

Parliamentary Counsel Committee

Australian Road Rules Amendments 2017

made under the

[Law Made Under]

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1 Short title

This regulation may be cited as the *Australian Road Rules Amendments 2017*.

2 Amendment of r 28 (Starting a left turn from a multi-lane road)

Rule 28(1)—

insert—

- (d) the lane is a bus only lane.

3 Amendment of r 32 (Starting a right turn from a multi-lane road)

Rule 32(1)—

insert—

- (d) the lane is a bus only lane.

4 Replacement of r 44 (Division does not apply to entering or leaving a roundabout)

Rule 44—

omit, insert—

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

This Division does not apply to—

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

Note—

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

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Note—

lane filtering is defined in rule 151A

5 Amendment of r 45 (What is changing direction)

(1) Rule 45(2)(c)—

omit, insert—

(c) diverging to the left from a straight line of travel within a marked lane, or within a line of traffic;

(2) Rule 45(3)(c)—

omit, insert—

(c) diverging to the right from a straight line of travel within a marked lane, or within a line of traffic;

6 Amendment of r 65 (Giving way at a marked foot crossing (except at an intersection) with a flashing yellow traffic light)

Rule 65(2)(a)—

omit, insert—

(a) give way to any pedestrian on or entering the crossing; and

7 Amendment of r 72 (Giving way at an intersection (except a T-intersection or roundabout))

Rule 72(4)(b)—

omit, insert—

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

8 Amendment of r 73 (Giving way at a T–intersection)

Rule 73(5)(b)—

omit, insert—

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

9 Amendment of r 81 (Giving way at a pedestrian crossing)

Rule 81(2), after ‘on’—

insert—

- or entering

10 Amendment of r 115 (Driving in a roundabout to the left of the central traffic island)

- (1) Rule 115, heading—

omit, insert—

115 Driving in a roundabout

- (2) Rule 115(1)(c)—

omit, insert—

- (c) if subrule (3) applies to the driver—over the central traffic island.

11 Amendment of r 141 (No overtaking etc to the left of a vehicle)

Rule 141(1)—

insert—

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

Note—

lane filtering is defined in rule 151A

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12 Amendment of r 146 (Driving within a single marked lane or line of traffic)

(1) Rule 146(1)—

insert—

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

Note—

lane filtering is defined in rule 151A

(2) Rule 146(1)(ea) and (f)—

renumber as rule 146(1)(f) and (g).

(3) Rule 146(2)—

insert—

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

Note—

lane filtering is defined in rule 151A

13 Amendment of r 147 (Moving from one marked lane to another marked lane across a continuous line separating the lanes)

Rule 147—

insert—

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

Note—

lane filtering is defined in rule 151A

14 Insertion of new r 151A

Part 11, division 4—

insert—

151A Lane filtering between slow or stationary vehicles on a motor bike

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

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- (a) a traffic sign with a symbol, in a red diagonal cross, displaying a motor bike positioned between two vehicles; or
- (b) a traffic sign displaying the words ‘no filtering’.

15 Amendment of r 154 (Bus lanes)

Rule 154(3), definition *bus lane road marking*, paragraph (c)—
omit.

16 Insertion of new r 154A

Rule 154A—
insert—

154A Bus only lanes

- (1) A driver (except the driver of a public bus) must not drive in a bus only lane unless the driver is permitted to drive in the bus only lane under subrule (2).
Offence provision.
- (2) A driver may drive in a bus only lane if—
 - (a) it is necessary for the driver to drive in the bus only lane to avoid an obstruction; and
 - (b) the driver does not obstruct the path of a public bus travelling in the bus only lane; and
 - (c) when entering the bus only lane, the driver gives way to any vehicles driving in the bus only lane.
- (3) A driver must not drive across a bus only lane unless the driver is permitted to drive across the

bus only lane under subrule (4).

Offence provision.

- (4) A driver may drive across a bus only lane if—
- (a) the driver is driving across the bus only lane to—
 - (i) enter or leave a road; or
 - (ii) enter a part of the road of one kind from a part of the road of another kind (for example, moving to or from a service road, the shoulder of the road or an emergency stopping lane); and
 - (b) the driver gives way to any vehicles driving in the bus only lane.
- (5) A driver turning at an intersection immediately after a bus only lane must—
- (a) if the driver is approaching the bus only lane from the same direction as a vehicle in a bus only lane—approach the bus only lane from the lane nearest to the bus only lane; and
 - (b) give way to any vehicles driving in the bus only lane.

Offence provision.

- (6) A **bus only lane** is a marked lane or the part of a marked lane—
- (a) beginning at a bus only lane sign (whether or not there is also a bus only lane road marking) and ending at the nearest of the following—
 - (i) an end bus only lane sign;
 - (ii) a traffic sign that indicates the beginning of another special purpose lane;

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- (iii) a traffic sign that indicates drivers of vehicles may drive in the marked lane;
- (iv) an intersection with traffic lights or traffic arrows; or
- (b) beginning at a bus only lane road marking (if there is no bus only lane sign) and ending at the next intersection; or
- (c) that is marked with a continuous line starting at the beginning of a bus only lane road marking and ending at a bus only lane marking.

17 Amendment of r 155A (Tramways)

Rule 155A(4), tramway sign and end tramway sign—
omit, insert—

Tramway sign



End tramway sign



18 Amendment of r 187 (Stopping in a bicycle lane, bus lane, tram lane, tramway, transit lane, truck lane or on tram tracks)

- (1) Rule 187, heading, after ‘bus lane,’—

insert—

bus only lane,

(2) Rule 187—

insert—

(1A) A driver must not stop in a bus only lane unless the driver—

- (a) is driving a public bus or public minibus and is dropping off, or picking up, passengers; and
- (b) is permitted to drive in the bus only lane under the Australian Road Rules or another law of this jurisdiction.

Offence provision.

Note—

bus only lane is defined in rule 154A.

19 Amendment of r 200 (Stopping on roads—heavy and long vehicles)

(1) Rule 200(1), note—

omit, insert—

Note—

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

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

omit.

20 Omission of r 247A (Entering a bicycle storage area)

Rule 247A—

omit.

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[s 21]

21 Replacement of r 248 (No riding across a road on a crossing)

Rule 248—

omit, insert—

248 Riding across a crossing

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

Offence provision.

Note—

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

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

22 Amendment of r 262 (Proceeding when bicycle crossing lights change to yellow or red)

- (1) Rule 262, heading—

omit, insert—

262 Proceeding when bicycle crossing at an intersection or another place on a road

- (2) Rule 262—

insert—

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

though the traffic lights show a red traffic light or yellow traffic light.

Note—

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

23 Omission of r 262A (Proceeding when bicycle crossing light is green)

Rule 262A—

omit.

24 Amendment of r 266 (Wearing of seatbelts by passengers under 16 years old)

(1) Rule 266(2C), from ‘A passenger’ to ‘if’—

omit, insert—

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

(2) Rule 266(2D), ‘passenger’ first mention—

omit, insert—

driver

(3) Rule 266(3B)(a), after ‘medical condition’—

insert—

or disability

25 Amendment of r 267 (Exemptions from wearing seatbelts)

(1) Rule 267(3A)(a), after ‘medical condition’—

insert—

or disability

(2) Rule 267(4), ‘medical certificate’—

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omit, insert—

certificate

- (3) Rule 267(9), definition *medical practitioner—*
omit.

26 Amendment of r 270 (Wearing motor bike helmets)

Rule 270(3), definition *approved motor bike helmet—*
omit, insert—

approved motor bike helmet means a helmet that—

- (a) was made in compliance with—
 - (i) AS 1698; or
 - (ii) AS/NZ 1698; or
 - (iii) the United Nations Economic Commission for Europe standard 22.05 (the ***UN standard***); and
- (b) for paragraph (a)(i) and (ii)—bears a label, or similar mark, of Standards Australia or a body accredited or approved by the Joint Accreditation System of Australia and New Zealand; and
- (c) for paragraph (a)(iii)—bears a label, or similar mark, indicating accordance with the UN Standard; and
- (d) is not worn, damaged or modified to the extent the helmet can not comply with a standard mentioned in paragraph (a).

27 Amendment of r 271 (Riding on motor bikes)

- (1) Rule 271(1)—

omit, insert—

- (1) Unless subrule (1A) applies, the rider of a motor bike that is moving (other than a rider who is walking beside and pushing a motor bike), or the rider of a motor bike that is stationary but not parked, must—
 - (a) sit astride the rider's seat facing forwards; and
 - (b) if the motor bike is moving—
 - (i) keep at least 1 hand on the handlebars; and
 - (ii) keep both feet on the footrests or footboard designed for the rider's use.

Offence provision.

Note—

Motor bike and *park* are defined in the dictionary.

- (2) Rule 271(1A), 'Also, the'—

omit, insert—

The

28 Amendment of r 292 (Insecure or overhanging load)

Rule 292—

insert—

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

29 Insertion of new r 292A and 292B

After rule 292—

insert—

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292A Restricting movement of load

- (1) A driver must not drive or tow a vehicle carrying a load unless—
 - (a) the load is restrained so that it can not move relative to the vehicle other than as permitted under subrule (2); and
 - (b) the load is restrained by a system that, at a minimum, prevents the load from moving in the circumstances stated in subrule (3).

Offence provision.

- (2) A load may be permitted to move relative to the vehicle if—
 - (a) the stability and weight distribution of the vehicle can not be adversely affected by the movement; and
 - (b) the load can not become dislodged from the vehicle.

Examples of loads permitted to move under subrule (2)—

- loads contained, held, protected or enclosed within the sides or enclosure of a part of the vehicle and restrained from moving horizontally
- loads consisting of very light objects, or loose bulk loads, that are contained, held, protected or enclosed within the sides or enclosure of a part of the vehicle
- loads consisting of bulk liquids that are contained, held, protected or enclosed within the sides or enclosure of a part of the vehicle

- (3) For subrule (1), the circumstances are that the vehicle is subject to each of the following forces separately—
 - (a) 0.8g deceleration in a forwards direction;
 - (b) 0.5g deceleration in a backwards direction;
 - (c) 0.5g acceleration in a lateral direction;

(d) 0.2g acceleration relative to the load in a vertical direction.

(4) In this rule—

g means gravitational acceleration or 9.81 m/sec².

30 Amendment of r 299 (Television receivers and visual display units in motor vehicles)

(1) Rule 299, after ‘driver’s aid’—

insert—

or working aid

(2) Rule 299(2), note—

omit, insert—

Note—

Driver’s aid, emergency vehicle, police vehicle and *working aid* are defined in the dictionary.

(3) Rule 299, example—

omit.

31 Amendment of r 300 (Use of mobile phones)

(1) Rule 300(1)(ab), after ‘driver’s aid’—

insert—

or working aid

(2) Rule 300(1), note—

omit, insert—

Note—

Driver’s aid, emergency vehicle, park, police vehicle and *working aid* are defined in the dictionary.

(3) Rule 300(1), example—

omit.

[s 32]

32 Amendment of sch 2 (Standard or commonly used traffic signs)

Schedule 2—

insert—

Bus-only lane sign



End bus-only lane sign



33 Amendment of sch 3 (Other permitted traffic signs)

- (1) Schedule 3, bus lane sign reading ‘buses only lane’, ‘(rule 154)’—

omit, insert—

(rule 154A)

- (2) Schedule 3, bus lane sign reading ‘bus lane’ with an arrow pointing down, ‘(rule 154)’—

omit, insert—

(rule 154A)

- (3) Schedule 3, end bus lane sign reading ‘end buses only lane’, ‘(rule 154)’—

omit, insert—

(rule 154A)

34 Amendment of Dictionary

(1) Dictionary—

insert—

bus only lane see rule 154A(6).

bus only lane road marking means a road marking consisting of the words ‘bus only’.

driver’s aid means a device that aids a driver perform any of the following functions—

- (a) navigation;
- (b) speed monitoring;
- (c) vehicle monitoring;
- (d) collision avoidance.

edge filtering see rule 151A(4).

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

lane filtering see rule 151A(1).

no filtering sign see rule 151A(5).

working aid means a device that aids a driver perform any of the following work related functions—

- (a) communication;
- (b) information gathering relating to the work related function;
- (c) fee payment management;
- (d) fatigue management;
- (e) security management;
- (f) safety management;
- (g) passenger movement.

(2) Dictionary, definition *bicycle storage area*, paragraph (a)(iii)—

[s 34]

omit.

(3) Dictionary, definition *park*, after 'Part 12'—

insert—

and rules 299 and 300