

**1990 - No. 735**

**TRAFFIC ACT 1909 - REGULATION**

(Relating to the compulsory wearing of protective helmets  
by riders of bicycles and to age of such riders)

**NEW SOUTH WALES**



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Traffic Act 1909, has been pleased to make the Regulation set forth hereunder.

**WAL MURRAY**  
Minister for Roads.

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**Commencement**

1. This Regulation commences on 1 January 1991.

**Amendments**

2. The General Traffic Regulations 1916 are amended:  
(a) by inserting after section 3 the following section:

**SECTION 3A - WEARING OF PROTECTIVE HELMETS**

**Wearing of protective helmets**

1. (1) A person is not to ride a bicycle on a public street unless the person is wearing securely on the head a protective helmet of a type approved by the Authority.

(2) A person is not to travel as a passenger on a bicycle on a public street unless the person is wearing securely on the head a protective helmet of a type approved by the Authority.

### **Exemptions**

2. (1) This section does not apply to any person:
  - (a) who is in possession of a current certificate signed by a medical practitioner and certifying that the person is, for medical reasons, unable to wear a protective helmet or that, because of the person's physical characteristics, it would be unreasonable to require the person to wear a protective helmet; or
  - (b) who, because of a religious affiliation or membership of a cultural group, is wearing a head-dress which makes it impractical for that person to wear a protective helmet; or
  - (c) whose residential address is not within Australia and who is in Australia principally to compete in a bicycle race, rally, test, trial or similar event.
- (2) A person to whom clause (1) (a) applies and who is riding, or is a passenger on, a bicycle and who is not wearing a protective helmet must produce the relevant medical practitioner's certificate to a police officer for inspection on being requested to do so by the officer.

### **Transitional provision**

3. This section does not apply until 1 July 1991 to persons who were less than 16 years of age on 1 January 1991.
- (b) by inserting in section 10.1 after the word "vehicle" where firstly occurring the words "(not being a bicycle)".
- (c) by inserting in section 10.2 after the word "vehicle" the words "(not being a bicycle)".

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### **EXPLANATORY NOTE**

The object of this Regulation is to amend the General Traffic Regulations 1916 so as:

- (a) to prohibit a person from riding or travelling on a bicycle on a public street unless the person is wearing a protective helmet or is exempted from the requirement to do so; and
- (b) to make it clear that the prohibition on the driving of a vehicle on a public street by a person under the age of 14 years does not extend to the riding of a bicycle on a public street by such a person.

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