear red light to the rear, and a reflector, in respect of which lamp and reflector the conditions applicable thereto prescribed hereunder are complied with.

(2)—

- (a) In the case of a bicycle, tricycle or power-assisted cycle—the rear lamp shall be affixed upon the rear stay which is on the right-hand or off-side of the bicycle, tricycle or power-assisted cycle, or upon the rear of any rear mudguard or upon the right-hand or off-side of any rear axle, and the reflector shall be affixed in any 1 of the aforesaid positions.
- (b) Neither the lamp nor the reflector shall be affixed in a position which is higher than the rim of the rear wheel where it passes between the stays.
- (c) The lamp and reflector shall be so affixed that no part of the bicycle, tricycle or power-assisted cycle projects more than 510 mm to the rear of such lamp and reflector.
- (d) The reflectors shall comply with the relevant provisions for reflectors contained in sections 29 and 32 relating to motor vehicles.

(3) Every bicycle, tricycle or power-assisted cycle other than competition or one of a kind bicycles, tricycles or power-assisted cycles and those having a wheelbase of less than 640 mm, manufactured on or after 1 July 1986, shall be fitted with rear, side and pedal reflectors as provided for in Australia Standard 1927-1978 Pedal Bicycles. All reflectors shall comply with Australian Standard 2142-1978 Reflectors for Pedal Bicycles. To the extent that there is any inconsistency between the provisions of this subsection and the provisions of subsections (1) and (2) and sections 24, 25, 29 and 32, the provisions of this subsection shall prevail.

Brake requirement

96. Every bicycle, tricycle or power-assisted cycle—an efficient brake capable of stopping and holding the vehicle.

SCHEDULE 1 (continued)

Warning device

97. Every bicycle, tricycle or power-assisted cycle—a bell capable of giving audible and sufficient warning of the approach and location of such bicycle, tricycle or power-assisted cycle, and so positioned as to enable it to be operated by the driver from the driver's normal driving position.

**PART 6—AUSTRALIAN DESIGN RULES FOR
MOTOR VEHICLE SAFETY****Definitions**

99. In this Part—

“ADR (2nd ed)” means an Australian Design Rule in the document entitled ‘Australian Design Rules for Motor Vehicle Safety, Second Edition’ issued by the Commonwealth Department of Transport.

“ADR (3rd ed)” means an Australian Design Rule in the document entitled ‘Australian Design Rules for Motor Vehicles and Trailers, Third Edition’ issued by the Commonwealth Department of Transport and Communications.

Application of ADR (2nd ed)

100.(1) A vehicle must comply with an ADR (2nd ed) that applies to it.

(2) An ADR (2nd ed) applies to a vehicle if the ADR contains a recommendation from the Australian Transport Advisory Council that the vehicle—

- (a) comply, or be designed to comply, with the ADR; or
- (b) be equipped with a thing that complies with the ADR; or
- (c) have instruments located in a way that complies with the ADR.

SCHEDULE 1 (continued)

Application of ADR (3rd ed)

101.(1) A vehicle must comply with an ADR (3rd ed) that applies to it.

(2) If an ADR (3rd ed) permits a vehicle to be equipped with a thing, the vehicle may be equipped with the thing, irrespective of when the vehicle was manufactured.

Non-application of ADRs

102.(1) Despite section 100(1), a vehicle need not comply with a requirement of a ADR (2nd ed) if—

- (a) the requirement has been replaced by, or is inconsistent with, a requirement of an ADR (3rd ed); and
- (b) the vehicle complies with the requirement of the ADR (3rd ed).

(2) Despite sections 100(1) and 101(1), a vehicle need not comply with a requirement of an ADR (2nd) or ADR (3rd) if the vehicle has been exempted from the requirement under the *Motor Vehicle Standards Act 1989* (Cwlth).

(3) Despite sections 100(1) and 101(1), a vehicle must comply with the tyre speed category requirements in section 82 rather than the relevant tyre speed category requirements in the ADR (2nd ed) or ADR (3rd ed).

SCHEDULE 2

**OFFENCES UNDER SECTION 108B OF THE
REGULATION**

section 108B of the regulation

Exceeding the speed limit when the excess is 45 km/h or more (sections 50, 52 of the regulation)))	6 points
Exceeding speed limit when the excess is 30 km/h or more but less than 45 km/h (sections 50, 52 of the regulation)))	
Careless driving (section 17 of the Act)))	4 points
Crossing double centre line (section 30 of the regulation))	
Disobeying police direction (section 21 of the regulation))	
Disobeying traffic control light signal (sections 11(1)(a), 19(2)(a), 48(1)(d) of the regulation)))	
Disobeying traffic signs (sections 20, 32, 39(2)(a), 47, 48(1)(c) of the regulation, section 12F of the Act (except parking, stopping and standing signs))))	
Driver failing to wear seat belt (section 90B(1) of the regulation)))	
Driving unroadworthy vehicle (section 68(1)(d) of the regulation)))	
Driving while child or infant not restrained (section 90C of the regulation)))	3 points
Exceeding speed limit when the excess is 15 km/h or more but less than 30 km/h (sections 50, 52 of the regulation)))	
Failing to give way (sections 34, 34A, 35, 36(1), 36A, 38(1), 38(2), 38(3), 38B of the regulation)))	
Failing to give way at pedestrian crossing or level crossing (sections 39(1) and 48(4) of the regulation) . .))	

SCHEDULE 2 (continued)

Motorcycle or moped driver failing to wear safety helmet) (section 90A(1) of the regulation))	
Failing to keep left (sections 22, 29 of the regulation) . .)	
Failing to signal intention (section 45 of the regulation))	2 points
Improper overtaking or passing (sections 23, 25, 26 of) the regulation))	
Improper turns (sections 43, 44, 47 of the regulation) . .)	
Driving during hours of darkness without lamps alight) (section 69(1) of the regulation))	
Driving unroadworthy vehicle—minor defect) (section 68(1)(a), (b) and (c) of the regulation))	1 point
Exceeding speed limit when the excess is less than) 15 km/h (sections 50, 52 of the regulation))	
Failing to dip headlamps (section 69(2) of the regulation))	
Following too closely (sections 31, 49 of the regulation))	

SCHEDULE 3**PILOT VEHICLE REQUIREMENTS**

section 187(3) of the regulation

- 1.** The vehicle must carry a sign—
 - (a) securely fastened to the vehicle in a position centrally and vertically above the vehicle's roof; and
 - (b) indicating, in black letters against a reflective yellow background, the nature of the construction or loading of the vehicle being escorted, by using the words 'wide load ahead', 'long load ahead', 'long wide load ahead' or other appropriate words.
- 2.** On the sign—
 - (a) the black letters must be at least 140 mm high; and
 - (b) the reflective yellow background must comply with Australian Standard 1906 Part 1—class 1 or 2.
- 3.** At each end of the sign there must be a rotating flashing amber light or strobe-type flashing amber light, mounted so that it shows an unobstructed light through 360° of the horizon.
- 4.** The vehicle shall be equipped with an adequate first aid kit.
- 5.** The vehicle shall carry such emergency signs and equipment as are required pursuant to this regulation or any other Act or regulation to be carried on the excess dimension vehicle being escorted.
- 6.** The vehicle shall be equipped with a fire extinguisher of a type suitable to control both electrical and chemical fires, and having a minimum capacity of 2 kg.
- 7.** The vehicle shall be provided with two-way radio equipment suitable for the purposes of section 192(5) of the regulation.

SCHEDULE 4**FEES**

section 2 of the regulation

	\$
3. Permit to carry an advertisement, placard, board, notice or sign for business advertising, for each month or part of a month	13.10
4. Permit to use an electrical or mechanical appliance, apparatus or device that amplifies or reproduces words, music or other sounds for advertising purposes	13.10
7. Permit to learn to drive a motor vehicle	12.10
8. Practical driving test for driver's licence	26.40
9. Application for, or renewal of, driver's licence (other than a learner's permit) for each year or part of a year	9.70
10. Duplicate driver's licence	12.10
11. Extract from the particulars of a driver's licence records ..	12.10
12. Extract from the particulars of a driver's traffic history ..	12.10
13. Application for, or renewal of, pilot vehicle licence	172.00
14. Duplicate pilot vehicle licence	20.90
15. Application for, or renewal of, a pilot vehicle driver's licence	20.90
16. Duplicate pilot vehicle driver's licence	7.10
17. Fee under section 37 of the Act	63.90
18. Application for colour prints of the photographic evidence of a camera-detected offence	12.10

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 24 February 1995. Future amendments of the Traffic Regulation 1962 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 List of legislation**Traffic Regulation 1962**

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commenced 1 October 1962

as amended by—

regulations published Gazette—

17 November 1962 p 909
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22 December 1962 p 1603
commenced on date of publication

13 April 1963 p 1620
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25 May 1963 p 482
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3 August 1963 p 1338
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18 January 1964 pp 162–3
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25 April 1964 p 1633
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17 October 1964 p 547
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26 December 1964 p 1810
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3 July 1965 p 1318
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10 July 1965 pp 1406–7
commenced 19 July 1965

7 August 1965 pp 1825–6
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28 August 1965 p 2041
commenced on date of publication

25 September 1965 p 392
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11 December 1965 p 1413
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22 January 1966 p 688
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30 April 1966 p 2188
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5 November 1966 p 931
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11 February 1967 p 527
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11 March 1967 p 945
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6 November 1967 p 903
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3 February 1968 p 556
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2 March 1968 p 903
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6 July 1968 pp 1121–2
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21 September 1968 p 209
commenced on date of publication

23 November 1968 p 1107
commenced on date of publication

26 April 1969 p 1517
commenced on date of publication

17 May 1969 p 309
commenced on date of publication

15 November 1969 p 1175
commenced on date of publication

20 December 1969 pp 1775–6
commenced 19 January 1970

11 April 1970 p 1400
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24 October 1970 pp 735–6
commenced on date of publication

19 December 1970 p 1557
commenced 1 January 1971

4 September 1971 p 52
commenced on date of publication

27 November 1971 pp 1475–7
commenced on date of publication

27 November 1971 pp 1477–8
commenced 1 January 1972

16 June 1972 pp 869–72
commenced on date of publication

9 September 1972 p 176
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5 May 1973 p 112
commenced on date of publication

20 October 1973 pp 944–6
commenced on date of publication

- 22 June 1974 pp 1116–20
commenced 1 July 1974
- 29 June 1974 p 1220
commenced on date of publication
- 3 August 1974 pp 1947–8
commenced 1 September 1974
- 21 September 1974 p 290
commenced on date of publication
- 21 December 1974 pp 1595–6
commenced on date of publication
- 24 May 1975 p 660
commenced on date of publication
- 18 October 1975 p 591
commenced 14 November 1975
- 15 November 1975 p 1109
commenced 1 December 1975
- 29 November 1975 pp 1255–9
commenced on date of publication
- 20 December 1975 p 1574
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- 14 February 1976 p 563
commenced 1 March 1976
- 5 June 1976 p 833
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- 3 July 1976 p 1354
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- 11 September 1976 p 194
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- 18 December 1976 p 1681
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- 2 July 1977 p 1337
commenced on date of publication
- 18 September 1977 p 239
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- 15 October 1977 p 594
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- 11 March 1978 p 1032
commenced 3 April 1978

- 3 June 1978 p 734
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- 3 June 1978 pp 734–5
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- 24 June 1978 p 986
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- 5 August 1978 pp 1595–604
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- 4 November 1978 p 831
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- 17 February 1979 p 531
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- 26 May 1979 p 705
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- 26 May 1979 p 706
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- 18 August 1979 p 2059
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- 8 September 1979 p 185
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- 8 September 1979 p 186
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- 6 October 1979 pp 586–7
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- 3 November 1979 pp 964–5
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- 2 February 1980 p 347
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- 9 February 1980 p 458
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- 9 February 1980 p 458
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- 16 February 1980 pp 529–30
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- 8 March 1980 pp 833–4
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- 29 March 1980 p 1128
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26 July 1980 p 2109
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16 August 1980 p 2359
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7 February 1981 p 362
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22 August 1981 p 2646
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22 August 1981 p 2646
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10 October 1981 pp 625–6
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19 December 1981 p 1638
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16 January 1982 p 134
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13 March 1982 pp 987–1003
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19 June 1982 p 1619
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26 June 1982 p 2065
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26 June 1982 p 2065
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26 June 1982 p 2065
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17 July 1982 p 2359
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28 August 1982 p 2871
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28 August 1982 p 2871
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28 August 1982 p 2872
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11 December 1982 p 1734
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6 August 1983 pp 2011–13
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20 August 1983 p 2223
commenced 1 September 1983

20 August 1983 p 2225
commenced 19 November 1983

24 September 1983 pp 388
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24 September 1983 pp 389–90
commenced 1 November 1983

22 October 1983 p 742
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21 January 1984 pp 168–9
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5 May 1984 p 174
commenced on date of publication

2 June 1984 pp 1000–4
commenced on date of publication

11 August 1984 p 2099
commenced on date of publication

1 September 1984 p 71
commenced 19 November 1984

1 September 1984 p 74
commenced 1 September 1984

1 September 1984 pp 75–6
commenced on date of publication

22 September 1984 p 409
commenced on date of publication

22 September 1984 pp 410–13
commenced 1 December 1984

8 December 1984 p 1962
commenced on date of publication

23 February 1985 p 967
commenced 4 March 1985

20 April 1985 p 2244
commenced on date of publication

20 April 1985 p 2244
commenced on date of publication

6 July 1985 p 1733
commenced on date of publication

13 July 1985 pp 1816–17
commenced on date of publication

24 August 1985 p 2482
commenced on date of publication

31 August 1985 p 2594
commenced 1 September 1985

31 August 1985 p 2595
commenced 19 November 1985

1 February 1986 pp 406–8
commenced on date of publication

1 February 1986 p 409
commenced on date of publication

10 May 1986 pp 582–6
commenced 1 June 1986

31 May 1986 p 1021
commenced 1 July 1986

14 June 1986 p 1303
commenced 19 November 1986

14 June 1986 p 1304
commenced 1 September 1986

19 July 1986 pp 2185–9
commenced on date of publication

6 December 1986 pp 2022–9
commenced 1 July 1987

20 December 1986 p 2423
commenced on date of publication

2 May 1987 pp 196–7
commenced on date of publication

6 June 1987 pp 1017–19 (repealed 1 October 1988 pp 566–71)
commenced 1 July 1987

3 October 1987 pp 419–20
commenced 1 November 1987

3 October 1987 p 420
commenced 19 November 1987

31 October 1987 pp 852–4
commenced on date of publication

21 November 1987 pp 1134–6
commenced 1 January 1988

30 January 1988 pp 522–4
commenced on date of publication

23 April 1988 p 2363
commenced 30 April 1988
exp 30 October 1988 (see s 2)

25 June 1988 pp 2469–70
commenced on date of publication

25 June 1988 p 2471
commenced 1 July 1988

30 July 1988 p 3229
commenced 1 August 1988

17 September 1988 p 291
commenced on date of publication

1 October 1988 pp 564–5
commenced 1 October 1988

1 October 1988 p 565
commenced 19 November 1988

1 October 1988 pp 566–71
commenced on date of publication

10 December 1988 p 1716
commenced on date of publication

3 June 1989 p 694
commenced 1 July 1989

2 September 1989 pp 63–4
commenced 2 September 1989

2 December 1989 pp 2445–7
commenced 1 January 1990

30 June 1990 pp 1154–5
commenced 1 July 1990

Traffic (Amendment) Regulations 1990 (No. 2)

pubd Gaz 14 July 1990 pp 1656–7
commenced on date of publication

Traffic (Amendment) Regulations 1990 (No. 3)

pubd Gaz 8 December 1990 pp 1663–7
commenced on date of publication

Traffic (Amendment) Regulations 1990 (No. 4)

pubd Gaz 22 December 1990 pp 2287–95
commenced 1 January 1991

Traffic (Amendment) Regulations 1991

pubd Gaz 13 April 1991 pp 2241–2
commenced on date of publication

Traffic (Amendment) Regulations 1991 (No. 2)

pubd Gaz 20 April 1991 pp 2567–9
commenced on date of publication

Traffic (Amendment) Regulations 1991 (No. 3)

pubd Gaz 1 June 1991 pp 579–81
commenced 1 July 1991 (see s 2)

**Traffic Amendment Regulation (No. 4) 1991 (as amd by SL No. 116 of 1992 Pt 2;
(as from 29 June 1991) by Act No. 36 of 1992 s 2 Sch 2)**

pubd Gaz 29 June 1991 pp 1285–305
ss 1–2 commenced on date of publication
remaining provisions commenced 1 July 1991 (see s 2)

Traffic Amendment Regulation (No. 5) 1991 SL No. 198

pubd Gaz 21 December 1991 pp 2553–6
commenced on date of publication

Traffic Amendment Regulation (No. 1) 1992 SL No. 116 Pt 3

pubd Gaz 5 June 1992 pp 1043–5
commenced on date of publication

Traffic Amendment Regulation (No. 2) 1992 SL No. 139

pubd Gaz 19 June 1992 pp 1347–50
ss 1–2 commenced on date of publication
remaining provisions commenced 22 July 1992 (see s 2)

Traffic Amendment Regulation (No. 3) 1992 SL No. 275

notfd Gaz 28 August 1992 p 3139–41
commenced on date of notification

Traffic Amendment Regulation (No. 4) 1992 SL No. 281

notfd Gaz 11 September 1992 p 102–3
commenced on date of notification

Traffic Amendment Regulation (No. 5) 1992 SL No. 335

notfd Gaz 6 November 1992 p 1286–9
commenced on date of notification

Traffic Amendment Regulation (No. 6) 1992 SL No. 400

notfd Gaz 11 December 1992 p 1830–3
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1993 (see s 2)

Traffic Amendment Regulation (No. 7) 1992 SL No. 423

notfd Gaz 18 December 1992 p 1988–96
commenced on date of notification

Traffic Amendment Regulation (No. 1) 1993 SL No. 16

notfd Gaz 5 Feb 1993 pp 350–2
commenced on date of notification

**Department of Transport (Variation of Fees) Regulation 1993 SL No. 166 s 3(r)
Sch 18**

notfd Gaz 28 May 1993 pp 646–51
commenced 1 July 1993 (see s 2)

Traffic Amendment Regulation (No. 2) 1993 SL No. 167

notfd Gaz 28 May 1993 pp 646–51
commenced on date of notification

Traffic Amendment Regulation (No. 3) 1993 SL No. 251

notfd Gaz 2 July 1993 pp 1255–7
commenced on date of notification

Traffic Amendment Regulation (No. 4) 1993 SL No. 294

notfd Gaz 6 August 1993 pp 1682–5
commenced on date of notification

Traffic Amendment Regulation (No. 5) 1993 SL No. 421

notfd Gaz 26 November 1993 pp 1483–6
commenced on date of notification

Traffic Amendment Regulation (No. 6) 1993 SL No. 470

notfd Gaz 17 December 1993 pp 1812–21
commenced on date of notification

Traffic Amendment Regulation (No. 1) 1994 SL No. 139

notfd Gaz 6 May 1994 pp 125–7
ss 1–2 commenced on date of notification
remaining provisions commenced 9 May 1994 (see s 2)

**Department of Transport (Variation of Fees) Regulation 1994 SL No. 166 s 3(r)
Sch 18**

notfd Gaz 27 May 1994 pp 699–702
commenced 1 July 1994 (see s 2)

Traffic Amendment Regulation (No. 2) 1994 SL No. 176

notfd Gaz 3 June 1994 pp 810–13
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 1994 (see s 2)

Traffic Amendment Regulation (No. 3) 1994 SL No. 232 Pts 1–2 Sch

notfd Gaz 1 July 1994 pp 1170–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 1994 (see s 2)

Traffic Amendment Regulation (No. 4) 1994 SL No. 260

notfd Gaz 8 July 1994 pp 1246–8

commenced on date of notification

Traffic Amendment Regulation (No. 5) 1994 SL No. 275

notfd Gaz 22 July 1994 pp 1445–6

commenced on date of notification

Traffic Amendment Regulation (No. 6) 1994 SL No. 299

notfd Gaz 12 August 1994 pp 1732–3

ss 1–2 commenced on date of notification

remaining provisions commenced 15 August 1994 (see s 2)

Traffic Amendment Regulation (No. 7) 1994 SL No. 411

notfd Gaz 2 December 1994 pp 1435–7

commenced on date of notification

**Department of Transport (Repeal of Penalty Notice Provisions) Regulation 1994
SL No. 438**

notfd Gaz 9 December 1994 pp 1575–8

ss 1–2 commenced on date of notification

remaining provisions commenced 12 December 1994 (see s 2)

Note—This regulation expires 12 December 1995 (see s 6)

Traffic Amendment Regulation (No. 1) 1995 SL No. 18

notfd Gaz 3 February 1995 pp 414–15

commenced on date of notification

4 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Ch	=	Chapter
def	=	definition
Div	=	Division
exp	=	expires/expired
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
R1	=	Reprint No. 1
RA	=	Reprints Act 1992
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

Short title

s 1 sub 1993 SL No. 470 s 3

Fees

s 2 amd reg pubd 10 July 1965 pp 1406–7; 26 May 1979 p 706; 6 December 1986 pp 2022–9; 2 December 1989 pp 2445–7; 8 December 1990 pp 1663–7
 prev s 2 om 1993 SL No. 470 s 3
 pres s 2 ins 1994 SL No. 275 s 3

Repeal—Savings

s 3 om 1993 SL No. 470 s 3

Definitions

prov hdg sub 1994 SL No. 139 s 4(1)
 s 4 amd 1993 SL No. 470 s 4(1), (4); 1994 SL No. 232 s 4(1); 1995 SL No. 18 s 3(1)
 def “**aggregate trailer mass**” ins 1994 SL No. 260 s 3(2)
 def “**agricultural implement**” ins reg pubd Gaz 2 December 1989 pp 2445–7
 amd 1994 SL No. 260 s 3(1)
 def “**all traffic turn sign**” ins 1993 SL No. 167 s 3(2)
 amd 1994 SL No. 232 s 4(4)
 def “**angle parking**” sub reg pubd Gaz 22 December 1962 p 1603
 amd 1995 SL No. 18 s 3(4)
 def “**approved form**” ins 1992 SL No. 335 s 3
 def “**Australian Design Rule**” ins reg pubd Gaz 24 October 1970 pp 735–6

- def “**Australian Standard**” ins reg pubd Gaz 1 February 1986 pp 406–8
- def “**axle group**” ins 1993 SL No. 470 s 4(3)
- def “**axle load**” ins reg pubd Gaz 2 May 1987 pp 196–7
- def “**bicycle lane**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
- def “**bicycle lane sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 411 s 3(2)
- def “**bicycle path**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
- def “**bicycle path sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**bicycle prohibition sign**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)–(5); 1994 SL No. 411 s 3(3)
- def “**Bicycle way sign**” ins reg pubd Gaz 10 May 1986 pp 582–6
om 1993 SL No. 167 s 3(1)
- def “**Brisbane Central Traffic Area**” ins 1992 SL No. 275 s 3
- def “**bus lane**” ins reg pubd Gaz 16 February 1980 pp 529–30
sub 1993 SL No. 167 s 3
- def “**bus lane sign**” ins reg pubd Gaz 16 February 1980 pp 529–30
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**bus prohibition sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**bus zone**” ins 1993 SL No. 167 s 3(2)
sub 1994 SL No. 232 s 4(2)–(3)
- def “**bus zone sign**” ins 1993 SL No. 167 s 3(2)
sub 1994 SL No. 232 s 4(2)–(3)
- def “**Cab**” om 1993 SL No. 167 s 3(1)
- def “**Cab stand**” om 1993 SL No. 167 s 3(1)
- def “**camera**” ins reg pubd Gaz 8 December 1990 pp 1663–7
- def “**Carrying vehicle**” om 1993 SL No. 167 s 3(1)
- def “**Carrying vehicle stand**” om 1993 SL No. 167 s 3(1)
- def “**Chief Inspector of Motor Vehicles**” ins reg pubd Gaz 13 March 1982 pp 987–1003
om 1995 SL No. 18 s 3(2)
- def “**city**” ins 1992 SL No. 275 s 3
om 1994 SL No. 232 s 4(2)
- def “**City of Brisbane**” ins 1992 SL No. 275 s 3
om 1994 SL No. 232 s 4(2)
- def “**clearance sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**clearway**” ins reg pubd Gaz 16 January 1982 p 134
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**clearway sign**” ins reg pubd Gaz 16 January 1982 p 134
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)

-
- def “**Compliance plate**” ins reg pubd Gaz 27 November 1971 pp 1475–7
om 1993 SL No. 470 s 4(2)
- def “**controlled access bus**” ins 1993 SL No. 470 s 4(3)
om 1994 SL No. 275 s 4(1)
- def “**converter dolly**” ins reg pubd Gaz 31 October 1987 pp 852–4
sub 1993 SL No. 470 s 4(2)–(3)
- def “**cyclists dismount sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**doctor**” ins 1994 SL No. 139 s 4(2)
- def “**dog trailer**” ins 1993 SL No. 470 s 4(3)
- def “**drawbar**” ins 1993 SL No. 470 s 4(3)
- def “**drive**” ins 1995 SL No. 18 s 3(3)
- def “**during hours of darkness**” amd reg pubd Gaz 22 June 1974
pp 1116–20; 29 November 1975 pp 1255–9
- def “**edge line**” ins reg pubd Gaz 9 February 1980 p 458
- def “**emergency vehicle**” sub 1994 SL No. 232 s 4(2)–(3)
- def “**end bicycle lane sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**end bicycle path sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**end bicycle way sign**” ins reg pubd Gaz 10 May 1986 pp 582–6
om 1993 SL No. 167 s 3(1)
- def “**end bus lane sign**” ins reg pubd Gaz 16 February 1980 pp 529–30
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**end clearway sign**” ins reg pubd Gaz 16 January 1982 p 134
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**end local traffic area sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**end of freeway sign**” ins reg pubd Gaz 1 October 1988 pp 566–71
sub 1994 SL No. 232 s 4(2)–(3)
- def “**end segregated footway sign**” ins reg pubd Gaz 10 May 1986
pp 582–6
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**end shared footway sign**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**end shared zone sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**end transit lane sign**” ins reg pubd Gaz 16 February 1980
pp 529–30
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**end truck lane sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**endorsement**” amd 1994 SL No. 232 s 4(6)

- def “**excess dimension permission**” ins 1992 SL No. 275 s 3
 amd 1995 SL No. 18 s 3(5)
- def “**excess dimension vehicle**” ins 1992 SL No. 275 s 3
 sub 1994 SL No. 275 s 4
- def “**forward control passenger vehicle**” ins reg pubd Gaz 1 February
 1986 pp 406–8
- def “**freeway**” ins reg pubd Gaz 1 October 1988 pp 566–71
 sub 1994 SL No. 232 s 4(2)–(3)
- def “**freight container**” ins reg pubd Gaz 1 October 1988 pp 566–71
- def “**front articulation point**” ins 1993 SL No. 470 s 4(3)
- def “**give way sign**” ins reg pubd Gaz 17 February 1979 p 531
 sub 1993 SL No. 167 s 3
 amd 1994 SL No. 232 s 4(4)
- def “**give way to pedestrians sign**” ins 1993 SL No. 167 s 3(2)
 amd 1994 SL No. 232 s 4(4)
- def “**ground clearance**” ins 1993 SL No. 470 s 4(3)
- def “**gross combination mass**” ins reg pubd Gaz 2 May 1987 pp 196–7
- def “**gross load limit sign**” ins 1993 SL No. 167 s 3(2)
 amd 1994 SL No. 232 s 4(4)
- def “**gross vehicle mass**” ins reg pubd Gaz 1 February 1986 pp 406–8
- def “**gross vehicle weight**” ins reg pubd Gaz 23 November 1968 p 1107
 amd 1995 SL No. 18 s 3(6)–(8)
- def “**incapacitated person**” ins 1994 SL No. 411 s 3(1)
- def “**independent brakes**” ins 1993 SL No. 470 s 4(3)
- def “**Licensed vehicle**” om 1993 SL No. 167 s 3(1)
- def “**local traffic area**” ins 1993 SL No. 167 s 3(2)
- def “**local traffic area sign**” ins 1993 SL No. 167 s 3(2)
 amd 1994 SL No. 232 s 4(4)
- def “**Moped**” ins reg pubd Gaz 6 August 1983 pp 2011–13
 om reg pubd Gaz 22 December 1990 pp 2287–95
- def “**motor vehicle chassis**” ins reg pubd Gaz 20 October 1973 pp 944–6
- def “**multipurpose passenger car**” ins reg pubd Gaz 27 November 1971
 pp 1475–7
 amd reg pubd Gaz 1 February 1986 pp 406–8
- def “**MUTCD**” ins 1993 SL No. 167 s 3(2)
 om 1994 SL No. 232 s 4(2)
- def “**no ... beyond this point sign**” ins 1994 SL No. 232 s 4(3)
- def “**no entry sign**” ins 1993 SL No. 167 s 3(2)
 amd 1994 SL No. 232 s 4(4)
- def “**no left turn sign**” ins 1994 SL No. 232 s 4(3)
- def “**no parking sign**” ins 1993 SL No. 167 s 3(2)
 amd 1994 SL No. 232 s 4(4)
- def “**no right turn sign**” ins 1994 SL No. 232 s 4(3)
- def “**no standing sign**” ins 1993 SL No. 167 s 3(2)
 amd 1994 SL No. 232 s 4(4)
- def “**no turns sign**” ins 1993 SL No. 167 s 3(2)
 sub 1994 SL No. 232 s 4(2)–(3)
- def “**no u-turn sign**” ins 1994 SL No. 232 s 4(3)

- def “**O.D. Route 2**” ins 1992 SL No. 275 s 3
amd 1995 SL No. 18 s 3(9)
- def “**Omnibus stand**” om 1993 SL No. 167 s 3(1)
- def “**on**” ins 1995 SL No. 18 s 3(3)
- def “**over dimension vehicle**” ins 1994 SL No. 275 s 4(2)
- def “**overhang**” om reg pubd Gaz 18 December 1976 p 1681
- def “**overrun brakes**” ins 1993 SL No. 470 s 4(3)
- def “**passenger car**” ins reg pubd Gaz 24 October 1970 pp 735–6
sub reg pubd Gaz 27 November 1971 pp 1475–7
- def “**passenger car derivative**” ins reg pubd Gaz 24 October 1970
pp 735–6
sub reg pubd Gaz 27 November 1971 pp 1475–7
- def “**passenger cars and derivatives thereof**” ins reg pubd Gaz
24 October 1970 pp 735–6
amd 1995 SL No. 18 s 3(10)
- def “**pedestrian crossing**” sub reg pubd Gaz 29 June 1974 p 1220
amd reg pubd Gaz 29 November 1975 pp 1255–9
sub reg pubd Gaz 8 March 1980 pp 833–4
- def “**pedicab**” ins reg pubd Gaz 29 June 1991 pp 1285–305
- def “**pilot vehicle**” ins 1992 SL No. 275 s 3
- def “**pilot vehicle driver’s licence**” ins 1992 SL No. 275 s 3
- def “**pilot vehicle escort record**” ins 1992 SL No. 275 s 3
- def “**pilot vehicle licence**” ins 1992 SL No. 275 s 3
- def “**Police Officer**” om 1993 SL No. 470 s 4(2)
- def “**power-assisted bicycle**” ins 1994 SL No. 411 s 3(1)
- def “**power-assisted cycle**” ins 1994 SL No. 411 s 3(1)
- def “**power-assisted tricycle**” ins 1994 SL No. 411 s 3(1)
- def “**power source**” ins 1994 SL No. 411 s 3(1)
- def “**primary producer**” ins reg pubd Gaz 2 December 1989 pp 2445–7
- def “**Prohibited on Freeway sign**” ins reg pubd Gaz 1 October 1988
pp 566–71
om 1994 SL No. 232 s 4(2)
- def “**propellant**” ins 1994 SL No. 411 s 3(1)
- def “**Public stand**” om 1993 SL No. 167 s 3(1)
- def “**Public vehicle**” om 1993 SL No. 167 s 3(1)
- def “**quadaxle group**” ins 1993 SL No. 470 s 4(3)
- def “**rear overhang**” ins reg pubd Gaz 18 December 1976 p 1681
sub 1993 SL No. 470 s 4(2)–(3)
- def “**rear overhang line**” ins 1993 SL No. 470 s 4(3)
- def “**Regulations**” om 1993 SL No. 470 s 4(2)
- def “**repeater horn**” ins 1994 SL No. 232 s 4(3)
- def “**roundabout**” ins reg pubd Gaz 5 August 1978 pp 1595–604
- def “**roundabout sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**Safety zone**” om 1995 SL No. 18 s 3(2)
- def “**Semi-trailer**” om 1995 SL No. 18 s 3(2)
- def “**Schedule**” om 1993 SL No. 470 s 4(2)
- def “**school bus**” ins reg pubd Gaz 6 October 1979 pp 586–7

- def “**school crossing**” ins reg pubd Gaz 8 March 1980 pp 833–4
sub reg pubd Gaz 21 January 1984 pp 168–9
- def “**school zone**” ins 1993 SL No. 167 s 3(2)
- def “**school zone sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**segregated footway**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
- def “**segregated footway sign**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**shared footway**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
- def “**shared footway sign**” ins reg pubd Gaz 10 May 1986 pp 582–6
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**shared zone**” ins 1993 SL No. 167 s 3(2)
- def “**shared zone sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**single axle group**” ins 1993 SL No. 470 s 4(3)
- def “**specially constructed vehicle**” ins reg pubd Gaz 11 April 1970
p 1400
om reg pubd Gaz 22 December 1990 pp 2287–95
- def “**speed restriction sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**standard dimensions**” ins 1992 SL No. 275 s 3
amd 1995 SL No. 18 s 3(11)
- def “**State**” ins 1995 SL No. 18 s 3(3)
- def “**stop banner**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**stop line**” amd reg pubd Gaz 8 March 1980 pp 833–4
- def “**stop sign**” sub reg pubd Gaz 17 February 1979 p 531
- def “**stop**”, “**stopping**”, “**stand**” or “**standing**” amd 1995 SL No. 18
s 3(12)–(13)
- def “**sugar cane trailer**” ins 1994 SL No. 260 s 3(2)
- def “**tandem axle group**” ins 1993 SL No. 470 s 4(3)
- def “**taxi**” ins 1993 SL No. 167 s 3(2)
sub 1995 SL No. 18 s 3(2)–(3)
- def “**taxi zone**” ins 1993 SL No. 167 s 3(2)
- def “**taxi zone sign**” ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def “**The Act**” om 1993 SL No. 470 s 4(2)
- def “**toy vehicle**” ins 1993 SL No. 470 s 4(3)
amd 1994 SL No. 411 s 3(4)
- def “**transit lane**” ins reg pubd Gaz 16 February 1980 pp 529–30
sub 1993 SL No. 167 s 3
- def “**transit lane sign**” ins reg pubd Gaz 16 February 1980 pp 529–30
sub 1993 SL No. 167 s 3
amd 1994 SL No. 232 s 4(4)
- def “**triale group**” ins 1993 SL No. 470 s 4(3)

- def **“truck lane”** ins 1993 SL No. 167 s 3(2)
- def **“truck lane sign”** ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def **“truck prohibition sign”** ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def **“turn left”** ins reg pubd Gaz 27 November 1971 pp 1475–7
- def **“twinsteer axle group”** ins 1993 SL No. 470 s 4(3)
- def **“twist lock”** ins reg pubd Gaz 1 October 1988 pp 566–71
- def **“u-turn permitted sign”** ins 1993 SL No. 167 s 3(2)
amd 1994 SL No. 232 s 4(4)
- def **“Vehicle”** om 1994 SL No. 232 s 4(2)
- def **“vehicle combination”** ins 1993 SL No. 470 s 4(3)
- def **“wear”** ins reg pubd Gaz 29 June 1991 pp 1285–305
- def **“wheelchair”** ins 1994 SL No. 411 s 3(1)
- def **“Wheel base”** om reg pubd Gaz 18 December 1976 p 1681

References to particular side of road

s 4A ins 1995 SL No. 18 s 4

Application of regulation to drivers, pedestrians and vehicles

s 5 prov hdg ins 1995 SL No. 18 s 5

Obedience to Police Officers

s 7 om 1994 SL No. 275 s 5

Exemption of driver of road construction site vehicles

s 8 sub 1995 SL No. 18 s 6

Exemption of driver of emergency vehicles

s 9 sub 1994 SL No. 232 s 5

Exemption of driver of Defence Force vehicle

s 10 amd 1995 SL No. 18 s 7

Offences

s 11 amd 1995 SL No. 18 s 8

Parties to offences

s 12 amd 1995 SL No. 18 s 9

Powers of chief executive and Commissioner

prov hdg sub 1995 SL No. 18 s 10(1)

s 13 amd 1994 SL No. 232 s 3 Sch; 1994 SL No. 275 s 6; 1995 SL No. 18 s 10(2)

Issue of permits generally

s 14 amd 1994 SL No. 232 s 3 Sch
om 1994 SL No. 275 s 7

Schedule—Part of Regulations

s 15 om 1993 SL No. 470 s 5

Adoption of standards

s 15A ins reg pubd Gaz 1 February 1986 pp 406–8
om 1993 SL No. 470 s 5

Installation of official traffic signs**prov hdg** sub 1995 SL No. 18 s 11(1)**s 16** amd reg pubd Gaz 10 July 1965 pp 1406–7; 29 June 1974 p 1220; 1995 SL No. 18 s 11(2)–(4)**Indications given by official traffic signs****prov hdg** ins 1995 SL No. 18 s 12(1)**s 17** amd 1995 SL No. 18 s 12(2)–(4)**Removal of light or sign creating danger to traffic****s 18** amd reg pubd Gaz 10 July 1965 pp 1406–7; 19 July 1986 pp 2185–9; 1994 SL No. 232 s 3 Sch; 1995 SL No. 18 s 13**Obedience to traffic control light signals****s 19** amd reg pubd Gaz 5 August 1978 pp 1595–604; 16 February 1980 pp 529–30; 19 December 1981 p 1638; 1993 SL No. 167 s 4; 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 14**Obedience to signs****s 20** amd reg pubd Gaz 22 January 1966 p 688; 30 April 1966 p 2188; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 17 February 1979 p 531; 9 February 1980 p 458; 13 March 1982 pp 987–1003; 10 May 1986 pp 582–6; 19 July 1986 pp 2185–9; 31 October 1987 pp 852–4; 1993 SL No. 167 s 5; 1994 SL No. 232 s 6; 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 15**Compliance with police signals, orders or directions****s 21** amd 1995 SL No. 18 s 16**Keeping as far left as practicable****s 22** amd 1995 SL No. 18 s 17**Overtaking****s 23** amd reg pubd Gaz 13 March 1982 pp 987–1003; 1995 SL No. 18 s 18**Use of centre and right lanes of three lane carriageways****s 24** amd 1995 SL No. 18 s 19**Restrictions on driving right of centre line****s 25** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 20**Passing an opposing vehicle****s 26** amd 1995 SL No. 18 s 21**Giving way to overtaking vehicles****s 27** sub reg pubd Gaz 1 October 1988 pp 566–71; 1994 SL No. 411 s 4
amd 1995 SL No. 18 s 22**Driving in lanes on carriageways****s 28** amd reg pubd Gaz 9 February 1980 p 458; 1995 SL No. 18 s 23**Driving through roundabouts****s 29** sub reg pubd Gaz 5 August 1978 pp 1595–604
amd 1995 SL No. 18 s 24

Keeping left of double lines

s 30 amd 1995 SL No. 18 s 25

Following too closely

s 31 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 26

Driving on divided road

s 32 amd 1995 SL No. 18 s 27

Transit lanes

prov hdg ins 1993 SL No. 470 s 2 Sch

s 32A ins reg pubd Gaz 16 February 1980 pp 529–30
amd 1995 SL No. 18 s 28

Bus lanes

prov hdg ins 1993 SL No. 470 s 2 Sch

s 32B ins reg pubd Gaz 16 February 1980 pp 529–30
amd reg pubd Gaz 1 September 1984 pp 75–6; 8 December 1984 p 1962;
1995 SL No. 18 s 29

Bicycle lanes and bicycle paths

s 32C ins reg pubd Gaz 10 May 1986 pp 582–6
amd 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 30

Truck lanes

s 32D ins 1993 SL No. 167 s 6
amd 1995 SL No. 18 s 31

PART 6—GIVING WAY

Pt hdg amd reg pubd Gaz 11 September 1976 p 194

Meaning of “give way”

s 33 amd 1994 SL No. 232 s 7

Giving way at intersections

prov hdg sub reg pubd Gaz 11 September 1976 p 194

s 34 amd reg pubd Gaz 26 December 1975 p 1574; 5 August 1978 pp 1595–1604; 17 February 1979 p 531
sub reg pubd Gaz 7 February 1981 p 362
amd 1995 SL No. 18 s 32

Giving way at roundabouts

s 34A ins reg pubd Gaz 5 August 1978 pp 1595–604
amd 1995 SL No. 18 s 33

Giving way during turns

prov hdg sub reg pubd Gaz 11 September 1976 p 194

s 35 amd reg pubd Gaz 22 January 1966 p 688; 17 February 1979 p 531; 1995 SL No. 18 s 34

Movements to or from parked position

s 36 amd reg pubd Gaz 13 July 1985 pp 1816–17; 1995 SL No. 18 s 35; 1995 SL No. 18 s 35

Priority for omnibuses

- s 36A ins reg pubd Gaz 13 July 1985 pp 1816–17
amd 1995 SL No. 18 s 36

Action when emergency vehicle approaches

- s 37 sub 1994 SL No. 232 s 8
amd 1995 SL No. 18 s 37

Giving way to pilot vehicle escorted vehicles

- s 37A ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1995 SL No. 18 s 38

Entering or leaving a road

- s 38 amd reg pubd Gaz 11 February 1967 p 527; 20 October 1973 pp 944–6
sub reg pubd Gaz 1 October 1988 pp 566–71
amd 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 39

Giving way to restive horses

- s 38A ins reg pubd Gaz 13 March 1982 pp 987–1003
amd 1995 SL No. 18 s 40

Shared zone

- s 38B ins 1993 SL No. 167 s 7
amd 1995 SL No. 18 s 41

Pedestrian crossings

- s 39 amd reg pubd Gaz 5 August 1978 pp 1595–604; 8 March 1980 pp 833–4;
21 January 1984 pp 168–9; 1995 SL No. 18 s 42

Duties of pedestrians

- s 40 amd 1993 SL No. 167 s 8; 1995 SL No. 18 s 43

Restrictions on pedestrians

- s 41 amd reg pubd Gaz 21 January 1984 pp 168–9; 10 May 1986 pp 582–6;
1993 SL No. 167 s 9; 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 44

Walking on carriageways

- s 42 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1993 SL No. 167 s 10; 1994 SL No. 232 s 3 Sch; 1995 SL
No. 18 s 45

Blind pedestrians

- s 42A ins reg pubd Gaz 15 October 1977 p 594
amd reg pubd Gaz 24 June 1978 p 986; 1995 SL No. 18 s 46

Left turns

- s 43 amd reg pubd Gaz 13 March 1982 pp 987–1003; 31 October 1987
pp 852–4; 1995 SL No. 18 s 47

Right turns

- s 44 amd reg pubd Gaz 20 October 1973 pp 944–6; 13 March 1982
pp 987–1003; 10 May 1986 pp 582–6; 1994 SL No. 411 s 2 Sch; 1995
SL No. 18 s 48

Turns by vehicles 7.5 m or more in length

- s 44A** ins reg pubd Gaz 13 March 1982 pp 987–1003
amd 1995 SL No. 18 s 49

Turn right and stop signals

- s 45** amd reg pubd Gaz 27 November 1971 pp 1475–7; 22 June 1974
pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 50

Use of signalling devices

- s 46** amd reg pubd Gaz 21 December 1974 pp 1595–6; 26 July 1980 p 2109;
1995 SL No. 18 s 51

School bus warning devices

- s 46A** ins reg pubd Gaz 6 October 1979 pp 586–7
amd 1995 SL No. 18 s 52

U-turns

- s 47** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1993 SL No. 167 s 11; 1994 SL No. 232 s 9; 1995 SL No. 18
s 53

Stopping and giving way at level crossings

- prov hdg** sub 1994 SL No. 232 s 10(1)
s 48 amd reg pubd Gaz 11 April 1970 p 1400; 1994 SL No. 232 s 10(2)–(3);
1995 SL No. 18 s 54

Safe distance to be kept having regard to speed

- prov hdg** sub 1995 SL No. 18 s 55(1)
s 49 amd 1995 SL No. 18 s 55(2)

Speed limits

- s 50** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 June 1974 p 1220
sub reg pubd Gaz 19 June 1982 p 1619
amd reg pubd Gaz 26 June 1982 p 2065; 22 September 1984 p 409;
20 April 1985 p 2244
sub reg pubd Gaz 25 June 1988 p 2471
amd 1992 SL No. 275 s 4; 1993 SL No. 167 s 12
sub 1993 SL No. 470 s 3
amd 1994 SL No. 275 s 8; 1994 SL No. 411 s 5; 1995 SL No. 18 s 56

Radar detection devices

- s 51** amd reg pubd Gaz 22 June 1974 pp 1116–20
sub reg pubd Gaz 22 December 1990 pp 2287–95
amd 1995 SL No. 18 s 57

Speed of motorcycle with small engine

- s 52** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1995 SL No. 18 s 58

Speed of tractor with sugar cane trailer

- s 52A** ins 1994 SL No. 260 s 4
amd 1995 SL No. 18 s 59

Method of parking vehicles

s 54 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 60

Prohibited standing places

s 55 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20; 21 September 1974 p 290; 29 November 1975 pp 1255–9; 16 February 1980 pp 529–30; 11 October 1980 p 711; 16 January 1982 p 134; 11 August 1984 p 2099; 10 May 1986 pp 582–6; 19 July 1986 pp 2185–9; 1 October 1988 pp 566–71; 1993 SL No. 167 s 13; 1994 SL No. 232 s 11; 1995 SL No. 18 s 61; 1995 SL No. 18 s 61

Restrictions on Standing of Trams

s 56 om 1994 SL No. 232 s 12

Restriction on Parking of Long Vehicles

s 57 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9
om 1994 SL No. 232 s 12

Restriction on driving or standing in emergency lanes

s 57A ins reg pubd Gaz 9 February 1980 p 458
amd 1995 SL No. 18 s 62

PART 12—REGULATED PARKING

Pt hdg sub reg pubd Gaz 10 July 1965 pp 1406–7

Penalties

prov hdg sub 1994 SL No. 232 s 13(1)

s 58 amd reg pubd Gaz 17 November 1962 p 909; 3 August 1963 p 1338; 17 October 1964 p 547; 26 December 1964 p 1810; 3 July 1965 p 1318
sub reg pubd Gaz 10 July 1965 pp 1406–7
amd reg pubd Gaz 21 September 1974 p 290; 11 October 1980 p 711; 16 January 1982 p 134; 11 August 1984 p 2099; 19 July 1986 pp 2185–9; 23 April 1988 p 2363 (exp 30 October 1988); 1993 SL No. 167 s 14; 1994 SL No. 232 s 13(2)
om 1994 SL No. 438 s 4 Sch 4

Facilitation of proof

s 59 sub reg pubd Gaz 10 July 1965 pp 1406–7
amd 1994 SL No. 232 s 14

Provision of Official Traffic Signs in Metered Zones

s 60 om reg pubd Gaz 10 July 1965 pp 1406–7

Penalties, &c.

s 61 om reg pubd Gaz 10 July 1965 pp 1406–7

Declaration of Metered Zones

s 62 om reg pubd Gaz 10 July 1965 pp 1406–7

Prescribed Fixed Hours and Maximum Periods for Metered Parking

s 63 om reg pubd Gaz 10 July 1965 pp 1406–7

Prohibition of Parking in Metered Space beyond the Maximum Period, &c.

s 64 om reg pubd Gaz 10 July 1965 pp 1406–7

Prohibition of Parking of Vehicle during Fixed Hours in Metered Zone elsewhere than in Metered Space, &c.

s 65 om reg pubd Gaz 10 July 1965 pp 1406–7

Requirement to insert Coin in Parking Meter, &c.

s 66 om reg pubd Gaz 10 July 1965 pp 1406–7

Facilitation of Proof

s 67 om reg pubd Gaz 10 July 1965 pp 1406–7

Vehicles must comply with Schedule 1

prov hdg sub 1995 SL No. 18 s 63(1)

s 68 amd reg pubd Gaz 20 October 1973 pp 944–6; 13 March 1982 pp 987–1003; 2 June 1984 pp 1000–4; 31 October 1987 pp 852–4; 22 December 1990 pp 2287–95; 29 June 1991 pp 1285–1305; 1995 SL No. 18 s 63(2)–(6)

Lighting of vehicles

s 69 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 13 March 1982 pp 987–1003; 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 64

Lights on stationary motor vehicles

s 70 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 65

Motor vehicle lamps—general provisions

s 71 amd reg pubd Gaz 16 June 1972 pp 869–72; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 66

Tram Lights

s 72 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9
om 1994 SL No. 232 s 15

Towing of vehicles

s 73 sub 1993 SL No. 470 s 6
amd 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 67

Use of bumper bars for towing

prov hdg ins 1993 SL No. 470 s 2 Sch
s 73A ins reg pubd Gaz 11 April 1970 p 1400
amd 1995 SL No. 18 s 68

Towing conditions

prov hdg sub 1995 SL No. 18 s 69(1)
s 74 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 9 February 1980 p 458; 1995 SL No. 18 s 69(2)–(3)

Restrictions on loading and equipment on vehicles**prov hdg** sub 1995 SL No. 18 s 70(1)**s 75** amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 6 August 1983 pp 2011–13; 1995 SL No. 18 s 70(2)–(4)**Portable warning signs for heavy motor vehicles****prov hdg** ins 1993 SL No. 470 s 2 Sch**s 75A** ins reg pubd Gaz 18 January 1964 pp 162–3

amd reg pubd Gaz 25 April 1964 p 1633; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 71; 1995 SL No. 18 s 71

Unauthorised use of warning signs prohibited**s 75B** ins reg pubd Gaz 1 October 1988 pp 566–71

amd reg pubd Gaz 2 December 1989 pp 2445–7

sub 1992 SL No. 275 s 5

amd 1995 SL No. 18 s 72

Loading exceeding normal carrying capacity of vehicle**s 76** amd 1995 SL No. 18 s 73**Loading to be securely fastened and parallel to sides****s 77** amd reg pubd Gaz 11 February 1967 p 527; 1 October 1988 pp 566–71; 1995 SL No. 18 s 74**Driver to have sufficient view and control****s 78** amd reg pubd Gaz 19 July 1986 pp 2185–9; 1995 SL No. 18 s 75**Drivers must not splash other road users****prov hdg** sub 1995 SL No. 18 s 76(1)**s 79** amd 1995 SL No. 18 s 76(2)**Clean windscreens****s 80** amd 1995 SL No. 18 s 77**Altering silencers****prov hdg** sub 1995 SL No. 18 s 78(1)**s 81** amd 1995 SL No. 18 s 78(2)**Warning device****s 82** amd reg pubd Gaz 1 October 1988 pp 566–71; 1995 SL No. 18 s 79**Restricting certain warning devices****s 83** amd 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 80**Noise from condition, operation or loading of vehicle****s 84** amd 1995 SL No. 18 s 81**Stop engine where necessary****s 85** amd 1995 SL No. 18 s 82**Noisy instruments****s 86** amd 1995 SL No. 18 s 83

Waste oil and grease

s 87 amd 1995 SL No. 18 s 84

Liquefied petroleum gas (LPG) fuelled vehicles

s 87A ins reg pubd Gaz 1 September 1984 pp 75–6
amd 1995 SL No. 18 s 85

Exhaust

s 88 amd reg pubd Gaz 24 October 1970 pp 735–6; 1995 SL No. 18 s 86

Gas emissions

prov hdg ins 1993 SL No. 470 s 7(1)

s 88A ins reg pubd Gaz 27 November 1971 pp 1475–7
amd reg pubd Gaz 16 June 1972 pp 869–72; 29 November 1975
pp 1255–9; 5 August 1978 pp 1595–604; 11 December 1982 p 1734;
1993 SL No. 470 s 7(2)–(3); 1995 SL No. 18 s 87

Requirements for motorcycle drivers and pillions

prov hdg sub 1995 SL No. 18 s 88(1)

s 89 amd reg pubd Gaz 29 November 1975 pp 1255–9; 1995 SL No. 18
s 88(2)–(4)

Hand to be kept on steering gear

s 90 sub 1992 SL No. 400 s 4

amd 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 89

Compulsory wearing of safety helmets

s 90A ins reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7; 5 August 1978
pp 1595–604; 6 August 1983 pp 2011–13
sub reg pubd Gaz 29 June 1991 pp 1285–305
amd 1995 SL No. 18 s 90

Compulsory wearing of seat belts

s 90B ins reg pubd Gaz 27 November 1971 pp 1477–8
amd reg pubd Gaz 20 October 1973 pp 944–6; 22 June 1974 pp 1116–20;
24 September 1983 p 388; 19 July 1986 pp 2185–9; 1994 SL No. 232
ss 16, 3 Sch; 1995 SL No. 18 s 91

Child and infant restraining devices

s 90C ins reg pubd Gaz 5 August 1978 pp 1595–604
sub reg pubd Gaz 29 June 1991 pp 1285–305
amd 1993 SL No. 470 s 8; 1995 SL No. 18 s 92

Wearing of restraints by children

s 90D ins reg pubd Gaz 3 November 1979 pp 964–5
amd reg pubd Gaz 20 April 1985 p 2244; 19 July 1986 pp 2185–9
om reg pubd Gaz 29 June 1991 pp 1285–305

Inspection of vehicles

prov hdg sub 1995 SL No. 18 s 93(1)

s 91 amd 1995 SL No. 18 s 93(2)–(3)

Authorised officer's power to require production of documents

s 92AA ins 1994 SL No. 275 s 9

Evidence—vehicle's weight

prov hdg ins 1993 SL No. 470 s 2 Sch

s 92A ins reg pubd Gaz 23 November 1968 p 1107
amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1995 SL No. 18 s 94

Evidence—date of manufacture

prov hdg ins 1993 SL No. 470 s 2 Sch

s 92B ins reg pubd Gaz 15 November 1969 p 1175
amd reg pubd Gaz 27 November 1971 pp 1477–8

Evidence—Australian Design Rules

prov hdg ins 1993 SL No. 470 s 2 Sch

s 92C ins reg pubd Gaz 15 November 1969 p 1175
amd 1995 SL No. 18 s 95

Riding bicycles, tricycles or power-assisted cycles

prov hdg amd 1994 SL No. 411 s 2 Sch

s 93 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 10 May 1986 pp 582–6; 1 October 1988 pp 566–71; 1994
SL No. 411 s 2 Sch; 1995 SL No. 18 s 96

Towing of bicycles etc.

prov hdg amd 1994 SL No. 411 s 2 Sch

s 94 amd reg pubd Gaz 1 October 1988 pp 566–71; 1994 SL No. 411 s 2 Sch;
1995 SL No. 18 s 97

Riding abreast

s 95 amd reg pubd Gaz 22 December 1962 p 1603
om reg pubd Gaz 13 April 1963 p 1620

Leading animals

s 96 amd 1995 SL No. 18 s 98

Harness of animal drawing a vehicle

s 97 amd 1995 SL No. 18 s 99

Use of unbroken or undomesticated animals

s 98 amd 1995 SL No. 18 s 100

Drive animals off carriageway if practicable

s 99 sub 1995 SL No. 18 s 101

PART 15—PASSING STATIONARY TRAMS AND SAFETY ZONES

Pt hdg om 1994 SL No. 232 s 18

Passing Trams at a Tram Terminus

s 100 om 1994 SL No. 232 s 18

Passing Stationary Trams

s 101 amd reg pubd Gaz 22 June 1974 pp 1116–20
om 1994 SL No. 232 s 18

PART 16—LICENCES**Pt hdg** sub 1994 SL No. 232 s 19**Permits certifying exemption from regulation****s 102** prev s 102 om 1994 SL No. 232 s 18
pres s 102 ins 1994 SL No. 275 s 10
(5)–(7) exp 22 January 1996 (see s 102(7))**Licences—applications****s 103** amd reg pubd Gaz 22 December 1990 pp 2287–95
sub 1994 SL No. 232 s 20**Determining applicant's fitness to hold licence****s 104** sub 1994 SL No. 139 s 5**Licences—decision on application****s 104A** ins 1994 SL No. 232 s 21**Classes of driver's licences****s 105** amd reg pubd Gaz 6 August 1983 pp 2011–13; 29 June 1991 pp 1285–1305**Restrictions on issue of driver's licences****prov hdg** sub 1994 SL No. 139 s 6(1)**s 106** amd reg pubd Gaz 20 December 1969 pp 1775–6; 22 December 1990
pp 2287–95; 29 June 1991 pp 1285–1305; 1992 SL No. 335 s 4; 1994
SL No. 139 s 6(2)–(4); 1994 SL No. 232 s 3 Sch; 1995 SL No. 18 s 102**Testing applicant's fitness to hold driver's licence****s 107** amd 1994 SL No. 232 s 22**Term of licence****prov hdg** ins 1993 SL No. 470 s 2 Sch**s 107A** ins reg pubd Gaz 14 February 1976 p 563
prev s 107A om 1994 SL No. 232 s 23
pres s 107A ins 1994 SL No. 275 s 11**Retesting of applicant after licence cancellation****prov hdg** ins 1993 SL No. 470 s 2 Sch**s 107B** ins reg pubd Gaz 6 August 1983 pp 2011–13
amd reg pubd Gaz 10 December 1988 p 1716; 29 June 1991 pp 1285–1305
om 1994 SL No. 232 s 23**Eligibility conditional on period of holding learner's permit****s 108** amd reg pubd Gaz 14 February 1976 p 563; 5 June 1976 p 833
sub reg pubd Gaz 22 December 1990 pp 2287–95; 1992 SL No. 335 s 5
amd 1994 SL No. 232 s 3 Sch**Exemption from condition of learner's permit period****s 108AA** ins 1992 SL No. 335 s 5**Term of provisional licences****prov hdg** ins 1993 SL No. 470 s 2 Sch**s 108A** ins reg pubd Gaz 20 December 1969 pp 1775–6
amd reg pubd Gaz 3 August 1974 pp 1947–8; 13 March 1982
pp 987–1003; 1 October 1988 pp 566–71; 22 December 1990

pp 2287–95; 29 June 1991 pp 1285–1305; 1994 SL No. 232 s 3 Sch;
1995 SL No. 18 s 103; 1995 SL No. 18 s 103

Allocation of demerit points

s 108B ins reg pubd Gaz 20 December 1969 pp 1775–6
amd reg pubd Gaz 20 October 1973 pp 944–6; 3 August 1974 pp 1947–8
om reg pubd Gaz 3 July 1976 p 1354
ins reg pubd Gaz 29 June 1991 pp 1285–305
amd 1992 SL No. 281 s 3; 1992 SL No. 400 s 5
sub 1994 SL No. 232 s 24
amd 1994 SL No. 411 s 2 Sch

Notice of accumulation of too many demerit points

s 108BA ins 1994 SL No. 232 s 24

Suspension or cancellation of driver's licence on accumulation of demerit points

s 108BB ins 1994 SL No. 232 s 24

Effect of allocation of demerit points to unlicensed persons

s 108BC ins 1994 SL No. 232 s 24

Period when person cannot apply for licence after cancellation

prov hdg ins 1993 SL No. 470 s 2 Sch
s 108C ins reg pubd Gaz 20 December 1969 pp 1775–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
sub reg pubd Gaz 13 March 1982 pp 987–1003
amd reg pubd Gaz 10 December 1988 p 1716
sub reg pubd Gaz 29 June 1991 pp 1285–305
amd 1992 SL No. 116 s 5; 1994 SL No. 139 s 7
sub 1994 SL No. 232 s 24

Section 108C applies even if licence expired

s 108CA ins 1994 SL No. 232 s 24

Appeals against automatic cancellation

s 108D ins reg pubd Gaz 20 December 1969 pp 1775–6
sub reg pubd Gaz 4 September 1971 p 52; 13 March 1982 pp 987–1003
amd reg pubd Gaz 10 December 1988 p 1716
sub reg pubd Gaz 29 June 1991 pp 1285–305
amd 1994 SL No. 232 s 25; 1995 SL No. 18 s 104

Application for licence under s 16B or 20A of the Act

prov hdg ins 1993 SL No. 470 s 2 Sch
s 108E ins reg pubd Gaz 23 February 1985 p 967
sub reg pubd Gaz 1 February 1986 p 409; 1994 SL No. 232 s 26

Application for amendment under s 20B of the Act

prov hdg ins 1993 SL No. 470 s 2 Sch
s 108F ins reg pubd Gaz 14 July 1990 pp 1656–7
sub 1994 SL No. 232 s 26

Application for a provisional licence under s 16B(7) of the Act

s 108G ins 1991 SL No. 198 s 3

om 1994 SL No. 232 s 26

Learner's permit

prov hdg sub 1994 SL No. 411 s 6(1)

s 109 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 14 February 1976 p 563; 13 March 1982 pp 987–1003; 11 December 1982 p 1734; 6 August 1983 pp 2011–13; 1 September 1984 pp 75–6; 1 October 1988 pp 566–71; 22 December 1990 pp 2287–95; 1992 SL No. 335 s 6; 1994 SL No. 232 s 3 Sch; 1994 SL No. 411 s 6(2); 1995 SL No. 18 s 105

Driver's licences issued outside Queensland

prov hdg sub 1995 SL No. 18 s 106(1)

s 110 amd reg pubd Gaz 21 September 1968 p 209; 20 December 1969 pp 1775–6; 3 August 1974 pp 1947–8; 9 February 1980 p 458; 1 October 1988 pp 566–71; 22 December 1990 pp 2287–95; 1994 SL No. 232 s 27; 1995 SL No. 18 s 106(2)–(3)

Production of driver's licences issued outside Queensland

s 110A ins reg pubd Gaz 9 February 1980 p 458; 29 June 1991 pp 1285–1305
sub 1995 SL No. 18 s 107

Issue of licence without prescribed test

s 111 amd reg pubd Gaz 20 December 1969 pp 1775–6; 3 August 1974 pp 1947–8; 1995 SL No. 18 s 108

Retesting driver

s 112 om 1994 SL No. 139 s 8

Motorman and Conductor to obtain License

s 113 om reg pubd Gaz 13 April 1963 p 1620

Motorman's and Conductor's Licenses not to be issued in Certain Cases

s 114 om reg pubd Gaz 13 April 1963 p 1620

Signature by licensee on licence

s 115 amd reg pubd Gaz 22 December 1990 pp 2287–95; 1994 SL No. 139 s 9; 1995 SL No. 18 s 109

Conditions of licences

s 116 amd reg pubd Gaz 29 June 1991 pp 1285–305
sub 1994 SL No. 139 s 10

Amendment of conditions

s 117 sub reg pubd Gaz 22 December 1990 pp 2287–95; 1994 SL No. 139 s 11
amd 1994 SL No. 232 s 28

Return of licence for alteration

s 117AA ins 1994 SL No. 139 s 11

Restriction concerning licensed motor trucks and articulated vehicles

s 117A ins reg pubd Gaz 28 August 1982 p 2871
amd reg pubd Gaz 29 June 1991 pp 1285–305; 1994 SL No. 232 s 3 Sch; 1995 SL No. 18 s 110

Disabled person parking permit

- s 118** prev s 118 om 1994 SL No. 232 s 29
pres s 118 ins 1994 SL No. 299 s 4

Itinerant Vendor to Obtain License

- s 119** om 1994 SL No. 232 s 29

- s 120** om 1994 SL No. 232 s 29

Permit required to act as an Itinerant Musician

- s 121** om 1994 SL No. 232 s 29

Amplification or reproduction of words, music etc.

- s 122** amd 1994 SL No. 232 s 3 Sch; 1995 SL No. 18 s 111

Meetings

- s 123** amd reg pubd Gaz 6 November 1967 p 903
om 1993 SL No. 16 s 3

Permit required for Procession

- s 124** amd reg pubd Gaz 6 November 1967 p 903; 22 June 1974 pp 1116–20;
29 November 1975 pp 1255–9
om 1993 SL No. 16 s 3

Funeral processions

- s 125** amd 1995 SL No. 18 s 112

Advertising, placards, handbills etc.

- s 126** amd reg pubd Gaz 6 November 1967 p 903
sub reg pubd Gaz 22 October 1983 p 742
amd 1995 SL No. 18 s 113

- s 126A** ins reg pubd Gaz 6 November 1967 p 903
om 1993 SL No. 16 s 4

Carrying signs on roads

- prov hdg** ins 1993 SL No. 470 s 2 Sch

- s 126B** ins reg pubd Gaz 6 November 1967 p 903
amd reg pubd Gaz 17 May 1969 p 309; 22 June 1974 pp 1116–20;
29 November 1975 pp 1255–9; 26 May 1979 p 706; 1994 SL No. 232
s 3 Sch; 1995 SL No. 18 s 114

Reconsideration of decision by District Superintendent of Traffic

- s 127** amd reg pubd Gaz 18 September 1977 p 239
om 1994 SL No. 139 s 12

Duration and renewal of licence

- 128** amd reg pubd Gaz 22 December 1990 pp 2287–95

License to be Carried and/or Produced

- s 129** om reg pubd Gaz 3 February 1968 p 556

Destruction or mutilation of licence

- s 130** amd 1995 SL No. 18 s 115

Licence lost, stolen, etc.

- s 131** amd reg pubd Gaz 14 February 1976 p 563; 29 June 1991 pp 1285–1305; 1994 SL No. 275 s 12; 1995 SL No. 18 s 116

Grounds for suspension or cancellation

- s 134** amd reg pubd Gaz 2 March 1968 p 903; 29 June 1991 pp 1285–1305
sub 1994 SL No. 139 s 13

Procedure for suspension or cancellation

- s 134A** ins reg pubd Gaz 22 July 1967 p 1351
sub reg pubd Gaz 27 November 1971 pp 1475–7; 29 June 1991
pp 1285–1305; 1994 SL No. 139 s 13
amd 1994 SL No. 232 s 30

Return of suspended or cancelled licence

- s 134B** ins 1994 SL No. 139 s 13

Reconsideration of decision by chief executive or Commissioner

- s 134C** ins 1994 SL No. 139 s 13
amd 1994 SL No. 411 s 2 Sch

Effect of cancellation or suspension of licence

- s 135** amd reg pubd Gaz 22 December 1990 pp 2287–95; 29 June 1991
pp 1285–1305; 1994 SL No. 139 s 14

Seizure of licences

- prov hdg** sub 1994 SL No. 139 s 15(1)
s 136 amd 1994 SL No. 139 s 15(2)–(3)

Codes on driver's licences

- prov hdg** sub 1995 SL No. 18 s 117(1)
s 137 sub reg pubd Gaz 29 June 1991 pp 1285–305
amd 1994 SL No. 139 s 16; 1994 SL No. 232 s 3 Sch; 1995 SL No. 18
s 117(2)

Change of name or address

- s 138** amd reg pubd Gaz 22 December 1990 pp 2287–95; 1994 SL No. 275 s 13;
1995 SL No. 18 s 118

Licensee to attend when notified

- s 139** amd 1995 SL No. 18 s 119

PART 17—TRAFFIC OFFENCES

- Pt hdg** sub reg pubd Gaz 7 August 1965 pp 1825–6
om 1994 SL No. 438 s 4 Sch 4

Traffic offence penalties

- prov hdg** om reg pubd Gaz 7 August 1965 pp 1825–6
ins 1993 SL No. 470 s 10(1)
s 140 amd reg pubd Gaz 10 July 1965 pp 1406–7
sub reg pubd Gaz 7 August 1965 pp 1825–6
amd reg pubd Gaz 20 December 1969 pp 1775–6; 19 December 1970
p 1557; 27 November 1971 pp 1477–8; 22 June 1974 pp 1116–20;
21 September 1974 p 290; 21 December 1974 pp 1595–6; 24 May 1975
p 660; 3 July 1976 p 1354; 5 August 1978 pp 1595–604; 11 October

1980 p 711; 1 November 1980 p 1046; 20 December 1980 p 1613
 sub reg pubd Gaz 22 August 1981 p 2647
 amd reg pubd Gaz 16 January 1982 p 134; 11 December 1982 p 1734;
 6 August 1983 pp 2011–13; 5 May 1984 p 174; 11 August 1984 p 2099;
 1 September 1984 pp 75–6
 sub reg pubd Gaz 22 September 1984 pp 410–13
 amd reg pubd Gaz 13 July 1985 pp 1816–17; 24 August 1985 p 2482;
 1 February 1986 pp 406–8; 10 May 1986 pp 582–6; 19 July 1986
 pp 2185–9; 20 December 1986 p 2423; 21 November 1987 pp 1134–6; 1
 October 1988 pp 566–71; 22 December 1990 pp 2287–95; 20 April 1991
 pp 2567–9; 29 June 1991 pp 1285–1305; 1992 SL No. 400 s 6; 1993 SL
 No. 167 s 15; 1993 SL No. 470 s 10(2); 1994 SL No. 139 s 17; 1994 SL
 No. 232 s 31; 1994 SL No. 411 s 2 Sch
 om 1994 SL No. 438 s 4 Sch 4

Notice of alleged offence

s 141 amd reg pubd Gaz 22 December 1962 p 1603; 10 July 1965 pp 1406–7
 sub reg pubd Gaz 7 August 1965 pp 1825–6
 om 1994 SL No. 438 s 4 Sch 4

References to Act for s 140

prov hdg om reg pubd Gaz 7 August 1965 pp 1825–6
 ins 1993 SL No. 470 s 2 Sch
s 142 sub reg pubd Gaz 7 August 1965 pp 1825–6
 amd reg pubd Gaz 26 May 1979 p 705; 18 August 1979 p 2059; 29 June
 1991 pp 1285–1305; 1994 SL No. 232 s 3 Sch
 om 1994 SL No. 438 s 4 Sch 4

PART 17A—OFFENCES DEALT WITH UNDER S 16B OF THE ACT

Pt hdg ins 1991 SL No. 198 s 4

Prescribed penalties etc. for offences dealt with under s 16B of the Act

s 142A ins 1991 SL No. 198 s 4
 amd 1994 SL No. 232 s 32

Prescribed circumstances for withdrawal of a notice

s 142B ins 1991 SL No. 198 s 4
 amd 1995 SL No. 18 s 120

Leaving motor vehicles unattended

s 143 amd 1995 SL No. 18 s 121

Drivers must not obstruct other traffic

prov hdg sub 1995 SL No. 18 s 122(1)
s 144 amd reg pubd Gaz 26 May 1979 p 706; 1995 SL No. 18 s 122(2)

Drinking alcohol from container while driving

s 144A ins reg pubd Gaz 6 August 1983 pp 2011–13
 amd 1995 SL No. 18 s 123

Brisbane city driving restrictions

prov hdg ins 1993 SL No. 470 s 2 Sch
s 144B ins reg pubd Gaz 24 August 1985 p 2482
 amd 1995 SL No. 18 s 124

SCHEDULE TO SECTION 144B

ins reg pubd Gaz 24 August 1985 p 2482

Attracting Crowd

s 145 om 1994 SL No. 232 s 3 Sch

Opening doors and alighting from vehicles

s 146 amd reg pubd Gaz 5 August 1978 pp 1595–604; 1995 SL No. 18 s 125

Persons must not solicit from roads

prov hdg sub 1995 SL No. 18 s 126(1)

s 147 amd 1994 SL No. 232 s 3 Sch; 1995 SL No. 18 s 126(2)–(3)

Casting or throwing things upon roads

s 148 amd 1995 SL No. 18 s 127

Interference or damage to roads

s 149 amd 1995 SL No. 18 s 128

Painting or construction on carriageways prohibited

prov hdg ins 1993 SL No. 470 s 2 Sch

s 149A ins reg pubd Gaz 13 March 1982 pp 987–1003

amd 1995 SL No. 18 s 129

Removal of things falling on road

s 150 sub 1995 SL No. 18 s 130

Goods and other obstructions upon road

s 151 amd 1995 SL No. 18 s 131

Dangerous objects on roadss 152 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1995 SL No. 18 s 132**Entering and leaving moving vehicles**

s 153 sub 1995 SL No. 18 s 133

Passengers upon omnibuses

s 154 amd reg pubd Gaz 5 August 1978 pp 1595–604; 1995 SL No. 18 s 134

Passengers upon tramcars

s 155 om 1995 SL No. 18 s 135

Passenger not to be carried outside vehicle

s 156 amd 1995 SL No. 18 s 136; 1995 SL No. 18 s 136

Driving abreast

s 157 sub reg pubd Gaz 13 April 1963 p 1620

amd 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 137

Driving backwards

s 158 amd 1995 SL No. 18 s 138

Driving on footway or reservations 159 amd reg pubd Gaz 6 August 1983 pp 2011–13; 31 October 1987 pp 852–4;
1992 SL No. 400 s 7; 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 139

Use of segregated footways, shared footways, bicycle paths and bicycle lanes by bicycles etc.**prov hdg** sub 1994 SL No. 411 s 2 Sch**s 159A** ins reg pubd Gaz 10 May 1986 pp 582–6
amd 1994 SL No. 411 s 2 Sch; 1995 SL No. 18 s 140; 1995 SL No. 18 s 140**Use of wheelchairs****prov hdg** ins 1994 SL No. 411 s 7(1)**s 159B** ins reg pubd Gaz 19 July 1986 pp 2185–9
amd 1994 SL No. 411 s 7(2); 1995 SL No. 18 s 141**Safety helmets for users of bicycles etc.****prov hdg** amd 1994 SL No. 411 s 2 Sch**s 159C** ins reg pubd Gaz 29 June 1991 pp 1285–305
amd 1992 SL No. 400 s 8; 1993 SL No. 251 s 3; 1994 SL No. 411 s 2 Sch;
1995 SL No. 18 s 142**Limitation on use of bicycles, tricycles, power-assisted cycles, toy vehicles or wheelchairs****s 159D** ins 1993 SL No. 470 s 11
sub 1994 SL No. 411 s 8
amd 1995 SL No. 18 s 143**Riding in trailers****s 160** sub reg pubd Gaz 5 August 1978 pp 1595–604
amd 1995 SL No. 18 s 144**Car minders****s 162** amd 1995 SL No. 18 s 145**Queues****s 163** amd 1995 SL No. 18 s 146**School patrols for supervisors****s 164** amd reg pubd Gaz 25 May 1963 p 482; 10 July 1965 pp 1406–7
sub reg pubd Gaz 8 March 1980 pp 833–4; 21 January 1984 pp 168–9
amd reg pubd Gaz 29 June 1991 pp 1285–305; 1994 SL No. 232 s 3 Sch;
1995 SL No. 18 s 147**Public Stands and Stopping Places****s 165** amd reg pubd Gaz 10 July 1965 pp 1406–7
om 1994 SL No. 232 s 33**Seizure, removal etc. of stalls, goods etc. upon roads****s 167** amd 1995 SL No. 18 s 148**Delegation to sign documents****s 169** amd reg pubd Gaz 10 July 1965 pp 1406–7; 22 December 1990
pp 2287–95; 29 June 1991 pp 1285–1305
sub 1994 SL No. 232 s 3 Sch**Prescribed places of courts and training programs****s 170A** ins reg pubd Gaz 26 June 1982 p 2065

amd reg pubd Gaz 17 July 1982 p 2359
 sub reg pubd Gaz 24 September 1983 pp 389–90
 amd reg pubd Gaz 22 December 1990 pp 2287–95; 1992 SL No. 423 s 3

SCHEDULE TO SECTION 170A

ins reg pubd Gaz 26 June 1982 p 2065
 sub reg pubd Gaz 24 September 1983 pp 389–90
 amd 1992 SL No. 423 s 4

Caution Notice

s 171 om reg pubd Gaz 7 August 1965 pp 1825–6

Fees

s 172 amd reg pubd Gaz 13 April 1963 p 1620; 13 April 1963 p 1620;
 6 November 1967 p 903; 18 October 1975 p 591; 15 November 1975
 p 1109; 14 February 1976 p 563; 3 June 1978 p 734; 3 June 1978
 pp 734–5; 8 September 1979 p 185; 8 September 1979 p 186;
 16 August 1980 p 2359; 16 August 1980 p 2359; 22 August 1981
 p 2646; 22 August 1981 p 2646; 28 August 1982 p 2871; 28 August
 1982 p 2872; 20 August 1983 p 2223; 20 August 1983 p 2225;
 1 September 1984 p 71; 1 September 1984 p 74; 6 July 1985 p 1733; 31
 August 1985 p 2594; 31 August 1985 p 2595; 31 May 1986 p 1021; 14
 June 1986 p 1303; 14 June 1986 p 1304; 6 December 1986 pp 2022–9;
 3 October 1987 pp 419–20; 3 October 1987 p 420; 30 July 1988 p 3229;
 1 October 1988 pp 564–5; 1 October 1988 p 565; 3 June 1989 p 694; 2
 September 1989 pp 63–4; 30 June 1990 pp 1154–5; 8 December 1990
 pp 1663–7; 1 June 1991 pp 579–81; 1992 SL No. 139 s 4
 om 1994 SL No. 275 s 14

PART 19—BREATH ANALYSING INSTRUMENTS AND SPECIMENS OF BLOOD FOR LABORATORY TESTS

Pt hdg ins reg pubd Gaz 6 July 1968 pp 1121–2
 sub reg pubd Gaz 3 August 1974 pp 1947–8

Definitions

prov hdg ins 1994 SL No. 232 s 34
s 173 ins reg pubd Gaz 6 July 1968 pp 1121–2
 sub reg pubd Gaz 3 August 1974 pp 1947–8

Testing breath analysing instruments

prov hdg ins 1993 SL No. 470 s 2 Sch
s 174 ins reg pubd Gaz 6 July 1968 pp 1121–2
 amd reg pubd Gaz 22 June 1974 pp 1116–20
 sub reg pubd Gaz 3 August 1974 pp 1947–8
 amd reg pubd Gaz 17 September 1988 p 291; 1995 SL No. 18 s 149

Evidence—breath analysing instruments

prov hdg ins 1993 SL No. 470 s 2 Sch
s 175 ins reg pubd Gaz 6 July 1968 pp 1121–2
 amd reg pubd Gaz 22 June 1974 pp 1116–20
 sub reg pubd Gaz 3 August 1974 pp 1947–8
 amd reg pubd Gaz 24 May 1975 p 660

- s 175A** ins reg pubd Gaz 15 November 1969 p 1175
amd reg pubd Gaz 22 June 1974 pp 1116–20

Evidence—reagent ampoules

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 176 ins reg pubd Gaz 6 July 1968 pp 1121–2
sub reg pubd Gaz 3 August 1974 pp 1947–8

Evidence—police officers

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 177 ins reg pubd Gaz 6 July 1968 pp 1121–2
sub reg pubd Gaz 3 August 1974 pp 1947–8
s 177A ins reg pubd Gaz 15 November 1969 p 1175
om reg pubd Gaz 3 August 1974 pp 1947–8

Blood specimens

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 178 ins reg pubd Gaz 6 July 1968 pp 1121–2
amd reg pubd Gaz 15 November 1969 p 1175; 9 September 1972 p 176
sub reg pubd Gaz 5 May 1973 p 112
sub reg pubd Gaz 3 August 1974 pp 1947–8
amd reg pubd Gaz 2 February 1980 p 347; 1994 SL No. 232 s 35

Evidence—certificates about breath and blood specimens

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 178A ins reg pubd Gaz 5 May 1973 p 112
om reg pubd Gaz 3 August 1974 pp 1947–8
ins reg pubd Gaz 5 August 1978 pp 1595–604

Evidence—certificates

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 178B ins reg pubd Gaz 5 August 1978 pp 1595–604

Evidence—authority to operate breath analysing instrument

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 179 ins reg pubd Gaz 6 July 1968 pp 1121–2
sub reg pubd Gaz 3 August 1974 pp 1947–8

Failure to comply with Part

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 180 ins reg pubd Gaz 6 July 1968 pp 1121–2
sub reg pubd Gaz 3 August 1974 pp 1947–8

Dealing with blood specimens

- prov hdg** ins 1993 SL No. 470 s 2 Sch
s 181 ins reg pubd Gaz 3 August 1974 pp 1947–8

Medical exemption from breath test

- s 182** ins reg pubd Gaz 3 August 1974 pp 1947–8
sub reg pubd Gaz 22 December 1990 pp 2287–95; 1994 SL No. 232 s 36

Delivery of blood or urine specimens

- s 183** prev s 183 ins reg pubd Gaz 9 February 1980 p 458

om reg pubd Gaz 1 October 1988 pp 566–71
pres s 183 ins 1994 SL No. 232 s 37

PART 20—FREEWAYS

Pt hdg ins reg pubd Gaz 9 February 1980 p 458

Animals on freeway

prov hdg ins 1993 SL No. 470 s 2 Sch

s 184 ins reg pubd Gaz 9 February 1980 p 458
amd 1995 SL No. 18 s 150

PART 21—VEHICLE DIMENSIONS—EXCEEDING PRESCRIBED LIMITS

Pt hdg ins reg pubd Gaz 6 December 1986 pp 2022–9
sub reg pubd Gaz 2 December 1989 pp 2445–7

Division 1—Over dimension vehicles

Div hdg ins 1994 SL No. 275 s 15

Over dimension vehicles—use on roads

s 185 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1992 SL No. 275 s 6
ins 1993 SL No. 470 s 12
sub 1994 SL No. 275 s 15

Performance guidelines

s 185A ins 1994 SL No. 275 s 15

Division 2—Excess dimension vehicles

Div hdg ins 1994 SL No. 275 s 15

Applications for pilot vehicle licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 186 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1994 SL No. 139 s 18
om 1994 SL No. 232 s 3 Sch

Requirements for grant of pilot vehicle licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 187 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1994 SL No. 411 s 9; 1995 SL No. 18 s 151

Requirements for grant of pilot vehicle driver's licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 188 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd reg pubd Gaz 31 October 1987 pp 852–4; 1 October 1988 pp 566–71;
1992 SL No. 275 s 7; 1994 SL No. 411 s 10; 1995 SL No. 18 s 152

Term of pilot licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 189 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1995 SL No. 18 s 153

Who can operate pilot vehicles

prov hdg ins 1993 SL No. 470 s 2 Sch

s 190 ins reg pubd Gaz 6 December 1986 pp 2022–9

amd reg pubd Gaz 31 October 1987 pp 852–4; 1992 SL No. 275 s 8; 1994 SL No. 232 s 3 Sch; 1994 SL No. 411 s 11; 1995 SL No. 18 s 154

s 191 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1992 SL No. 275 s 9

Operation of pilot vehicles

prov hdg ins 1993 SL No. 470 s 2 Sch

s 192 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1992 SL No. 275 s 10; 1995 SL No. 18 s 155

Return of pilot vehicle driver's licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 193 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1994 SL No. 411 s 12; 1995 SL No. 18 s 156

Cancellation or suspension of pilot licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 194 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1994 SL No. 275 s 16

Cancellation or suspension—show cause procedure

prov hdg ins 1993 SL No. 470 s 2 Sch

s 195 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1994 SL No. 275 s 16

Change of licensee's name or address

prov hdg ins 1993 SL No. 470 s 2 Sch

s 196 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1994 SL No. 275 s 16

Surrender of pilot licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 197 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1994 SL No. 275 s 16

Production of pilot vehicle driver's licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 198 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1994 SL No. 275 s 16

Defacing pilot licences prohibited

prov hdg ins 1993 SL No. 470 s 2 Sch

s 199 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1994 SL No. 275 s 16

Duplicate pilot licences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 200 ins reg pubd Gaz 6 December 1986 pp 2022–9
om 1994 SL No. 275 s 16

Expired pilot licences must be returned

prov hdg ins 1993 SL No. 470 s 2 Sch

s 201 ins reg pubd Gaz 6 December 1986 pp 2022–9

om 1994 SL No. 275 s 16

Removal of pilot vehicle markings

prov hdg ins 1993 SL No. 470 s 2 Sch

s 202 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1995 SL No. 18 s 157

Pilot vehicle escort record

s 203 ins reg pubd Gaz 6 December 1986 pp 2022–9
sub 1992 SL No. 275 s 11
amd 1995 SL No. 18 s 158

Offences

prov hdg ins 1993 SL No. 470 s 2 Sch

s 204 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd 1994 SL No. 275 s 17
om 1995 SL No. 18 s 159

Carrying indivisible articles

prov hdg ins 1993 SL No. 470 s 2 Sch

s 205 ins reg pubd Gaz 6 December 1986 pp 2022–9
amd reg pubd Gaz 31 October 1987 pp 852–4; 1992 SL No. 275 s 12;
1994 SL No. 232 s 3 Sch; 1995 SL No. 18 s 160

Application of ss 205B-E

s 205A ins 1992 SL No. 275 s 13

Requirements for an excess dimension vehicle being escorted

s 205B ins 1992 SL No. 275 s 13
amd 1995 SL No. 18 s 161

Times that excess dimension vehicles may be driven

s 205C ins 1992 SL No. 275 s 13
amd 1995 SL No. 18 s 162

Requirements for excess dimension vehicle being driven out of daylight hours

s 205D ins 1992 SL No. 275 s 13
amd 1995 SL No. 18 s 163

Restrictions on driving an excess dimension vehicle in certain areas

s 205E ins 1992 SL No. 275 s 13
amd 1995 SL No. 18 s 164

Agricultural implements

s 206 ins reg pubd Gaz 2 December 1989 pp 2445–7
amd 1992 SL No. 275 s 14; 1994 SL No. 232 s 3 Sch; 1994 SL No. 260
s 12

SCHEDULE A—SCHEDULE TO REGULATION 206

ins reg pubd Gaz 22 December 1990 pp 2287–95
om 1994 SL No. 232 s 41

PART 22—CAMERA-DETECTED OFFENCES

Pt hdg ins reg pubd Gaz 8 December 1990 pp 1663–7

Division 1—Traffic control light offences**Div hdg** ins reg pubd Gaz 8 December 1990 pp 1663–7**Prescribed offence—traffic control light****prov hdg** ins 1993 SL No. 294 s 3**s 207** ins reg pubd Gaz 8 December 1990 pp 1663–7**Notice under s 44R of the Act****prov hdg** ins 1993 SL No. 294 s 4**s 208** ins reg pubd Gaz 8 December 1990 pp 1663–7
sub 1994 SL No. 232 s 38**Division 2—Evidentiary matters****Div hdg** ins reg pubd Gaz 8 December 1990 pp 1663–7
sub 1993 SL No. 294 s 5**Operation and testing of photographic detection device—traffic lights****prov hdg** ins 1993 SL No. 294 s 6(1)**s 209** ins reg pubd Gaz 8 December 1990 pp 1663–7
amd reg pubd Gaz 29 June 1991 pp 1285–305; 1993 SL No. 294 s 6(2);
1994 SL No. 232 s 39**Denotations in data block****s 210** ins 1993 SL No. 294 s 7
om 1994 SL No. 232 s 40**SCHEDULE 1—SCHEDULE TO PART 13**

relocated 1994 SL No. 232 s 17(12)

Sch hdg sub 1994 SL No. 232 s 17(1); 1995 SL No. 18 s 2 Sch**Vehicles must comply with Schedule****prov hdg** ins 1995 SL No. 18 s 2 Sch**s 1** amd 1994 SL No. 232 s 17(2)**Optional equipment must comply with Schedule****s 2 prov hdg** ins 1995 SL No. 18 s 2 Sch**Unauthorised lamps****s 3 prov hdg** ins 1995 SL No. 18 s 2 Sch**Compliance with other laws****s 4 prov hdg** ins 1995 SL No. 18 s 2 Sch**Modification of vehicles for drivers with physical disabilities****prov hdg** ins 1995 SL No. 18 s 2 Sch**s 5** amd 1994 SL No. 232 s 17(3)**Removal of equipment required by ADRs****prov hdg** ins 1995 SL No. 18 s 2 Sch**s 5A** ins reg pubd Gaz 27 November 1971 pp 1475–7**Headlamps and parking lamps—certain motor vehicles****prov hdg** sub 1995 SL No. 18 s 2 Sch**s 6** sub reg pubd Gaz 18 January 1964 pp 162–3
amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975

pp 1255–9

Headlamps and parking lamps—motorcycles

prov hdg ins 1995 SL No. 18 s 2 Sch

s 7 sub reg pubd Gaz 18 January 1964 pp 162–3
amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Headlamps and parking lamps—3-wheeled vehicles

prov hdg ins 1995 SL No. 18 s 2 Sch

s 8 sub reg pubd Gaz 18 January 1964 pp 162–3
amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Rear lamps

prov hdg sub 1995 SL No. 18 s 2 Sch

s 9 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20;
29 November 1975 pp 1255–9
sub 1994 SL No. 260 s 5

Number plate lamps

prov hdg ins 1995 SL No. 18 s 2 Sch

s 10 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20;
29 November 1975 pp 1255–9; 1994 SL No. 260 s 6

Clearance and side marker lamps—certain motor vehicles

prov hdg sub 1995 SL No. 18 s 2 Sch

s 11 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Clearance and side marker lamps—articulated vehicles

prov hdg ins 1995 SL No. 18 s 2 Sch

s 12 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Clearance and side marker lamps and reflectors—certain trailers

prov hdg ins 1995 SL No. 18 s 2 Sch

s 13 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1994 SL No. 260 s 7

Clearance and side marker lamps and reflectors—pole-type trailers

prov hdg ins 1995 SL No. 18 s 2 Sch

s 14 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

**Clearance and side marker lamps and reflectors—motor vehicles hauling
pole-type trailers**

s 15 prov hdg ins 1995 SL No. 18 s 2 Sch

Table D—Brake lamps

s 16 om 1995 SL No. 18 s 2 Sch

Brake lamps

prov hdg ins 1995 SL No. 18 s 2 Sch

s 17 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1994 SL No. 260 s 8; 1995 SL No. 18 s 2 Sch

Rear reflectors

prov hdg sub 1995 SL No. 18 s 2 Sch

s 18 amd 1994 SL No. 260 s 9

Flashing warning lights

s 18A ins reg pubd Gaz 11 April 1970 p 1400

amd reg pubd Gaz 22 June 1974 pp 1116–20; 21 December 1974 pp 1595–6; 29 November 1975 pp 1255–9

sub 1993 SL No. 470 s 9(1)

amd 1994 SL No. 260 s 10

School buses—flashing warning lamps and signs

prov hdg ins 1995 SL No. 18 s 2 Sch

s 18B ins reg pubd Gaz 6 October 1979 pp 586–7

Headlamps other than alternative headlamps

prov hdg sub 1995 SL No. 18 s 2 Sch

s 19 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

Headlamps without dipping devices

prov hdg ins 1995 SL No. 18 s 2 Sch

s 20 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

Table B—Alternative headlamps

s 21 om 1995 SL No. 18 s 2 Sch

Alternative headlamps requirements

prov hdg ins 1995 SL No. 18 s 2 Sch

s 22 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

Parking lamps

prov hdg sub 1995 SL No. 18 s 2 Sch

s 22A ins reg pubd Gaz 18 January 1964 pp 162–3

sub reg pubd Gaz 11 December 1965 p 1413; 27 November 1971 pp 1475–7

amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

Rear lamps

s 23 prov hdg sub 1995 SL No. 18 s 2 Sch

Clearance and side marker lamps and reflectors—colours

prov hdg sub 1995 SL No. 18 s 2 Sch

s 24 amd 1993 SL No. 470 s 9(2)

Clearance and side marker lamps and reflectors—mounting

prov hdg ins 1995 SL No. 18 s 2 Sch

s 25 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975

pp 1255–9

Alternative clearance lamps

s 26 prov hdg ins 1995 SL No. 18 s 2 Sch

Clearance and side marker lamps—power rating

prov hdg ins 1995 SL No. 18 s 2 Sch

s 27 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20;
29 November 1975 pp 1255–9

Combined clearance and side marker lamps

s 28 prov hdg ins 1995 SL No. 18 s 2 Sch

Reflectors

prov hdg ins 1995 SL No. 18 s 2 Sch

s 29 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Reflectors on bolsters

prov hdg ins 1995 SL No. 18 s 2 Sch

s 30 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Brake lamps

prov hdg sub 1995 SL No. 18 s 2 Sch

s 31 amd reg pubd Gaz 22 December 1962 p 1603; 22 June 1974 pp 1116–20;
29 November 1975 pp 1255–9; 19 July 1986 pp 2185–9

Rear reflectors

s 32 prov hdg sub 1995 SL No. 18 s 2 Sch

Wiring of lamps

prov hdg sub 1995 SL No. 18 s 2 Sch

s 33 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Prevention of glare

s 34 prov hdg ins 1995 SL No. 18 s 2 Sch

Approval of additional lamps and reflectors

prov hdg ins 1995 SL No. 18 s 2 Sch

s 35 amd 1994 SL No. 232 s 17(3)

Optional rearward facing lamps and reflectors

s 36 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 19 July 1986 pp 2185–9

Reversing Signal Lamps

s 36A ins reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

Signalling devices

s 39 prov hdg ins 1995 SL No. 18 s 2 Sch

Illuminated roof mounted signs

s 39A ins reg pubd Gaz 13 April 1991 pp 2241–2

amd 1994 SL No. 232 s 17(4)

Fog lamps

s 40 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

Additional headlamps

s 42 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

Flashing warning lights for emergency vehicles

prov hdg sub 1994 SL No. 232 s 17(5)

s 42A ins reg pubd Gaz 11 April 1970 p 1400

amd reg pubd Gaz 22 June 1974 pp 1116–20; 21 December 1974 pp 1595–6; 29 November 1975 pp 1255–9; 1994 SL No. 232 s 17(6)

Use of noncomplying vehicles on roads

s 43 amd 1994 SL No. 232 s 17(2)

sub 1994 SL No. 275 s 18(1)

Length—motor vehicles

s 44 amd reg pubd Gaz 25 September 1965 p 392; 27 November 1971 pp 1475–7; 22 June 1974 pp 1116–20

sub reg pubd Gaz 18 December 1976 p 1681; 11 March 1978 p 1032; 10 October 1981 pp 625–6

amd reg pubd Gaz 2 May 1987 pp 196–7

sub 1993 SL No. 470 s 9(3); 1994 SL No. 275 s 18(1)

Length—trailers

s 44A ins 1993 SL No. 470 s 9(3)

Length—rear overhang

s 44B ins 1993 SL No. 470 s 9(3)

amd 1994 SL No. 275 s 18(2)–(3)

Length—trailer drawbars

s 44C ins 1993 SL No. 470 s 9(3)

Width

s 45 sub reg pubd Gaz 28 August 1965 p 2041

amd reg pubd Gaz 26 April 1969 p 1517; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

sub 1993 SL No. 470 s 9(3)

Height

s 46 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9

sub 1993 SL No. 470 s 9(3)

Height—ground clearance

s 46A ins 1993 SL No. 470 s 9(3)

Trailer coupling requirements

s 47 prov hdg sub 1995 SL No. 18 s 2 Sch

Ball coupling requirements**prov hdg** ins 1995 SL No. 18 s 2 Sch

- s 47A** prev s 47A renum as s 47B reg pubd Gaz 24 October 1970 pp 735–6
 pres s 47A ins reg pubd Gaz 24 October 1970 pp 735–6
 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
 pp 1255–9

Safety connections on trailers

- s 47B** pres s 47B (prev s 47A) ins reg pubd Gaz 18 January 1964 pp 162–3
 renum reg pubd Gaz 24 October 1970 pp 735–6

Weight and dimensions of trailers**prov hdg** ins 1995 SL No. 18 s 2 Sch

- s 48** amd reg pubd Gaz 31 October 1987 pp 852–4

PART 3—GROUND CLEARANCE**Pt hdg** om R1 (see RA s 37)

- s 49** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
 pp 1255–9
 om 1993 SL No. 470 s 9(4)

- s 50** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
 pp 1255–9
 om 1993 SL No. 470 s 9(4)

- s 51** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
 pp 1255–9
 om 1993 SL No. 470 s 9(4)

Application of Division

- s 52 prov hdg** ins 1995 SL No. 18 s 2 Sch

Mudguards

- s 53 prov hdg** ins 1995 SL No. 18 s 2 Sch

When mudguards not required

- s 54 prov hdg** ins 1995 SL No. 18 s 2 Sch

Mudguard requirements**prov hdg** ins 1995 SL No. 18 s 2 Sch

- s 55** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
 pp 1255–9

Mudguard markings**prov hdg** ins 1995 SL No. 18 s 2 Sch

- s 56** amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
 pp 1255–9

Brakes—certain vehicles**prov hdg** ins 1995 SL No. 18 s 2 Sch

- s 57** amd reg pubd Gaz 27 November 1971 pp 1475–7; 22 June 1974
 pp 1116–20

Brakes—trailers

prov hdg ins 1995 SL No. 18 s 2 Sch

s 58 amd reg pubd Gaz 22 June 1974 pp 1116–20; 1994 SL No. 260 s 11; 1995 SL No. 18 s 2 Sch

Brakes—motorcycles

s 59 prov hdg ins 1995 SL No. 18 s 2 Sch

Brakes—adjusting devices

s 60 prov hdg ins 1995 SL No. 18 s 2 Sch

Brakes—prevention of mechanical damage

s 61 prov hdg ins 1995 SL No. 18 s 2 Sch

Brake specifications

prov hdg ins 1995 SL No. 18 s 2 Sch

s 63 amd reg pubd Gaz 22 June 1974 pp 1116–20; 1994 SL No. 232 s 17(7)–(8)

s 63A ins reg pubd Gaz 15 November 1969 p 1175
om reg pubd Gaz 16 June 1972 pp 869–72

Steering

s 64 prov hdg ins 1995 SL No. 18 s 2 Sch

s 64A ins reg pubd Gaz 11 April 1970 p 1400
sub reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

Turning circle

prov hdg ins 1995 SL No. 18 s 2 Sch

s 65 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 11 March 1978 p 1032

s 66 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 18 December 1976 p 1681
sub reg pubd Gaz 11 March 1978 p 1032
om reg pubd Gaz 10 October 1981 pp 625–6

Rear overhang and loading space

s 66A ins reg pubd Gaz 10 October 1981 pp 625–6
amd reg pubd Gaz 6 August 1983 pp 2011–13; 1993 SL No. 470 s 9(5)

Front and rear projection of a motorcycle

s 66B ins reg pubd Gaz 10 October 1981 pp 625–6

Drip trays

s 67 prov hdg ins 1995 SL No. 18 s 2 Sch

Safety glass

s 68 prov hdg ins 1995 SL No. 18 s 2 Sch

s 68A ins reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

Movable windows

s 69 prov hdg ins 1995 SL No. 18 s 2 Sch

Audible warning devices

s 70 amd reg pubd Gaz 24 October 1970 pp 735–6
sub reg pubd Gaz 13 March 1982 pp 987–1003; 1994 SL No. 232 s 17(9)

Reversing alarms

prov hdg ins 1995 SL No. 18 s 2 Sch

s 70A ins reg pubd Gaz 13 March 1982 pp 987–1003

Windscreen wipers

s 71 prov hdg ins 1995 SL No. 18 s 2 Sch

s 71A ins reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

Signalling devices

prov hdg ins 1995 SL No. 18 s 2 Sch

s 72 amd reg pubd Gaz 22 December 1962 p 1603; 5 November 1966 p 931;
5 May 1973 p 112; 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1 September 1984 pp 75–6; 1995 SL No. 18 s 2 Sch

s 72A ins reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

Rear-vision mirrors

prov hdg ins 1995 SL No. 18 s 2 Sch

s 73 amd reg pubd Gaz 20 October 1973 pp 944–6

s 73A ins reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

Number plates

prov hdg ins 1995 SL No. 18 s 2 Sch

s 74 amd reg pubd Gaz 20 October 1973 pp 944–6; 22 June 1974 pp 1116–20;
29 November 1975 pp 1255–9; 1 February 1986 pp 406–8

Avoidance of danger and nuisances

prov hdg ins 1995 SL No. 18 s 2 Sch

s 75 amd reg pubd Gaz 21 December 1974 pp 1595–6

Silencers

s 76 prov hdg ins 1995 SL No. 18 s 2 Sch

Driver's view

s 77 prov hdg ins 1995 SL No. 18 s 2 Sch

Engine numbers

s 78 prov hdg ins 1995 SL No. 18 s 2 Sch

Forwards and backwards travel

prov hdg ins 1995 SL No. 18 s 2 Sch

s 79 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

s 80 om 1993 SL No. 470 s 9(6)

Ventilation

s 81 prov hdg ins 1995 SL No. 18 s 2 Sch

Tyres and wheels

prov hdg ins 1995 SL No. 18 s 2 Sch

s 82 amd reg pubd Gaz 11 March 1967 p 945; 24 October 1970 pp 735–6; 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 26 June 1982 p 2065; 2 June 1984 pp 1000–4; 19 July 1986 pp 2185–9; 1993 SL No. 470 s 9(7)–(10); 1994 SL No. 232 s 17(10)

Sidecars

s 83 prov hdg ins 1995 SL No. 18 s 2 Sch

Pillion riding

s 84 prov hdg ins 1995 SL No. 18 s 2 Sch

Omnibus and motor truck—information to be painted

s 85 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9
sub reg pubd Gaz 6 August 1983 pp 2011–13; 2 May 1987 pp 196–7
amd 1994 SL No. 232 s 17(11)

Televisions

prov hdg ins 1995 SL No. 18 s 2 Sch

s 86 sub reg pubd Gaz 13 March 1982 pp 987–1003

Doors

prov hdg ins 1995 SL No. 18 s 2 Sch

s 86A ins reg pubd Gaz 11 February 1967 p 527

Engine locking devices

prov hdg ins 1995 SL No. 18 s 2 Sch

s 86B ins reg pubd Gaz 23 November 1968 p 1107
sub reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72
pres s 86B (prev s 86L) ins reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
renum reg pubd Gaz 16 June 1972 pp 869–72
amd 1995 SL No. 18 s 2 Sch

Rear end protection

s 86C ins reg pubd Gaz 15 November 1969 p 1175
sub reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72
pres s 86C (prev s 86M) renum reg pubd Gaz 16 June 1972 pp 869–72
amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975 pp 1255–9; 1995 SL No. 18 s 2 Sch

Compliance or personal import vehicle plates

s 86D ins reg pubd Gaz 11 April 1970 p 1400

om reg pubd Gaz 16 June 1972 pp 869–72
 pres s 86D (prev s 86P) renum reg pubd Gaz 16 June 1972 pp 869–72
 sub 1993 SL No. 470 s 9(11)

Speedometers

prov hdg ins 1995 SL No. 18 s 2 Sch
s 86E ins reg pubd Gaz 11 April 1970 p 1400
 amd reg pubd Gaz 24 October 1970 pp 735–6
 sub reg pubd Gaz 27 November 1971 pp 1475–7
 om reg pubd Gaz 16 June 1972 pp 869–72
 pres s 86E (prev s 86Q) renum reg pubd Gaz 16 June 1972 pp 869–72
 sub reg pubd Gaz 20 October 1973 pp 944–6
 amd reg pubd Gaz 22 June 1974 pp 1116–20; 13 March 1982 pp 987–1003

Automatic transmissions

prov hdg ins 1995 SL No. 18 s 2 Sch
s 86F prev s 86F ins reg pubd Gaz 11 April 1970 p 1400
 sub reg pubd Gaz 24 October 1970 pp 735–6
 amd reg pubd Gaz 27 November 1971 pp 1475–7
 om reg pubd Gaz 16 June 1972 pp 869–72
 pres s 86F ins reg pubd Gaz 29 November 1975 pp 1255–9

Odometers

prov hdg ins 1995 SL No. 18 s 2 Sch
s 86G ins reg pubd Gaz 11 April 1970 p 1400
 sub reg pubd Gaz 24 October 1970 pp 735–6
 amd reg pubd Gaz 27 November 1971 pp 1475–7
 om reg pubd Gaz 16 June 1972 pp 869–72
 ins reg pubd Gaz 13 March 1982 pp 987–1003
 sub reg pubd Gaz 30 January 1988 pp 522–4

Rear marking plates

s 86H ins reg pubd Gaz 24 October 1970 pp 735–6
 amd reg pubd Gaz 27 November 1971 pp 1475–7
 om reg pubd Gaz 16 June 1972 pp 869–72
 ins reg pubd Gaz 6 June 1987 pp 1017–19 (repealed by reg pubd Gaz
 10 October 1988 pp 566–71)
 ins reg pubd Gaz 30 January 1988 pp 522–4
 amd 1993 SL No. 470 s 9(12)–(14); 1995 SL No. 18 s 2 Sch

Speed limiting of heavy trucks and buses

prov hdg sub reg pubd Gaz 29 June 1991 pp 1285–305
s 86I ins reg pubd Gaz 24 October 1970 pp 735–6
 sub reg pubd Gaz 27 November 1971 pp 1475–7
 om reg pubd Gaz 16 June 1972 pp 869–72
 ins reg pubd Gaz 22 December 1990 pp 2287–95
 amd reg pubd Gaz 29 June 1991 pp 1285–305
s 86J ins reg pubd Gaz 24 October 1970 pp 735–6
 sub reg pubd Gaz 27 November 1971 pp 1475–7
 om reg pubd Gaz 16 June 1972 pp 869–72
s 86K ins reg pubd Gaz 24 October 1970 pp 735–6

amd reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

s 86L prev s 86L renum as s 86B reg pubd Gaz 16 June 1972 pp 869–72

Rear end protection

s 86M ins reg pubd Gaz 24 October 1970 pp 735–6
amd reg pubd Gaz 27 November 1971 pp 1475–7
prev s 86M renum as s 86C reg pubd Gaz 16 June 1972 pp 869–72

s 86N ins reg pubd Gaz 27 November 1971 pp 1475–7
om reg pubd Gaz 16 June 1972 pp 869–72

s 86P ins reg pubd Gaz 27 November 1971 pp 1475–7
prev s 86P renum as s 86D reg pubd Gaz 16 June 1972 pp 869–72

s 86Q ins reg pubd Gaz 27 November 1971 pp 1475–7
prev s 86Q renum as s 86E reg pubd Gaz 16 June 1972 pp 869–72

Front and rear lights—2 wheeled vehicles

s 87 prov hdg sub 1995 SL No. 18 s 2 Sch

Front and rear lights—4 or more wheeled vehicles

prov hdg ins 1995 SL No. 18 s 2 Sch

s 88 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 1995 SL No. 18 s 2 Sch

Rear reflectors

s 89 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Clearance lamps—motor vehicles

prov hdg sub 1995 SL No. 18 s 2 Sch

s 90 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Clearance lamps—trailers

prov hdg ins 1995 SL No. 18 s 2 Sch

s 91 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Maximum dimensions

s 93 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9

Headlamps, rear lamps and reflectors

prov hdg ins 1995 SL No. 18 s 2 Sch

s 95 amd reg pubd Gaz 22 June 1974 pp 1116–20; 29 November 1975
pp 1255–9; 10 May 1986 pp 582–6; 1994 SL No. 411 s 2 Sch

Brake requirement

s 96 amd 1994 SL No. 411 s 2 Sch

Warning device

s 97 amd 1994 SL No. 411 s 2 Sch

Rear mudguard to be white

s 98 om 1994 SL No. 411 s 13

PART 6—AUSTRALIAN DESIGN RULES FOR MOTOR VEHICLE SAFETY

Pt hdg ins reg pubd Gaz 23 November 1968 p 1107
sub reg pubd Gaz 16 June 1972 pp 869–72

Definitions

- s 99** ins reg pubd Gaz 23 November 1968 p 1107
sub reg pubd Gaz 11 April 1970 p 1400
om reg pubd Gaz 24 October 1970 pp 735–6
ins reg pubd Gaz 16 June 1972 pp 869–72
amd reg pubd Gaz 20 October 1973 pp 944–6; 21 December 1974
pp 1595–6; 29 November 1975 pp 1255–9; 2 July 1977 p 1337;
5 August 1978 pp 1595–1604; 29 March 1980 p 1128; 13 March 1982
pp 987–1003; 11 December 1982 p 1734; 6 August 1983 pp 2011–13
sub reg pubd Gaz 1 February 1986 pp 406–8
amd reg pubd Gaz 19 July 1986 pp 2185–9
sub 1993 SL No. 470 s 9(15)
- s 99A** ins reg pubd Gaz 25 June 1988 pp 2469–70
amd reg pubd Gaz 22 December 1990 pp 2287–95
om 1993 SL No. 470 s 9(15)

Application of ADR (2nd ed)

s 100 ins reg pubd Gaz 23 November 1968 p 1107
sub reg pubd Gaz 11 April 1970 p 1400
om reg pubd Gaz 24 October 1970 pp 735–6
ins 1993 SL No. 470 s 9(15)

Application of ADR (3rd ed)

s 101 ins 1993 SL No. 470 s 9(15)

Non-application of ADRs

s 102 ins 1993 SL No. 470 s 9(15)

SCHEDULE 2—OFFENCES UNDER SECTION 108B OF THE REGULATION

Sch hdg sub 1995 SL No. 18 s 165(1)
ins reg pubd Gaz 20 December 1969 pp 1775–6
amd reg pubd Gaz 27 November 1971 pp 1477–8; 22 June 1974
pp 1116–20; 24 May 1975 p 660; 3 July 1976 p 1354; 5 August 1978
pp 1595–1604; 5 May 1984 p 174; 1 September 1984 pp 75–6; 13 July
1985 pp 1816–17; 19 July 1986 pp 2185–9; 20 December 1986 p 2423;
31 October 1987 pp 852–4
sub reg pubd Gaz 29 June 1991 pp 1285–305
amd 1994 SL No. 232 s 42; 1995 SL No. 18 s 165(2)–(3)

SCHEDULE 3—PILOT VEHICLE REQUIREMENTS

Sch hdg sub 1995 SL No. 18 s 166
ins reg pubd Gaz 6 December 1986 pp 2022–9

s 1 amd reg pubd Gaz 31 October 1987 pp 852–4
sub 1992 SL No. 275 s 15(1)

s 2 sub 1992 SL No. 275 s 15(1)

- s 3 sub 1992 SL No. 275 s 15(1)
 s 7 sub reg pubd Gaz 31 October 1987 pp 852–4
 s 8 ins reg pubd Gaz 31 October 1987 pp 852–4
 om 1992 SL No. 275 s 15(2)

SCHEDULE D—CAMERA DETECTED OFFENCE NOTICE

ins reg pubd Gaz 8 December 1990 pp 1663–7
 om 1994 SL No. 232 s 43

SCHEDULE 4—FEES

- Sch hdg** sub 1995 SL No. 18 s 167
 ins 1992 SL No. 139 s 5
 sub 1993 SL No. 166 s 3(r) Sch 18; 1994 SL No. 166 s 3(r) Sch 18
 amd 1994 SL No. 176 s 4; 1994 SL No. 232 s 44

5 Table of changed names and titles

TABLE OF CHANGED NAMES AND TITLES
 under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
member (of the police force)	police officer	Police Service Administration Act 1990 s 11.1(1)(c) (see also s 1.4)
ordinance (of a local authority)	local law (of a local government)	Local Government Act 1993 s 755(1)(l)

6 Table of changed citations and remade laws

TABLE OF CHANGED CITATIONS AND REMADE LAWS
 under the Reprints Act 1992 ss 21A and 22

Old	New	Reference provision
Main Roads Act 1920	Transport Infrastructure (Roads) Act 1991	Transport Infrastructure Act 1994 s 147
Main Roads Regulation 1933	Transport Infrastructure (Roads) Regulation 1991	see Transport Infrastructure Act 1994 s 116

7 Table of obsolete and redundant provisions

TABLE OF OBSOLETE AND REDUNDANT PROVISIONS
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Omitted provision	Provision making omitted provision obsolete/redundant
references to a State	Acts Interpretation Act 1954 s 36 def "State"
references to a Territory	Acts Interpretation Act 1954 s 36 def "Territory"
references to Commonwealth	Acts Interpretation Act 1954 s 36 def "Commonwealth"
reference to provisions of law inclusive	Acts Interpretation Act 1954 s 35D

8 Table of corrected minor errors

TABLE OF CORRECTED MINOR ERRORS
under the Reprints Act 1992 s 44

Provision	Description
4, def "toy vehicle" Schedule 1	om 'Example—' ins 'Examples—'
82(4)(a)(ii)(A), 8th unnum para	om 'Deutsche Industries Norm' ins 'Deutsche Industrie Norm'

9 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS
under the Reprints Act 1992 s 43

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4, def "aggregate trailer mass", (a)	4, def "aggregate trailer mass"
4, def "aggregate trailer mass", (b)	4, def "aggregate trailer mass"
10, 1st sentence	10(1)
10, proviso	10(2)
12, 1st sentence	12(1)
12(2), 2nd sentence	12(3)
12(2), 3rd sentence	12(4)
18, 1st sentence	18(1)
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19(1)(a)(ii)	19(1)(aa)
19(1)(a)(iii)	19(1)(ab)
19(1)(c)(i)	19(1)(c)
19(1)(c)(ii)	19(1)(ca)
19(1)(c)(iii)	19(1)(cb)
19(1)(d)(i)	19(1)(d)
19(1)(d)(ii)	19(1)(da)
19(1)(d)(iii)	19(1)(db)
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20(8)(a)	20(8)
20(8)(a)(i)	20(8)(a)
20(8)(a)(ii)	20(8)(b)
20(8)(b)	20(8AA)
21(2)(a)(i)	21(2), figure 1, heading, (a)
21(2)(a)(i)(A)	21(2), figure 1, heading, (a)(i)
21(2)(a)(i)(B)	21(2), figure 1, heading, (a)(ii)
21(2)(a)(i)(C)	21(2), figure 1, heading, (a)(iii)
21(2)(a)(ii)	21(2), figure 1, heading, (b)
21(2)(b)(i)	21(2), figure 2, heading, (a)
21(2)(b)(ii)	21(2), figure 2, heading, (b)
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21(2)(b)(B)	21(2), figure 2, heading, (d)
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32A(1)(iv)	32A(1)(d)
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32A(2)(ii)(a)	32A(2)(b)(i)
32A(2)(ii)(b)	32A(2)(b)(ii)
32B(2)(i)	32B(2)(a)

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32B(2)(ii)(a)	32B(2)(b)(i)
32B(2)(ii)(b)	32B(2)(b)(ii)
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36(3)(ii)	36(3)(b)
36(3)(iii)	36(3)(c)
36(3)(a)	36(3)(d)
36(3)(b)	36(3)(e)
36(3)(c)	36(3)(f)
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36A(ii)	36A(b)
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36A(iv)	36A(d)
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44(5), proviso, (ii)	44(6)(b)
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45(4), proviso	45(4A)
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55, 1st sentence, (m)(v)(a)	55(1)(m)(v)(A)
55, 1st sentence, (m)(v)(b)	55(1)(m)(v)(B)
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109(4), proviso	109(4A)
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66A(5)	66A
66A(5)(i)	66A(1)
66A(5)(i)(a)	66A(1)(a)
66A(5)(i)(b)	66A(1)(b)
66A(5)(ii)	66A(2)

67, 1st sentence	67(1)
67, 2nd sentence	67(2)
69, 1st sentence	69(1)
69, 2nd sentence	69(2)
70A, 1st sentence	70A(1)
70A, 2nd sentence	70A(2)
71(2), proviso	71(3)
71(2), proviso, 2nd sentence	71(4)
72(1), proviso	72(1A)
72(1), 2nd proviso	72(1B)
73(2), proviso	73(2A)
74(2), 2nd sentence	74(2A)
75, 1st sentence, (1)	75(a)
75, 1st sentence, (2)	75(b)
75, 1st sentence, (3)	75(c)
75, 1st sentence, (4)	75(d)
81, 1st sentence	81(1)
81, proviso	81(2)
82(5)(e), 1st unnum para	82(5)(ea)
82(5)(e), 2nd unnum para	82(5)(ea), 1st dot point
82(5)(e), 3rd unnum para	82(5)(ea), 2nd dot point
82(5)(e), 4th unnum para	82(5)(ea), 3rd dot point
86A, 1st sentence	86A(1)
86A, 2nd sentence	86A(2)
86E(1), 2nd sentence	86E(1A)
86E(2), 2nd sentence	86E(2A)
86E(2), 3rd sentence	86E(2B)
86E(3), 2nd sentence	86E(4)
86E(3), 3rd sentence	86E(5)
86F, 2nd sentence	86F(2)
86G, 1st sentence	86G(1)
86G, 2nd sentence	86G(2)
86H(5)(i)	86H(5)(a)
86H(5)(i)(A)	86H(5)(a)(i)
86H(5)(i)(B)	86H(5)(a)(ii)
86H(5)(ii)	86H(5)(b)
Division 4	Part 4
89, 1st sentence	89(1)
89, 2nd sentence	89(2)
93, 1st sentence, (1)	93(a)
93, 1st sentence, (2)	93(b)
93, 1st sentence, (3)	93(c)
94, 1st sentence	94(1)
94, proviso	94(2)
94, 2nd proviso	94(3)
Division 5	Part 5

