



**AUSTRALASIAN PARLIAMENTARY COUNSEL'S COMMITTEE**

**TRANSPORT AND INFRASTRUCTURE COUNCIL**

**Australian Road Rules Amendment 2019**

**SECOND REPORT OF THE AUSTRALASIAN PARLIAMENTARY COUNSEL'S  
COMMITTEE**

On 17 May 2019, officers of the National Transport Commission provided instructions for drafting by the Australasian Parliamentary Counsel's Committee to prepare legislation for the Council on this matter.

A copy of the draft legislation that has been settled with the officers is attached.

A handwritten signature in black ink, appearing to read "A. O'Callaghan".

Annette O'Callaghan  
NSW Parliamentary Counsel  
Secretary, Australasian Parliamentary Counsel's Committee

22 October 2019

Ref: PCC-532

# Australian Road Rules Amendment 2019

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**1 Name of rules**

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

**2 Rules amended**

Schedule 1 amends the *Australian Road Rules*.

## Schedule 1 Amendment of Australian Road Rules

### [1] Rule 28 Starting a left turn from a multi-lane road

Insert at the end of rule 28 (1) (c):

; or

(d) the lane is a bus only lane.

### [2] Rule 28, note 1

Omit “and *left lane* is defined in subrule (3)”.

Insert instead “*left lane* is defined in subrule (3) and *bus only lane* is defined in rule 154A”.

### [3] Rule 32 Starting a right turn from a multi-lane road

Insert at the end of rule 32 (1) (c):

; or

(d) the lane is a bus only lane.

### [4] Rule 32, note 1

Omit “and *right lane* is defined in subrule (3)”.

Insert instead “*right lane* is defined in subrule (3) and *bus only lane* is defined in rule 154A”.

### [5] Rule 38

Omit the rule. Insert instead:

#### 38 Giving way when making a U-turn

(1) A driver making a U-turn must give way to all vehicles and pedestrians.

Offence provision.

**Note:** For this rule, *give way* means the driver must slow down and, if necessary, stop to avoid a collision—see the definition in the dictionary.

(2) Despite subrule (1), a driver does not have to give way to a driver entering the road from a road-related area or adjacent land.

**Note:** *Adjacent land* is defined in the dictionary and *road-related area* is defined in rule 13.

(3) In this rule:

*road* does not include a road-related area.

**Note:** A *road-related area* includes any shoulder of a road—see rule 13.

### [6] Rules 43 and 43A

Insert after rule 42:

#### 43 Making a U-turn at certain crossings

A driver must not make a U-turn at any of the following crossings, with or without traffic lights, unless there is a *U-turn permitted sign* at the crossing:

- (a) children’s crossing;
- (b) level crossing;
- (c) marked foot crossing;
- (d) pedestrian crossing.

Offence provision.

**Note:** *Children's crossing* is defined in rule 80, *level crossing* is defined in rule 120, *pedestrian crossing* is defined in rule 81 and *marked foot crossing* and *traffic lights* are defined in the dictionary.

**43A Making a U-turn on a road-related area with traffic lights**

A driver must not make a U-turn at a place with traffic lights where a road and road-related area intersect unless there is a *U-turn permitted sign* at the place.

Offence provision.

**Note 1:** *Road* includes a road-related area—see rule 11 (2).

**Note 2:** *Traffic lights* is defined in the dictionary and *road-related area* is defined in rule 13.

**[7] Rule 44, heading**

Omit “or lane filtering”. Insert instead “lane filtering or repositioning”.

**[8] Rule 44 (c)**

Insert at the end of rule 44 (b):

; or

- (c) the rider of a motorbike while repositioning the motorbike within the same lane in order to avoid a hazard or reduce the risk of a crash.

**[9] Rule 74 Giving way when entering a road from a road-related area or adjacent land**

Insert after rule 74 (1) (a):

- (aa) a driver making a U-turn on the road; and

**[10] Rule 74 (1), note 1**

Omit “and *traffic lights*”. Insert instead “, *traffic lights* and *U-turn*”.

**[11] Rule 154 Bus lanes**

Omit “; or” from paragraph (b) of the definition of *bus lane road marking* in rule 154 (3).

**[12] Rule 154 (3), definition of “bus lane road marking”**

Omit paragraph (c).

**[13] Rule 154A**

Insert after rule 154:

**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.

**Note:** *Bus* and *public bus* are defined in the dictionary and *bus only lane* is defined in subrule (6).

- (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) where the driver is approaching the bus only lane from the same direction as a vehicle in a bus only lane—the driver approaches the bus only lane from the lane nearest to the bus only lane; and
  - (d) 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 only 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) where the driver is approaching the bus only lane from the same direction as a vehicle in a bus only lane—the driver approaches the bus only lane from the lane nearest to the bus only lane; and
  - (c) 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 a special purpose lane;
    - (iii) a traffic sign that indicates drivers of vehicles may drive in the lane beyond the sign;
    - (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 an end bus only lane road marking.

**Note:** *Bus only lane road marking*, *marked lane*, *special purpose lane* and *traffic sign* are defined in the dictionary.

Bus only lane sign



End bus only lane sign



**[14] Rule 174, heading**

Omit the heading. Insert instead:

**Stopping on or near a bicycle crossing (except at an intersection)**

**[15] Rule 174 (1)**

Omit the subrule.

**[16] Rule 174 (2)**

Insert “on a bicycle crossing or” after “not stop”.

**[17] Rule 174 (2)**

Omit “the place”. Insert instead “the bicycle crossing”.

**[18] Rule 174 (2), note 1**

Omit the note.

**[19] Rule 174 (2), note 2**

Omit “Note 2”. Insert instead “Note”.

**[20] Rule 174 (4)**

Insert in alphabetical order:

*bicycle crossing* means an area of road:

- (a) with bicycle crossing lights facing bicycle riders crossing the road; and
- (b) with traffic lights facing traffic travelling on the road; and
- (c) that is not at an intersection.

**[21] Rule 174 (4), note**

Omit the note. Insert instead:

**Note:** *Intersection*, *parking control sign* and *traffic lights* are defined in the dictionary, *road-related area* is defined in rule 13 and *shoulder* is defined in rule 12.

**[22] Rule 187, heading**

Insert “**bus only lane,**” after “**bus lane,**”.

**[23] Rule 187 (4)**

Insert after rule 187 (3):

- (4) A driver must not stop in a bus only lane unless the driver:
  - (a) is driving a public bus 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:** *Public bus* is defined in the dictionary and *bus only lane* is defined in rule 154A.

**[24] Rules 203B and 203C**

Insert after rule 203A:

**203B Stopping in a parking area for electric-powered vehicles**

- (1) A driver of a vehicle that is not an electric-powered vehicle must not stop in a parking area for electric-powered vehicles.

Offence provision.

- (2) A parking area for electric-powered vehicles is a length or area of a road:

- (a) to which a *permissive parking sign* displaying an electric-powered vehicle symbol applies; or  
(b) to which an *electric-powered vehicle parking sign* applies; or  
(c) indicated by a road marking that consists of, or includes, an electric-powered vehicle symbol.

**Note:** *Road marking* is defined in the dictionary.

- (3) An *electric-powered vehicle* means a vehicle that:

- (a) is powered by 1 or more electric motors or traction motors, regardless of whether the vehicle is also powered by another form of propulsion; and  
(b) can be recharged from an external source of electricity.

**Electric-powered vehicle symbol**



**203C Stopping in a parking area for the charging of electric-powered vehicles**

- (1) A driver must not stop in a parking area for the charging of electric-powered vehicles unless:

- (a) the driver's vehicle is an electric-powered vehicle; and  
(b) the electric-powered vehicle is plugged in to an external source of electricity.

Offence provision.

**Note:** *Electric-powered vehicle* is defined in rule 203B.

- (2) A parking area for the charging of an electric-powered vehicle is a length or area of a road:

- (a) to which a *permissive parking sign* displaying an electric-powered vehicle charging symbol applies; or  
(b) to which an *electric-powered vehicle charging parking sign* applies; or



- (c) indicated by a road marking that consists of, or includes, an electric-powered vehicle charging symbol.

**Note:** *Road marking* is defined in the dictionary.

#### Electric-powered vehicle charging symbol



**[25] Rule 207 Parking where fees are payable**

Omit “by buying a ticket or putting money into a parking meter” from rule 207 (1).

**[26] Rule 207 (2) (b)**

Omit the paragraph. Insert instead:

- (b) obey instructions (if any):
- (i) on or with the sign or a meter, ticket or ticket-vending machine; and
  - (ii) in a mobile app or other electronic method used for the payment of fees under this rule, being an app or method indicated on or with the sign or a meter, ticket or ticket-vending machine.

**[27] Rule 233 Crossing a road to or from a tram**

Omit “164” from note 2 to rule 233 (5). Insert instead “164A”.

**[28] Rule 261 Stopping for a yellow bicycle crossing light**

Omit “is defined” from the note to rule 261 (1).

Insert instead “and *intersection* are defined”.

**[29] Rule 264**

Omit rule 264. Insert instead:

**264 Wearing of seatbelts by drivers**

The driver of a motor vehicle that is moving, or is stationary but not parked:

- (a) must occupy a driver’s seating position that is fitted with an approved seatbelt; and
- (b) must not occupy the same seating position as another passenger (whether or not the other passenger is exempt from wearing a seatbelt under rule 267); and
- (c) must wear the seatbelt properly adjusted and fastened, unless the driver is reversing the vehicle or exempt from wearing a seatbelt under rule 267.

Offence provision.

**Note 1:** *Driver* is defined in rule 16, and *approved seatbelt*, *motor vehicle* and *park* are defined in the dictionary.

**Note 2:** Rule 267 provides exemptions from wearing seatbelts.

**[30] Rule 271 Riding on motor bikes**

Insert at the end of rule 271 (1A) (b):

; or

- (c) remove both feet from the footrests or footboard designed for the rider's use if the motor bike is moving at less than 10 kilometres per hour and:
  - (i) the rider is manoeuvring the motor bike in order to park the motor bike; or
  - (ii) the motor bike is decelerating to come to a stop; or
  - (iii) the motor bike is accelerating from being stopped.

**[31] Rule 299 Television receivers and visual display units in motor vehicles**

Insert after rule 299 (3):

- (4) For the purpose of this rule, a vehicle may be parked even though:
  - (a) the key to the vehicle is located in the vehicle's ignition lock; or
  - (b) the engine of the vehicle is running.

**[32] Rule 300 Use of mobile phones**

Insert after rule 300 (3):

- (3A) For the purpose of this rule, a vehicle may be parked even though:
  - (a) the key to the vehicle is located in the vehicle's ignition lock; or
  - (b) the engine of the vehicle is running.

**[33] Rule 300A**

Insert after rule 300:

**300A Interfering with or interrupting funeral procession**

A driver must not interfere with, or interrupt, the free passage along any length of road of:

- (a) any funeral procession; or
- (b) any vehicle or person apparently forming part of the procession.

Offence provision.

**[34] Schedule 2 Standard or commonly used traffic signs**

Insert the following graphics in appropriate order:

Bus only lane sign  
(rule 154A)



End bus only lane sign  
(rule 154A)



Electric-powered vehicle symbol  
(rule 203B)



Electric-powered vehicle charging symbol  
(rule 203C)



**[35] Schedule 3 Other permitted traffic signs**

Omit all signs relating to rule 154. Insert in appropriate order:

Bus lane sign  
(rule 154)



Bus lane sign  
(rule 154)



Bus lane sign  
(rule 154)



Bus only lane sign  
(rule 154A)



Bus lane sign  
(rule 154)



Bus lane sign  
(rule 154)



End bus lane sign  
(rule 154)



End bus only lane sign  
(rule 154A)



Bus only lane sign  
(rule 154A)



End bus only lane sign  
(rule 154A)



Bus only lane sign  
(rule 154A)



End bus only lane sign  
(rule 154A)



**[36] Dictionary**

Insert in alphabetical order:

*bus only lane* see rule 154A.

*bus only lane road marking* means a road marking consisting of the words 'bus only'.

**Note:** *Road marking* is defined in this dictionary.

*electric-powered vehicle* see rule 203B.

*end bus only lane road marking* means a road marking consisting of the words 'end bus only'.

**Note:** *Road marking* is defined in this dictionary.