



New South Wales

Motor Traffic Amendment (Additional School Bus Warning System) 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, MP
Minister for Roads

Explanatory note

The object of this Regulation is to implement a trial scheme in Newcastle and Lake Macquarie for the greater protection of school children catching buses. Buses involved in the trial scheme will be required to display a warning system to be activated by the driver when children are being set down or taken up. A motorist approaching the rear of a bus whose warning system is activated will commit an offence if the motorist passes the bus at a speed greater than 40 kilometres per hour.

This Regulation is made under the *Traffic Act 1909*, including section 3 (the general regulation-making power).

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Clause 1 Motor Traffic Amendment (Additional School Bus Warning System) Regulation 1997

Motor Traffic Amendment (Additional School Bus Warning System) Regulation 1997

1 Name of Regulation

This Regulation is the *Motor Traffic Amendment (Additional School Bus Warning System) Regulation 1997*.

2 Commencement

This Regulation commences on 13 October 1997.

3 Amendment of Motor Traffic Regulations 1935

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

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Part 13

Insert after Part 12:

Part 13 Trial of school bus warning system and 40 km/h speed limit

143 Application of Part

- (1) This Part applies to a bus that is used for the conveyance of children to or from a school situated in the City of Newcastle or the City of Lake Macquarie.
- (2) This Part does not apply:
 - (a) to a bus that is operating on charter for a school excursion, or
 - (b) to the owner of a bus whom the Authority exempts from compliance with this Part, or
 - (c) to a driver of a bus referred to in paragraph (b).
- (3) The requirements of this Part are in addition to the requirements of Regulation 136 and 136A.

144 Definitions

- (1) In this Part:

warning sign for a bus means a black and yellow sign fitted to the rear of the bus and issued by the Authority, containing the words “**CHILDREN CROSSING**” and “**SLOW DOWN**”.

warning system means a system that is designed to warn motorists of the presence of children on a bus and that comprises the following:

- (a) a flashing electronic red annulus containing the white numeral 40,
- (b) a flashing electronic yellow sign containing the words “**SCHOOL CHILDREN**”.

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Schedule 1 Amendments

- (2) A reference in this Part to the driving of a bus for school purposes is a reference to the driving of a bus that is used solely for conveying children to or from school.

145 Duties of owners and drivers

- (1) The owner of a bus must not permit any person to drive the bus for school purposes on a public street unless a warning system and warning sign are attached to the rear of the bus.
- (2) A person must not drive a bus for school purposes on a public street unless a warning system and warning sign are attached to the rear of the bus.
- (3) The driver of a bus being used for school purposes on a public street must ensure that at all times during which the bus is stopped to set down or take up children:
 - (a) the flashing sign and the electronic annulus of the warning system are activated, and
 - (b) the headlights are lighted and flashing.
- (4) The driver of a bus must not, on a public street, activate the warning sign or the warning system of the bus when the bus is not being used for school purposes.
- (5) The driver of a motor vehicle approaching from the rear of a bus must not overtake or pass the bus at a speed of more than 40 kilometres per hour if
 - (a) the bus is stationary, and
 - (b) the warning system of the bus has been activated.

146 Expiration of Part

This Part ceases to have effect on 31 July 1998.

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Amendments

Schedule 1

[2] Schedule K Prescribed offences and penalties for the purposes of section 18B of the Act

Insert in appropriate order in Table A of Part 2:

Regulation 145 (1)	195
Regulation 145 (2)–(4)	109
Regulation 145 (5)	201

[3] Schedule L Offences for the purposes of Regulations 10B, 12A (6) and 12B (4)

Insert after the matter relating to an offence under Regulation 11:

Overtake or pass stationary bus in excess of 40km/h—	
Regulation 145 (5)	3