



Motor Traffic Amendment (Light Rail) Regulation 1997

under the
Traffic Act 1909

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Traffic Act 1909*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to regulate the use of light rail vehicles on public streets. It does so by inserting proposed Part 3A (Provisions relating to light rail vehicles), consisting of Regulations 56A-56O, in the *Motor Traffic Regulations 1935* (Schedule 1 [1]).

The new Part provides for the following:

- special traffic lanes for the exclusive use of light rail vehicles (Regulation 56D),
- special traffic lights (similar to those currently applying to buses at certain intersections) to control light rail vehicles (Regulations 56E-56G),
- a special obligation of drivers of light rail vehicles in relation to certain pedestrian crossings (Regulation 56H),
- special obligations of drivers of other vehicles, and riders of animals, in relation to light rail vehicles (Regulations 56J-56N),
- a special obligation of pedestrians in traffic zones that are shared with light rail vehicles (Regulation 56O),
- technical matters (Regulations 56A-56C and 56I).

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This Regulation also provides for the issue of penalty notices (“on-the-spot fines”) for certain offences relating to light rail vehicles (Schedule 1 [2] and [3]).

This Regulation is made under the *Traffic Act 1909*, and, in particular, under sections 3 (the general regulation-making power), 4D (Traffic control signs) and 18B (Penalty notices for certain offences).

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1 Name of Regulation

This Regulation is the *Motor Traffic Amendment (Light Rail) Regulation 1997*.

2 Amendment of Motor Traffic Regulations 1935

The *Motor Traffic Regulations 1935* are amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Part 3A

Insert after Regulation 56:

Part 3A Provisions relating to light rail vehicles

Division 1 Preliminary

56A Operation of Part

Unless a provision of this Part provides otherwise, the provisions of this Part prevail to the extent of any inconsistency with any other provision of these Regulations.

56B Application of Part

This Part applies to signs, vehicles and persons on a public street.

56C Certain provisions not applicable to light rail vehicles

- (1) The following provisions of these Regulations do not apply to or in respect of a light rail vehicle:

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Schedule 1 Amendments

- (a) Regulation 80D (Warning signs to be displayed near disabled heavy motor vehicle),
 - (b) Regulation 110F (Wearing of seat belts),
 - (c) Regulation 110G (Wearing of child restraints by children),
 - (d) Regulation 110GA (Children under 1 year must be suitably restrained),
 - (e) Schedule F,
 - (f) any other provision with which a driver of a light rail vehicle could not reasonably comply (having regard to the fixed tracks on which a light rail vehicle travels, the route taken by those tracks and other exigencies of that method of travel).
- (2) The following provisions of Part 11A (Driving hours of heavy motor vehicles and coaches) apply to and in respect of a light rail vehicle:
 - (a) Regulation 126 (2),
 - (b) Regulation 126A (Hours of driving and rest period requirements),
 - (c) Regulation 125 (1), in so far as it defines terms used in Regulation 126A.
- (3) The remaining provisions of Part 11A do not apply to or in respect of a light rail vehicle. However, for the purposes only of the application of Regulation 126A to a light rail vehicle, a light rail vehicle is taken to be a motor vehicle (being a heavy motor vehicle) to which Part 11A applies.

56D Traffic control sign—light rail lane

- (1) In addition to the standards, signs, notices, devices and lines prescribed by Regulation 54 (1), a sign in or similar to the form, or generally answering the description, of the sign illustrated in Diagram 1 to this Regulation is prescribed for the purposes of section 4D of the Act.

- (2) The word “only” and the symbol on the sign mean, and the direction represented by the sign is, that the driver of any vehicle other than a light rail vehicle approaching the sign from the direction in which it is facing and along any traffic lane beside, above or on which it is displayed must not drive between that sign and the next traffic control sign in or similar to the form, or generally answering the description of, the sign illustrated in Diagram 2 to this Regulation (or, if there is only the one sign erected, displayed or marked, between that sign and the intersection next after it in the direction in which the driver is proceeding), except for an urgent purpose arising from a medical or similar emergency.
- (3) The sign may include additional words, figures or symbols to indicate that certain classes or description of vehicles are excepted from the direction represented by the sign.

Note. Regulation 54 (7) prohibits a person from (among other things) driving a motor vehicle on a public street otherwise than in accordance with the direction represented by any traffic control sign displayed on that street.



Diagram 1



Diagram 2

Division 2 Drivers of light rail vehicles

56E Driver facing white “T” signal

The display by a signal erected in accordance with Regulation 55 (1) of a white “T” is a direction that the driver of a light rail vehicle facing the signal may, subject to the Act and these Regulations, proceed, (and, if the movement may be made with safety to the public, may so proceed even though a signal is displaying a red circle or a red arrow in respect of any carriageway on or into which the driver is about to proceed).

56F Driver facing amber “T” signal

- (1) The display by a signal erected in accordance with Regulation 55 (1) of an amber “T” is a direction that the driver of a light rail vehicle facing the signal:
 - (a) if the signal is erected at or near an intersection:
 - (i) must not proceed beyond the stop line in respect of the signal, or
 - (ii) if there is no such stop line—must not enter the intersection, and
 - (b) if the signal is not erected at or near an intersection:
 - (i) must not proceed beyond the stop line in respect of the signal, or
 - (ii) if there is no such stop line—must not proceed beyond the signal nearest to the driver.
- (2) Despite clause (1), the driver may:
 - (a) pass the stop line, or
 - (b) enter the intersection, or
 - (c) pass the signal nearest to the driver,

as the case may be, if, when the amber “T” first appears, the vehicle is so close to the stop line, intersection or signal concerned that the driver cannot safely stop the vehicle before doing so.

56G Driver facing red “T” signal

The display by a signal erected in accordance with Regulation 55 (1) of a red “T” is a direction that the driver of a light rail vehicle facing the signal:

- (a) if the signal is erected at or near an intersection:
 - (i) must not proceed beyond the stop line in respect of the signal, or
 - (ii) if there is no such stop line — must not enter the intersection, and
- (b) if the signal is not erected at or near an intersection:
 - (i) must not proceed beyond the stop line in respect of the signal, or
 - (ii) if there is no such stop line — must not proceed beyond the signal nearest to the driver,

even though the signal may also be displaying a green circle or a green arrow.

56H Light rail vehicle not to stop just past crossing

- (1) The driver of a light rail vehicle must not stop the vehicle so that the rear end of the vehicle is within 30 metres of a children’s crossing or a marked footcrossing unless it is necessary to do so:
 - (a) to comply with a traffic control light signal erected in accordance with Regulation 55, or
 - (b) to avoid a collision.
- (2) In this Regulation, ***marked foot crossing*** does not include a marked footcrossing consisting of a portion of a carriageway described in paragraph (b) of the definition of that expression in Regulation 2 (1).

Division 3 Light rail vehicles and other non-pedestrian traffic

56I Application of Division

This Division applies to a person who is:

- (a) the driver of a vehicle other than a light rail vehicle, or
- (b) the rider of an animal.

56J Giving way to light rail vehicles

- (1) A person who is at or approaching an intersection that a light rail vehicle has entered or is about to enter must avoid the path of the light rail vehicle.
- (2) A person does not commit a breach of this Regulation if the person fails to avoid the path of a light rail vehicle that has been caused to enter the intersection in contravention of a direction under Regulation 56G to the driver of the light rail vehicle.

56K Obstructing light rail vehicles

A person whose vehicle or animal is obstructing the path of a light rail vehicle must move the vehicle or animal out of the path of the light rail vehicle as soon as practicable.

56L Passing light rail vehicles

- (1) A person meeting a light rail vehicle that is travelling in the opposite direction to the person must pass the light rail vehicle on the person's left-hand side.
- (2) Clause (1) does not apply if there is a solid barrier (such as a median strip) between the person and the light rail vehicle.

56M Overtaking light rail vehicles

- (1) A person overtaking a light rail vehicle must do so:
 - (a) on its left-hand side, if the light rail vehicle is travelling on tracks:
 - (i) at or near the centre of the carriageway, or
 - (ii) at or near the right-hand side of the carriageway, and
 - (b) on its right-hand side, if the light rail vehicle is travelling on tracks at or near the left-hand side of the carriageway.
- (2) Despite clause (1), a person must not overtake:
 - (a) on the left-hand side of any light rail vehicle that is turning left or signalling an intention to turn left, or
 - (b) on the right-hand side of any light rail vehicle that is turning right or signalling an intention to turn right.

56N Giving way to passengers leaving light rail vehicles

A person must give way to any pedestrian crossing the carriageway from a light rail vehicle that has stopped at or near the centre of the carriageway.

Note. There are no light rail vehicle stops at or near the centre of the carriageway. Pedestrians will be crossing the carriageway from a light rail vehicle only in an emergency (such as a breakdown of the vehicle).

Division 4 Pedestrians and light rail vehicles**56O Pedestrians not to obstruct light rail vehicles in shared zones**

A pedestrian must not obstruct the path of a light rail vehicle in a shared zone.

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Schedule 1 Amendments

[2] Schedule K

Insert “, 56H, 56K, 56L, 56M, 56N” before “or 64” in the first item in Table A of Part 2.

[3] Schedule K, Table A of Part 2

Insert before the matter relating to Regulation 69A (3) (b):

Regulation 56J	195
Regulation 56O	42