

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.

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)".

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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