



New South Wales

Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

under the

Road Transport (Safety and Traffic Management) Act 1999

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,

Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to incorporate the *Australian Road Rules* (as published by the National Road Transport Commission on 19 October 1999 and approved by the Australian Transport Council) into the law of New South Wales (Part 2), and
- (b) to make other provision with respect to road rules for roads and road related areas in New South Wales, and
- (c) to provide for miscellaneous other matters relating to the use of roads and road related areas by vehicles.

The *Australian Road Rules* are not completely self-contained and need to be read with associated laws of each jurisdiction. Many of the Rules provide for “another law of this jurisdiction” to define terms used in the Rules for the purposes of application of the Rules in NSW, to permit things to be done in NSW otherwise

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prohibited by the Rules or to exempt persons in NSW from compliance with the Rules. Division 3 of Part 2 makes provision for such matters. Part 3 sets out some of the associated laws that are particular to NSW.

Parts 4 and 5 provide for the establishment and operation of various parking schemes.

Part 6 provides for the issue of parking permits and mobility parking scheme authorities.

Part 7 prescribes certain matters relating to alcohol or other drug testing of drivers and other persons on roads and road related areas.

Part 8 prescribes certain devices as prescribed traffic control devices for the purposes of section 50 of the Act and makes it an offence for a person to obscure any such device.

Part 9 prescribes certain matters relating to the monitoring of heavy vehicles and vehicles carrying dangerous goods for the purposes of Division 2 of Part 5 of the Act.

Part 10 provides for the establishment of schemes to assist children to cross roads and road related areas safely.

Part 11 provides for certain heavy vehicles to be speed-limited.

Part 12 enables police officers and certain council employees to seize vehicles that have been abandoned or illegally parked or that are obstructing traffic.

Part 13 contains miscellaneous provisions.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power) and Schedule 1, sections 19, 26 (b), 27, 46 (1) (b), 60 (1) (a), 64 (4) (b), 68 (1), 76 (1) and (5), the definition of **prescribed traffic control device** in section 50 and the definition of **drug** in the Dictionary to the Act.

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Clause 1 Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

Part 1 Preliminary

Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

2 Commencement

This Regulation commences on 1 December 1999.

3 Interpretation (cf MTR, r 2)

(1) Words and expressions that are used in this Regulation that are defined in Part 1 of the Dictionary at the end of this Regulation have the meanings that are set out in that Part.

(2) A reference in this Regulation to a **road** includes a reference to a road related area.

Note. The terms **road** and **road related area** are defined in the Act.

(3) In this Regulation, an abbreviation or symbol specified in Schedule 1 to the *Australian Road Rules* has the same meaning as it has in that Schedule.

(4) This clause does not extend to the *Australian Road Rules* unless this Regulation provides otherwise.

Note. Clause 9 provides that certain words and expressions used in the *Australian Road Rules* have the meanings set out in Part 2 of the Dictionary.

4 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

Note. For the purposes of comparison, a number of provisions of this Regulation contain bracketed notes in headings drawing attention (“cf”) to equivalent or comparable, though not necessarily identical, provisions of Acts and other Regulations. Abbreviations in the notes include:

- Traffic Act: *Traffic Act 1909* (as in force immediately before its repeal)
- GTR: *General Traffic Regulations 1916* (as in force immediately before the repeal of the Regulations)
- MLA: *Road Transport (Mass, Loading and Access) Regulation 1996*
- MTR: *Motor Traffic Regulations 1935* (as in force immediately before the repeal of the Regulations)

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Clause 5 Road Transport (Safety and Traffic Management) (Road Rules)
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Part 2 Australian Road Rules

Division 1 Incorporation into NSW law

Part 2 Australian Road Rules

Division 1 Incorporation into NSW law

5 What are the Australian Road Rules

In this Regulation, the *Australian Road Rules* means that part of the publication known as the *Australian Road Rules*, ISBN 0 7240 8874 1, published by the National Road Transport Commission on 19 October 1999 that comprises the road rules approved by the Australian Transport Council under the *National Road Transport Commission Act 1991* of the Commonwealth on 29 January 1999 (together with the amendments to those rules approved by the Council on 30 June 1999 and 11 October 1999).

Note. Copies of the *Australian Road Rules*, as published by the National Road Transport Commission, are available from the New South Wales Government Information Service.

The latest version of the Rules is also available in electronic form on the Commission's Internet site at <http://www.nrtc.gov.au/>. However, care should be taken in consulting the latest electronic version on that site because its provisions may differ from the version of the *Australian Road Rules* referred to in this clause.

6 Incorporation of Australian Road Rules into NSW law

Subject to this Regulation, the *Australian Road Rules* are to be read with, and as if they formed part of, this Regulation.

7 Qualifications on application of Australian Road Rules in NSW

Schedule 1 has effect.

Road Transport (Safety and Traffic Management) (Road Rules)
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Clause 8

Australian Road Rules
Interpretation

Part 2
Division 2

Division 2 Interpretation

8 Acts Interpretation Act 1901 of Commonwealth applies to Australian Road Rules

The *Acts Interpretation Act 1901* of the Commonwealth applies to the interpretation of the provisions of the *Australian Road Rules* in the same way as it applies to the interpretation of Commonwealth Acts.

Note. Section 6 of the Act provides that the *Interpretation Act 1987* also applies to the provisions of a regulation to which the *Acts Interpretation Act 1901* of the Commonwealth applies to the extent that it can do so consistently with the application of the Commonwealth Act.

9 Definitions of terms used in Australian Road Rules

Words and expressions that are used in the *Australian Road Rules* that are defined in Part 2 of the Dictionary at the end of this Regulation have the meanings that are set out in that Part.

Division 3 Another law of this jurisdiction

Note. The *Australian Road Rules* are not completely self-contained and need to be read with associated laws of each jurisdiction. Many of the Rules provide for "another law of this jurisdiction" to define terms used in the Rules for the purposes of application of the Rules in NSW, to permit things to be done in NSW otherwise prohibited by the Rules or to exempt persons in NSW from compliance with the Rules. The Table to this note sets out the Rules in respect of which such provision is made by this Division opposite the relevant clause of this Regulation.

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10 References to another law of this jurisdiction

In the *Australian Road Rules*, a reference to **another law of this jurisdiction** includes a reference to the Act and this Regulation.

11 Emergency stopping lane only signs

For the purposes of rule 95 of the *Australian Road Rules*, any driver of an emergency vehicle is permitted to drive in an emergency stopping lane.

12 No trucks signs (cf MLA, cl 40)

- (1) For the purposes of rule 104 of the *Australian Road Rules*, a driver is permitted to drive a vehicle on a road (or a bridge or causeway forming part of a road) past a *no trucks sign* of the kind referred to in rule 104 (1), (2) or (3) if the destination of the vehicle lies in or on the road (or bridge or causeway) and there is no alternative route by which to reach that destination.
- (2) In this clause, **bridge** and **causeway** have the same meanings as they have in the *Road Transport (Mass, Loading and Access) Regulation 1996*.

13 Keeping a minimum distance between long vehicles

For the purposes of rule 127 (2) of the *Australian Road Rules*, **road train area** means an area on which a Class 2 vehicle (within the meaning of the *Road Transport (Mass, Loading and Access) Regulation 1996*) can travel under a Class 2 notice or permit (within the meaning of that Regulation).

14 Driving on or across a continuous white edge line

For the purposes of rule 150 (1) (h) of the *Australian Road Rules*, a driver is permitted to drive on or over a continuous white edge line if:

- (a) the driver is carrying out functions under the road transport legislation, or
- (b) the driver is complying with a direction given by a police officer or other person carrying out functions under the road transport legislation.

15 Vehicles permitted to travel in bus lane, tram lane, transit lane or truck lane (cf MTR, r 54 (6) (z) and (aa))

(1) For the purposes of rule 158 (2) (c) of the *Australian Road Rules*:

- (a) a person is permitted to ride a bicycle in a bus lane, tram lane, transit lane or truck lane, and
- (b) a person is permitted to drive a taxi or motor bike in a bus lane, and
- (c) a person is permitted to drive a special purpose vehicle in a bus lane, tram lane, transit lane or truck lane.

Note. This clause applies subject to the provisions of clause 4 of Schedule 1 dealing with “buses only” lanes. Also, rule 306 of the *Australian Road Rules* provides that the provisions of those Rules do not apply to emergency vehicles (as defined in those Rules) in certain circumstances.

(2) In this clause:

special purpose vehicle means a motor vehicle (whether a tow truck, a vehicle used for repairing traffic control light signals or another vehicle) being operated by or at the direction of the Authority and proceeding to the scene of an accident or other emergency.

16 Stopping on road to which no standing sign applies

(1) Rule 167 of the *Australian Road Rules* does not apply to a driver who stops on a length of road to which a *no stopping sign* applies (being a sign on which the words “no standing” appear) while actually engaged in taking up or setting down persons.

(2) Subclause (1) ceases to have effect on 1 December 2006.

Note. Rule 167 of the *Australian Road Rules* contemplates that another law of this jurisdiction may provide for transitional arrangements dealing with no standing signs.

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Clause 16 Road Transport (Safety and Traffic Management) (Road Rules)
Regulation 1999

Part 2 Australian Road Rules

Division 3 Another law of this jurisdiction

- (3) In this clause, *no stopping sign* is a traffic sign of the kind referred to in rule 167 of the *Australian Road Rules*.

17 Stopping in a loading zone (cf MTR, r 54 (6) (n))

For the purposes of rule 179 (1) (c) of the *Australian Road Rules*, a driver of a vehicle is permitted to stop in a loading zone:

- (a) while any person is actually entering or alighting from the vehicle, or
- (b) if the vehicle is a station waggon or a motor bike that has 3 wheels and is constructed principally for the conveyance of goods—for a period not exceeding 15 minutes while the driver is actually engaged in taking up or setting down goods from the vehicle, or
- (c) if the vehicle is a motor vehicle constructed principally for the conveyance of goods (other than a vehicle referred to in paragraph (b))—for a period not exceeding 30 minutes while the driver is actually engaged in taking up or setting down goods from the vehicle.

18 Stopping in a truck zone (cf MTR, r 54 (6) (na) (ii))

For the purposes of rule 180 (1) (b) of the *Australian Road Rules*, a driver of any motor vehicle is permitted to stop in a truck zone while any person is actually entering or alighting from the vehicle.

19 Stopping in a works zone (cf MTR, r 54 (6) (o) (ii))

For the purposes of rule 181 (1) (b) of the *Australian Road Rules*, a driver of any motor vehicle is permitted to stop in a works zone while any person is actually entering or alighting from the vehicle.

20 Stopping on roads—heavy and long vehicles (cf MTR, r 81A (2) (a))

- (1) For the purposes of rule 200 (2) of the *Australian Road Rules*, a driver of a heavy vehicle, or a long vehicle, is permitted to stop on a length of road in a built-up area for longer than one hour if:
- (a) the driver is carrying out functions under the road transport legislation, or

- (b) the driver is complying with a direction given by a police officer or other person carrying out functions under the road transport legislation.
- (2) For the purposes of rule 200 (2) of the *Australian Road Rules*:
 - (a) a driver of a heavy vehicle, or a long vehicle, that is not a bus is permitted to stop on a length of road in a built-up area for longer than one hour if the driver is actually engaged in taking up or setting down goods, and
 - (b) a driver of a heavy vehicle, or a long vehicle, that is a bus is permitted to stop on a length of road in a built-up area for longer than one hour.

21 Parking by holders of mobility parking scheme authorities

For the purposes of rule 206 (2) (b) and (c) of the *Australian Road Rules*, a driver may park a vehicle continuously on a length of road to which a permissive parking sign applies otherwise than in accordance with the sign if the driver parks the vehicle in accordance with Division 2 of Part 6.

22 Fees for parking in pay parking spaces

- (1) For the purposes of rule 207 (2) (a) of the *Australian Road Rules*, if a permissive parking sign applies to a length of road or an area that is (or is part of) a pay parking area, the relevant parking fee is payable in respect of parking in a pay parking space on that road or area.

Note. In Part 1 of the Dictionary, **relevant parking fee**, in relation to the parking of a vehicle in a pay parking space, is defined to mean the fee for parking a vehicle in the space, for the day and time during which the vehicle is parked in the space, as indicated on:

- (a) the parking meter or ticket machine for the space (in relation to a metered parking space or a ticket parking space), or
 - (b) the permissive parking signs or coupon parking signs for the space (in relation to a coupon parking space).
- (2) For the purposes of this clause, the relevant parking fee does not become payable under subclause (1) until immediately after a vehicle is parked in the pay parking space concerned.

Note. Part 4 of this Regulation makes provision for the administration of pay parking schemes (including the designation of pay parking areas by the erection of permissive parking signs and the fixing of fees by parking authorities).

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Clause 23 Road Transport (Safety and Traffic Management) (Road Rules)
Regulation 1999

Part 2 Australian Road Rules

Division 3 Another law of this jurisdiction

23 Use of radar detectors and similar devices

A driver of a vehicle is exempt from rule 225 of the *Australian Road Rules*.

Note. Rule 225 of the *Australian Road Rules* is superfluous in NSW because section 48 (2) of the Act makes it an offence for a person to drive a motor vehicle, or cause a motor vehicle or trailer to stand, on a road if a prohibited speed measuring evasion article is fitted to, or carried in, the vehicle or trailer.

24 Crossing a road on or near a crossing for pedestrians

For the purposes of rule 234 (3) of the *Australian Road Rules*, a person is permitted to stay on a crossing on a road for longer than necessary to cross the road safely if the person:

- (a) has been authorised to conduct a scheme under Part 10 (Child safety), and
- (b) is on the crossing for the purpose of carrying out the scheme.

25 Wheeled recreational devices and toys not to be used on certain roads (cf GTR, s 3B (2))

For the purposes of rule 240 (2) of the *Australian Road Rules*, a person must not travel in or on a wheeled recreational device on any road between sunset and sunrise on successive days.

26 Riding on a footpath

(1) For the purposes of rule 250 (1) of the *Australian Road Rules*, a rider of a bicycle who is 12 years of age or older must not ride on a footpath unless:

- (a) if the rider is an adult—the rider is accompanying a child under 12 years of age who is riding on the footpath and the child is under the rider's supervision, or
- (b) if the rider is not an adult—the rider is under the supervision of an accompanying adult as referred to in paragraph (a), or
- (c) the rider is a postal worker who is riding the bicycle in the course of his or her duties as a postal worker.

Note. A rider of a bicycle who is under 12 years of age may ride on a footpath unless such a rider is prohibited from doing so under clause 83 (Children under 12 years must not ride on certain footpaths) or rule 252 of the *Australian Road Rules*.

(2) In this clause:

adult means an individual who is 18 years of age or older.

postal worker has the same meaning as it has in the *Australian Road Rules*.

27 Certificates that exempt persons from wearing seat belts (cf MTR, r 110F (4) (b)–(d))

(1) For the purposes of rule 267 (3) of the *Australian Road Rules*, a certificate is issued under a law of this jurisdiction in respect of a person if:

- (a) the certificate is signed by a medical practitioner, and
- (b) it certifies that:
 - (i) the person is unable for medical reasons to wear a seat belt, or
 - (ii) the person is unable, because of that person's size, build or any other physical characteristic, to drive a vehicle with safety while wearing a seat belt.

(2) In this clause, **medical practitioner** means a person registered or licensed as a medical practitioner under a law of a State or Territory that provides for the registration or licensing of such persons.

28 How persons must travel in or on a motor vehicle (cf MTR, r 110A)

(1) For the purposes of rule 268 (6) of the *Australian Road Rules*, a person is exempt from rule 268 if:

- (a) in all the circumstances, there is no reasonable danger of the person falling or being thrown from the vehicle or being injured because of the person travelling in a manner prohibited by that rule, or
- (b) the person is authorised not to comply with that rule under subclause (2).

(2) The Authority may:

- (a) authorise a person, by order in writing, not to comply with rule 268 of the *Australian Road Rules* for the purpose of allowing sporting or similar events to be filmed or facilitating any other special event, and
- (b) impose conditions on any such authorisation.

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Clause 29 Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

Part 2 Australian Road Rules

Division 3 Another law of this jurisdiction

29 Riding on motor bikes (cf MTR, rr 111 (3) and (4) and 112)

- (1) For the purposes of rule 271 (6) of the *Australian Road Rules*, rule 271 (2) and (3) of those Rules does not apply to a passenger or rider of a motor bike if the Authority has, for the purpose of allowing sporting or similar events to be filmed, by order in writing exempted the passenger from compliance with those subrules to the extent that they require the passenger to face forward while being carried on the motor bike.
- (2) For the purposes of rule 271 (6) of the *Australian Road Rules*, rule 271 (5) of those Rules does not apply to a rider of a motor bike with a sidecar if the rider complies with clause 47.

30 Duties of participants in crashes

- (1) For the purposes of rule 287 (3) (e) of the *Australian Road Rules*, a crash is required to be reported to a police officer if:
 - (a) rule 287 (3) (a) and (d) does not apply to the crash (that is, no one is killed or injured in the crash and no vehicle involved in the crash is towed away or carried away by another vehicle), and
 - (b) the officer asks for any of the required particulars.

Note. In relation to a crash, rule 287 (3) (e) of the *Australian Road Rules* requires the driver (or a driver's representative) to give the driver's required particulars, within the required time, concerning the crash to a police officer if the crash is required to be reported to a police officer under another law of this jurisdiction.
- (2) For the purposes of the definition of *required particulars* in rule 287 (4) of the *Australian Road Rules*, information required to be given to a police officer about a crash includes an explanation of the circumstances of the crash.

31 Driving on a nature strip (cf MTR, r 90A)

For the purposes of rule 289 (1) (g) of the *Australian Road Rules*, a driver may drive a vehicle on a nature strip adjacent to a length of road in a built-up area if the vehicle:

- (a) is a motor vehicle (other than a ride on lawnmower) that is constructed and used solely for cutting grass, or for purposes incidental to cutting grass, or

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Australian Road Rules
Another law of this jurisdiction

Part 2
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- (b) is a motor vehicle that is designed for the purposes of cleaning a footpath, is being driven on the nature strip for that purpose and is displaying an amber flashing signal by means of a light or lights mounted on the top of the vehicle, or
- (c) is a vehicle that is being used for the carriage of goods or materials for use in (or for the purposes of) the construction or maintenance of roads by or on behalf of the Authority.

32 Postal vehicles (cf MTR, r 90A)

For the purposes of rule 313 of the *Australian Road Rules*:

- (a) rule 186 (Stopping in a mail zone) of those Rules does not apply to a postal vehicle, and
- (b) rule 288 (Driving on a path) of those Rules does not apply to a driver of a postal vehicle if:
 - (i) the vehicle is a motor bike having an engine capacity of no more than 110ml, and
 - (ii) the vehicle is being driven at a speed not exceeding 10km/h.

Division 4 Offences

33 Application of Criminal Code of the Commonwealth

Chapter 2 of the *Criminal Code* set out in the Schedule to the *Criminal Code Act 1995* of the Commonwealth applies to an offence against this Regulation or the *Australian Road Rules* as if the Chapter were in force as a law of New South Wales.

Note. Chapter 2 of the *Criminal Code* codifies the general principles of criminal responsibility.

34 Offences are strict liability offences

An offence against this Regulation or the *Australian Road Rules* is a strict liability offence for the purposes of Chapter 2 of the *Criminal Code* referred to in clause 33.

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Clause 35 Road Transport (Safety and Traffic Management) (Road Rules)
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Division 4 Offences

35 **General defence of accident or reasonable effort** (cf MTR, r 130)

Without limiting any defence under Chapter 2 of the *Criminal Code* referred to in clause 33, a person is not liable to a penalty for any offence under this Regulation or the *Australian Road Rules* if the person proves to the satisfaction of the court dealing with the case that the offence:

- (a) was the result of an accident, or
- (b) could not have been avoided by any reasonable efforts on the person's part.

36 **No double jeopardy for offence under Rules and this Regulation**

If an act or omission constitutes an offence under this Regulation and the *Australian Road Rules*, the offender is not liable to be punished twice in respect of the offence.

37 **Penalties for offences against Australian Road Rules**

For the purposes of rule 10 (2) of the *Australian Road Rules*, the penalty for an offence against the Rules is:

- (a) in the case of an offence against rule 20 of the Rules—the maximum penalty and period of disqualification (if any) determined in accordance with clause 154, or
- (b) in any other case—a maximum penalty of 20 penalty units.

Part 3 Additional NSW road rules

Note. The Australian Road Rules are not completely self-contained and need to be read with associated laws of each jurisdiction. This Part sets out some of the associated laws that are particular to NSW. Provisions of Acts and other regulations constituting the road transport laws contain other provisions that are particular to NSW.

Division 1 Special speed limits

38 Special speed limits applying to certain vehicles and persons (cf MTR, r 124)

- (1) A person must not drive any of the following vehicles on a road at a speed in excess of 100 km/h:
- (a) a motor vehicle that has a GVM that exceeds 4.5 tonnes,
 - (b) a motor vehicle and trailer combination that has a GCM that exceeds 4.5 tonnes.

Penalty and disqualification: a person who contravenes this subclause is guilty of an offence and is liable to a maximum penalty and a period of disqualification (if any) determined in accordance with clause 154.

- (2) A person must not cause, permit or allow a motor vehicle to be driven in contravention of subclause (1).

Penalty and disqualification: a person who contravenes this subclause is guilty of an offence and is liable to a maximum penalty and a period of disqualification (if any) determined in accordance with clause 154.

- (3) Subclause (1) does not apply so as to permit a motor vehicle to be driven on any length of road in excess of any lower speed otherwise fixed by law as the maximum speed permissible on that length of road.

- (4) The holder of a learner licence must not drive a motor vehicle on a road at a speed in excess of 80 km/h.

Penalty and disqualification: a person who contravenes this subclause is guilty of an offence and is liable to a maximum penalty and a period of disqualification (if any) determined in accordance with clause 154.

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Clause 39 Road Transport (Safety and Traffic Management) (Road Rules)
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Part 3 Additional NSW road rules
Division 1 Special speed limits

39 Speed limits on Lord Howe Island (cf MTR, r 124B)

A person must not drive any motor vehicle on any road on Lord Howe Island at a speed in excess of 25 km/h.

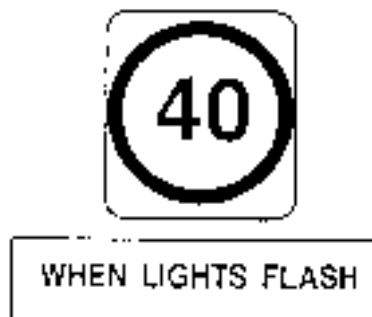
Penalty and disqualification: a person who contravenes this clause is guilty of an offence and is liable to a maximum penalty and a period of disqualification (if any) determined in accordance with clause 154.

40 Passing school bus displaying 40 km/h speed limit sign (cf MTR, rr 54A (1C) and 136D)

- (1) The driver of a motor vehicle approaching from the rear a bus (whether stationary or in motion) on which is displayed a sign in a form similar to the form illustrated at the end of this clause must not pass the bus on a road at a speed of more than 40 km/h if the warning system of the bus is activated.

Penalty and disqualification: a person who contravenes this subclause is guilty of an offence and is liable to a maximum penalty and a period of disqualification (if any) determined in accordance with clause 154.

- (2) This clause does not apply in relation to a length of road to which a sign referred to in clause 3 (1) (a) of Schedule 1 applies under Part 3 of the *Australian Road Rules* (read together with clause 3 of Schedule 1).
- (3) In this clause:
warning system of a bus means the warning system referred to in clause 94.



41 Drivers to which Division does not apply (cf Traffic Act, s 4A (6)–(8))

- (1) The provisions of this Division do not apply to the driver of a motor vehicle that is taking part in a race, an attempt to break a vehicle speed record, a trial of speed or any competitive trial as referred to in section 40 (1) of the Act in accordance with an approval given, and any conditions imposed by the Commissioner of Police, under section 40 (2) of the Act.
- (2) Nothing in this Division or rule 20 of the *Australian Road Rules* is to be construed so as to justify the driving of any motor vehicle on a road at a speed that:
 - (a) having regard to all the circumstances of the case, is dangerous to the public, or
 - (b) exceeds any maximum speed applicable to the vehicle that is fixed by or under any Act or statutory rule or that is stated in any notice applicable to the vehicle and displayed in accordance with any law on the road or in a position where it is visible from the road.
- (3) In subclause (2) (a), the circumstances of the case include the following:
 - (a) the nature, condition and use of the road,
 - (b) the amount of traffic that actually is at the relevant time, or that might reasonably be expected to be, on that road,
 - (c) the proximity of any intersection or grades or curves in the road.

Division 2 Noise and other nuisances

42 Engine to be stopped where necessary (cf MTR, r 108)

- (1) So far as may be necessary for the prevention of noise, the driver of a motor vehicle on a road must, whenever the vehicle is stationary, stop its engine.

Maximum penalty: 20 penalty units.

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Division 2 Noise and other nuisances

- (2) This clause does not apply to an enforced stoppage owing to the necessities of traffic or so as to prevent the examination of any machinery of the motor vehicle if the examination is necessary by any failure or derangement of the machinery.

43 Emission of waste oil, grease and exhaust (cf MTR, r 109)

- (1) A person must not use a motor vehicle or trailer on a road without adequate precautions being taken to prevent waste oil or grease from the machinery or from any other part of the vehicle from dropping to the roadway.

Maximum penalty: 20 penalty units.

- (2) Without limiting the liability of any other person, the responsible person for a motor vehicle or trailer must not cause, permit or allow or fail to take reasonable precautions to prevent a contravention of subclause (1).

Maximum penalty: 20 penalty units.

44 Prevention of splashing of mud (cf MTR, r 110 (b))

The driver of a motor vehicle on a road must take due care, by slowing down or stopping if necessary, not to splash mud on:

- (a) any person in or on a bus, or
- (b) any person entering or leaving any stationary bus, or
- (c) any person waiting at any bus stop,

if the bus concerned is being used to provide a public passenger service or the bus stop concerned is a stop relating to buses used for that purpose.

Maximum penalty: 20 penalty units.

Division 3 Driver and passenger safety

45 Safety of persons on trailers (cf MTR, r 110A)

- (1) The driver of a trailer on a road must not permit or allow any person to travel in or on any part of the trailer that is not a part designed primarily for the carriage of passengers or goods.

Maximum penalty: 20 penalty units.

- (2) A person must not travel in or on any part of a trailer that is a part designed primarily for the carriage of goods if the part is not enclosed.

Maximum penalty: 20 penalty units.

- (3) This clause does not apply to a person:

- (a) who is in or on an emergency vehicle, or
- (b) engaged in the door-to-door delivery or collection of goods, or in the collection of waste or garbage, in or on a trailer that is not travelling over 25km/h, or
- (c) if in all the circumstances, there is no reasonable danger of the person falling or being thrown from the trailer, or being injured, because of the person travelling in a manner prohibited by this clause.

- (4) In this clause:

enclosed, in relation to a part of a trailer, means enclosed by:

- (a) the structure of the trailer, or
- (b) a canopy, cage or other device fitted to the trailer that is of a kind approved for the purposes of this clause by the Authority.

46 Child restraints prohibited on front seats fitted with airbags (cf MTR, r 110H)

- (1) A person must not use a motor vehicle on a road if a child is occupying a child restraint in a front seat position of the vehicle and an airbag fitted to the vehicle is designed to deploy in that seat position.

Maximum penalty: 20 penalty units.

- (2) The Authority may, subject to such conditions as it thinks fit, exempt any person or class of persons, or any motor vehicle or class of motor vehicles, from the operation of this clause.

- (3) In this clause:

child means an individual under 16 years of age.

child restraint means any restraint or similar device that is designed to restrain or limit the movement of a child occupying the restraint in a motor vehicle if the vehicle suddenly accelerates or decelerates, but does not include a seat belt.

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Division 3 Driver and passenger safety

seat belt means a belt or similar device that is fitted to a motor vehicle and designed to restrain or limit the movement of a person who is seated in the vehicle and wearing the belt or device if the vehicle suddenly accelerates or decelerates.

47 Sidecars not to be overloaded (cf MTR, rr 112 and 113)

- (1) A motor bike to which a sidecar is attached must not be driven or used on a road:
 - (a) for the carriage on the motor bike of any person other than the driver unless the applicable provisions of the *Australian Road Rules* are complied with in respect of the motor bike, and
 - (b) unless each and every person carried by the sidecar is safely seated in the sidecar.
- (2) A person must not, in contravention of subclause (1):
 - (a) drive or use a motor bike or motor bike with sidecar attached, or
 - (b) being the responsible person for any motor bike or motor bike with sidecar attached—cause or permit or allow it to be driven or used or fail to take reasonable precautions to prevent it from being driven or used, or
 - (c) be carried on or in any motor bike or sidecar.

Maximum penalty: 20 penalty units.

Division 4 Trailers and towing

48 Number of vehicles that may be drawn (cf MTR, r 114)

- (1) A person must not use or cause or permit to be used on a road:
 - (a) an articulated vehicle drawing any motor or other vehicle or trailer, or
 - (b) any other motor vehicle drawing more than one motor or other vehicle or trailer,

unless written permission is first obtained from the Commissioner of Police and all conditions of the permission are strictly complied with.

Maximum penalty: 20 penalty units.

- (2) Nothing in subclause (1) (b) applies to or in respect of a tow truck that draws an articulated vehicle (not being a road train) on a road if:
- (a) the articulated vehicle or trailer has broken down on a road and it is necessary for it to be towed away, or
 - (b) the articulated vehicle or trailer has been involved in an accident on a road and, as a result of damage occasioned to the articulated vehicle or trailer in that accident, it is necessary for it to be towed away.
- (3) Nothing in subclause (1) (b) applies to or in respect of a vehicle that draws another vehicle if:
- (a) the other vehicle is partially supported by a lift and tow trailer, and
 - (b) the speed of the combination does not exceed 60 km/h, and
 - (c) the combined weight of the towed vehicle and lift and tow trailer does not exceed the unladen weight of the towing vehicle.
- (4) This clause does not apply to the following:
- (a) a tractor-harvester-cutting head trailer combination,
 - (b) a tractor with multiple implements attached, where those implements are normally used as one unit when performing agricultural operations,
 - (c) a tractor and implement combination towing a fuel trailer or a laser tower,
 - (d) an articulated low-loader consisting of a prime mover towing a converter dolly and a semi-trailer,
 - (e) a road train.
- (5) This clause does not apply to any vehicle or combination of vehicles with a GVM or GCM of greater than 4.5 tonnes.
- (6) In this clause:
- implement*** means a motor vehicle or trailer which comprises an excavator, road grader, road roller, bulldozer, forklift truck or other machinery or apparatus and is not constructed on a chassis of a type normally used in the construction of a motor lorry.

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Division 4 Trailers and towing

lift and tow trailer means a trailer consisting of an axle group and a drawbar intended for supporting one axle group of a vehicle under tow.

49 Towing by vehicles under 4.5 tonnes (cf MTR, r 115)

- (1) A person must not use on a road a motor vehicle (the ***towing vehicle***) that has a motor vehicle, other vehicle or trailer attached to it for the purpose of being towed (the ***towed vehicle***), if the laden weight of the towed vehicle exceeds:
 - (a) the capacity of the towing attachment fitted to the towing vehicle, or
 - (b) the maximum laden weight for the towed vehicle.Maximum penalty: 20 penalty units.
- (2) For the purposes of subclause (1), the ***maximum laden weight*** for a towed vehicle is:
 - (a) the maximum laden weight for a towed vehicle that the manufacturer of the towing vehicle has specified in respect of the towing vehicle, or
 - (b) if the manufacturer of the towing vehicle has not specified such a maximum, the manufacturer cannot be identified or the towing vehicle has been modified to the extent that the manufacturer's specification is no longer appropriate:
 - (i) one and a half times the unladen weight of the towing vehicle if the towed vehicle is fitted with a braking system that is working properly, or
 - (ii) the unladen weight of the towing vehicle in any other case.
- (3) A person does not commit an offence against this clause if:
 - (a) the towing vehicle is driven or used in accordance with the prior written permission of the Authority and any conditions set out in the document giving the permission, and
 - (b) a copy of that document is carried by the driver of the towing vehicle when using the vehicle otherwise than in accordance with subclause (1).
- (4) This clause does not apply to any vehicle or combination of vehicles with a GVM or GCM of greater than 4.5 tonnes.

50 Towing restrictions generally (cf MTR, r 116)

- (1) A person must not use on a road a motor vehicle (the *towing vehicle*) having attached to its rear for the purpose of being towed any other vehicle that is not a trailer (the *towed vehicle*) unless the following conditions are satisfied:
- (a) the space between the 2 vehicles does not exceed 4m or, if either of the vehicles is a motor bike, 3m,
 - (b) if the towed vehicle is a motor vehicle—(except as provided in paragraphs (c) and (d)):
 - (i) a competent person is in charge of the towed vehicle to control it so far as the condition of its brakes or mechanism will permit and to prevent accident to any person on the road, or
 - (ii) the vehicle is authorised under subclause (3) to be towed without a competent person in charge of it and the conditions of the authorisation are strictly complied with,
 - (c) if the towing vehicle is a tow truck and the towed vehicle is a motor vehicle that is lifted partially clear of the ground and is securely connected to the tow truck:
 - (i) the lifting apparatus of the tow truck is constructed in a manner approved by the Authority and is maintained in a thoroughly serviceable condition, and
 - (ii) the lifting capacity of the tow truck chassis, as determined by the Authority, is legibly and durably displayed on the rear of the vehicle in block letters and figures of not less than 50mm in height (using black lettering on a retro-reflective yellow background with no letter or figure within 25mm of the edge of the background) and in one of the following forms:
LIFT CAPACITY (here insert amount in kilograms)
KILOGRAMS
- or
- LIFT CAPACITY (here insert amount in kilograms)
KG, and

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Division 4 Trailers and towing

- (iii) the weight imposed on the lifting apparatus of the tow truck when the towed vehicle is lifted partially clear of the ground does not exceed the lifting capacity referred to in subparagraph (ii) except where necessary in order to comply with a direction of a police officer given for the purpose of removing to the nearest place of safety the towed vehicle if it is then causing, or likely to cause, danger or obstruction on a road, and
 - (iv) the brakes of the towed vehicle, where the weight of that vehicle (including any loading) exceeds 6 tonnes or exceeds the unladen weight of the tow truck, are interconnected with the braking system of the tow truck and are capable of independent operation by the driver of the tow truck, and
 - (v) all of the weight of the towed vehicle is released from the lifting hook or other lifting device, and
 - (vi) the combination of the tow truck (if it is being driven on a road) and the towed vehicle is driven at a speed not exceeding 80 km/h,
- (d) the towing vehicle is not a motor bike and the towed vehicle is a motor bike the front wheel of which is lifted clear of the ground and is rigidly connected to the towing vehicle,
- (e) if the 2 vehicles are joined by means of a rope, chain or wire—there is displayed between the vehicles a red flag or other suitable object so as to be clearly visible as a warning of danger,
- (f) an illuminated light is affixed, between the hours of sunset and sunrise, to that portion of the towed vehicle that faces any following vehicle (in the centre of that portion or to the right-hand or off side of the centre) and shows a clear red light so that it will be distinctly visible to the driver of any following vehicle and, if the 2 vehicles are joined by means of a rope, chain or wire, a bright white light is projected by a light or lights affixed to the towed vehicle so that it will render clearly visible any flag or other object displayed in accordance with paragraph (e),

- (g) if the towed vehicle is not constructed to be propelled by mechanical means—it is fastened with the shafts or pole of it in actual contact with the towing vehicle.

Maximum penalty: 20 penalty units.

- (2) The requirements specified in subclause (1) (f) are in addition to the requirements of this Regulation relating to lights on motor vehicles in respect of the towing vehicle.
- (3) For the purposes of subclause (1) (b) (ii), a vehicle may be authorised to be towed without a competent person in charge of it if:
 - (a) the driver of the towing vehicle is given written permission (whether with or without conditions) to tow the towed vehicle without a competent person in charge of it:
 - (i) by the Authority, or
 - (ii) by a police officer (but only in the case of an emergency), or
 - (b) the towed vehicle belongs to a class of vehicles exempted from the requirement that the vehicle be towed with a competent person in charge of the vehicle by a notice published in the Gazette by the Authority (whether with or without conditions).
- (4) Despite any other provision of this Regulation, no light must be displayed on a motor vehicle that is being towed so as to be visible to the driver of any following vehicle other than:
 - (a) as provided by subclause (1) (f), or
 - (b) light from any clearance, side marker or rear light required or permitted by Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be fitted to the vehicle.

51 Special provisions relating to boat trailers (cf MTR, r 117)

- (1) Any boat trailer is taken to comply with an affixing provision if the affixed item is securely affixed to a removable panel or panels, constructed of wood, metal or other suitable material and the panel or panels are:
 - (a) while a boat is being carried on the trailer—securely affixed to the boat in such a manner that the affixed item is in a position and is facing in a direction that would comply with the provisions of this Regulation if the boat comprised part of the trailer, and

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(b) while a boat is not being carried on the trailer—securely affixed to the trailer in such a manner that the affixed item is in a position and is facing in a direction that complies with the provisions of this Regulation.

(2) In this clause:

affixed item, in relation to an affixing provision, means any light, reflector or flashing light turn signal to which the affixing provision applies.

affixing provision means any provision of this Regulation relating to the affixing of and any fitting for any light, reflector or flashing light turn signal required or permitted by this Regulation to be fitted to the trailer.

boat trailer means a trailer constructed or that is being used for the conveyance of a boat.

Division 5 Lights on vehicles

52 Interpretation

In this Division:

dipping device has the same meaning as it has in the *Road Transport (Vehicle Registration) Regulation 1998*.

fog light means a light used to improve the illumination of the road in case of fog, snowfall, heavy rain or a dust storm.

headlight means a headlight of the kind referred to in the *Road Transport (Vehicle Registration) Regulation 1998*.

period of darkness means:

- (a) any time between the hours of sunset and sunrise, or
- (b) any other time when there is insufficient daylight to render a person dressed in dark clothing discernible at a distance of 100m.

53 Lights required when driving in dark (cf MTR, r 95 (1))

- (1) A person must not drive a motor vehicle on a road during a period of darkness unless the lights required by Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be fitted to the vehicle are alight.

Maximum penalty: 20 penalty units.

- (2) Subclause (1) does not apply to any lights required or permitted during a period of darkness under this Regulation or Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be extinguished by the operation of a dipping device or otherwise.

54 Lights on motor bikes (cf MTR, r 95 (5))

- (1) A person must not, during a period of darkness, drive a motor bike on a road:
- (a) if the engine capacity of the bike does not exceed 100 ml—at a speed exceeding 40 km/h, or
 - (b) if the engine capacity of the bike exceeds 100 ml but does not exceed 200 ml—at a speed exceeding 50 km/h.

Maximum penalty: 20 penalty units.

- (2) This clause does not apply to any motor bike that is fitted with a headlight having an effective range of at least 50m.

55 Lights on motor vehicles generally (cf MTR, r 95 (6))

A person must not cause or permit:

- (a) any fog light affixed to a motor vehicle on a road to be lighted except in fog, mist or under other atmospheric conditions that restrict visibility, or
- (b) any spot or search light affixed to a motor vehicle on a road to be lighted unless:
 - (i) the vehicle is stationary and the light is lighted and used only for the purpose of examining or making adjustments or repairs to a vehicle, and the light from the light is not projected more than 6m, or
 - (ii) the light is lighted for the temporary purpose of reading any finger or notice board or house number, or

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- (iii) the vehicle is being driven or used by a police officer in the performance of his or her duty, or
- (iv) the vehicle is being used by a governmental or semi-governmental or local government or other authority in connection with its functions, or
- (c) any additional headlight permitted to be fitted to a motor vehicle by Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be lighted when the vehicle is being driven on a length of road for which there is provision for the lighting by means of road lighting or when any approaching vehicle is visible to its driver, or
- (d) any light permitted to be fitted to a motor vehicle or trailer by clause 123 (4)–(7) of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be lighted unless:
 - (i) the vehicle is standing in a hazardous position or moving in hazardous circumstances, or
 - (ii) the vehicle is an ambulance, police vehicle, fire fighting vehicle, mines rescue vehicle or Red Cross vehicle that is being used for urgent purposes arising from an accident, fire or other emergency, or
 - (iii) the vehicle is a motor vehicle or trailer that is transporting any loading that exceeds the maximum length, width or height limits set out in Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* or any other vehicle used to escort such vehicles and either vehicle is being used for such purposes, or
 - (iv) the vehicle is being used by the Authority for law enforcement purposes, or
- (e) any device referred to in clause 124 (1) or (2) of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* or any hazard warning signal complying with the requirements of the ADR (3rd Ed) relating to the installation of lighting and light-signalling devices to operate:
 - (i) on a vehicle (other than a bus) unless the vehicle is standing in a hazardous position or moving in hazardous conditions, or

- (ii) on a bus unless the bus is standing in a hazardous position or moving in hazardous conditions or while the bus is stopped to allow a person to alight from or enter it.

Maximum penalty: 20 penalty units.

56 Use of crimson flashing warning lights on certain council vehicles
(cf MTR, r 95AA)

- (1) Without limiting the operation of clause 55 (1) (d), a person must not cause or permit any crimson flashing warning light permitted to be fixed to a motor vehicle by clause 123 (4)–(7) of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be lighted unless the vehicle is being used by an employee of a council for the purposes of enforcing excess weight limits legislation.

Maximum penalty: 20 penalty units.

- (2) In this clause, *excess weight limits legislation* means any of the following:
 - (a) sections 108 and 112, and Division 2 of Part 14, of the *Roads Act 1993*,
 - (b) the *Road Transport (Mass, Loading and Access) Regulation 1996*.

57 Street vending vehicles to display flashing warning lights (cf MTR, r 95A)

- (1) The driver of a street vending vehicle on a road must cause the light required by clause 125 of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be fitted to the vehicle to be lighted while the vehicle is standing for the purpose of attending to customers.

Maximum penalty: 20 penalty units.

- (2) Except as provided by subclause (1), the driver of a street vending vehicle must not cause or permit the light required by clause 125 of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* to be fitted to the vehicle to be lighted while the vehicle is on a road.

Maximum penalty: 20 penalty units.

- (3) In this clause, *street vending vehicle* has the same meaning as it has in the *Road Transport (Vehicle Registration) Regulation 1998*.

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Clause 58 Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

Part 3 Additional NSW road rules

Division 5 Lights on vehicles

58 Lights on stationary vehicle (cf MTR, r 96)

- (1) Except where road lighting in the vicinity renders a motor vehicle or trailer clearly visible, a person must not, during a period of darkness, stand or cause or permit to stand on a road a motor vehicle or trailer unless the rear light and any clearance or side marker light required to be fitted to that vehicle by Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* are alight.

Maximum penalty: 20 penalty units.

- (2) Subclause (1) does not apply to a motor bike to which a sidecar is not attached.
- (3) A person must not, during a period of darkness, cause or permit a motor vehicle to stand with a headlight alight while the vehicle is not actually engaged in taking up or setting down persons.

Maximum penalty: 20 penalty units

Division 6 Dangerous goods

59 Carriage of dangerous goods (cf MTR, r 119A)

- (1) In this clause:

dangerous goods means goods that are dangerous goods within the meaning of the *Dangerous Goods Act 1975* or the *Road and Rail Transport (Dangerous Goods) Act 1997*.

dangerous goods transporter means:

- (a) any motor vehicle or trailer loaded or partly loaded with any dangerous goods and that is required by the *Road Transport (Dangerous Goods) (New South Wales) Regulations* to have signs exhibited on it, or
- (b) any tanker that is used for the conveyance of dangerous goods and is required by the *Road Transport (Dangerous Goods) (New South Wales) Regulations* to have signs exhibited on it.

prohibited area means:

- (a) any road, or part of a road, specified or described in Schedule 2, or
- (b) any tunnel or part of a tunnel, specified or described in Schedule 2.

tanker means a motor vehicle or trailer that is specially constructed or equipped for the carriage of liquid in a receptacle of a capacity exceeding 450 litres or in one or more receptacles any one of which has a capacity exceeding 450 litres.

- (2) A person must not stop or park, or cause, permit or allow to stop or park, a dangerous goods transporter on or in any prohibited area:
- (a) on any day or during any period specified in Schedule 2, or
 - (b) at any time where no such day or period is specified.

Maximum penalty: 20 penalty units.

- (3) A person does not commit an offence against subclause (2) if the dangerous goods transporter is displaying a permit issued by the Commissioner of Police authorising it to stop or park in a prohibited area and is parked or stopped in accordance with any conditions on which the permit was issued.
- (4) The holder of a permit issued under subclause (3) who, without lawful excuse, contravenes a condition of the permit is guilty of an offence.
- Maximum penalty: 20 penalty units.

Division 7 Parking

60 Restricted parking area (cf MTR, r 54 (6) (ao))

- (1) A driver of a vehicle (other than a public utility service vehicle) must not, in a restricted parking area, stop or park otherwise than in a parking station or in accordance with the directions marked on (or on a sign displayed, with the approval of the Authority, adjacent to) a parking bay unless the driver is actually engaged in taking up or setting down persons or goods.

Maximum penalty: 20 penalty units

- (2) In this clause:

parking bay has the same meaning as it has in the *Australian Road Rules*.

restricted parking area means a group of roads (or parts of roads) defined by no parking signs of the kind referred to in rule 168 of the *Australian Road Rules* having the words "restricted parking area" on them erected or displayed adjacent to the area entrances.

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Clause 60 Road Transport (Safety and Traffic Management) (Road Rules)
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Division 7 Parking

stop has the same meaning as it has in the *Australian Road Rules*.

- (3) A driver who commits an offence against this clause does not commit an offence against rule 168 of the *Australian Road Rules* in the respect of the same act or omission.

61 Use of meters in metered parking areas (cf MTR, r 91H)

- (1) A person must not park a vehicle in a metered parking area except in a metered parking space.

Maximum penalty: 20 penalty units.

- (2) A person must not park a vehicle in a metered parking space without paying the relevant parking fee for the space for at least the minimum period of time for which parking in the space must be paid for.

Maximum penalty: 20 penalty units.

- (3) A person does not commit an offence under subclause (2) if the person parks a vehicle in a metered parking space before paying the relevant parking fee, so long as the person pays the relevant parking fee immediately after parking the vehicle.

- (4) The driver of a vehicle must not allow the vehicle to remain parked in a metered parking space if the parking meter for the space indicates that the period of time for which parking in the space has been paid for has expired.

Maximum penalty: 20 penalty units.

- (5) The driver of a vehicle must not allow the vehicle to remain parked in a metered parking space for more than the period of time indicated on the metered parking signs for the space as the maximum time for which a vehicle may be parked in the space.

Maximum penalty: 20 penalty units.

- (6) A person does not commit an offence against this clause if:
- (a) the metered parking space is within a ticket parking area or coupon parking area, and
 - (b) the person has complied with the provisions of this Division, as the case requires, in relation to the parking of the vehicle in that area.

- (7) A person does not commit an offence against this clause (other than subclause (5)) if the parking meter for the metered parking space is inoperable.
- (8) This clause:
- (a) does not apply to a metered parking space outside the controlled parking hours for the space, and
 - (b) does not apply to a vehicle displaying a current mobility parking scheme authority, and
 - (c) does not apply to a vehicle displaying a current parking permit while it is parked in a metered parking space located in a road specified in the permit and the space is designated for use by the holder of the permit.

62 Parking in metered parking spaces (cf MTR, r 91I)

A person must not park a vehicle in a metered parking space:

- (a) while any other vehicle is parked in the space, or
- (b) in such a manner that any part of the vehicle lies over the markings for the space.

Maximum penalty: 20 penalty units.

63 Temporary closure of metered parking spaces (cf MTR, r 91J)

- (1) If the parking authority decides that the use of a metered parking space should be temporarily discontinued, a sign displaying words to that effect (a *temporary closure sign*) may be erected in, or in close proximity to, the space.
- (2) A person must not park a vehicle in a metered parking space to which a temporary closure sign relates.

Maximum penalty: 20 penalty units.

64 Misuse of parking meters (cf MTR, r 91K)

A person must not:

- (a) insert in a parking meter anything other than coins or other means of payment, as specified on the meter, or

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- (b) deface any parking meter or affix anything (such as advertising matter) to any parking meter.

Maximum penalty: 20 penalty units.

65 Damage to parking meters (cf Traffic Act, s 10S)

A person must not:

- (a) damage a parking meter, or
- (b) do anything that interferes with (or is likely to interfere with) the proper working of a parking meter, or
- (c) fraudulently operate a parking meter.

Maximum penalty: 20 penalty units.

66 Use of tickets in ticket parking areas (cf MTR, r 91R)

- (1) A person must not park a vehicle in a ticket parking area unless a current parking ticket is displayed, in such a manner that its date and expiry time are clearly visible to persons outside the vehicle:
 - (a) in or on the front left-hand portion of the vehicle, or
 - (b) if a different portion is specified in the ticket in relation to a particular class of vehicles, in or on such portion of the vehicle as is so specified.

Maximum penalty: 20 penalty units.

- (2) A person does not commit an offence under subclause (1) if the person parks a vehicle in a ticket parking area before obtaining a parking ticket, so long as the person obtains and displays a current parking ticket in accordance with this clause immediately after parking the vehicle.
- (3) The driver of a vehicle must not allow the vehicle to remain parked in a ticket parking area after the expiry of the parking ticket displayed in or on the vehicle.

Maximum penalty: 20 penalty units.

- (4) The driver of a vehicle must not allow the vehicle to remain parked in a ticket parking area for more than the period of time indicated on the ticket parking signs for the area as the maximum time for which a vehicle may be parked in the area.

Maximum penalty: 20 penalty units.

- (5) A person does not commit an offence against this clause if:
- (a) the ticket parking area is, or forms part of, a metered parking area or a coupon parking area, and
 - (b) the person has complied with the provisions of this Division, as the case requires, in relation to the parking of the vehicle in the area.
- (6) Nothing in this clause prevents a person from parking a vehicle in different parts of the same ticket parking area while displaying the same parking ticket.
- (7) This clause:
- (a) does not apply to a ticket parking area outside the controlled parking hours for the area, and
 - (b) does not apply to a vehicle displaying a current mobility parking scheme authority, and
 - (c) does not apply to a vehicle displaying a current parking permit while it is parked in a ticket parking area located in a road specified in the permit and the area is designated for use by the holder of the permit.

67 Parking in ticket parking spaces (cf MTR, r 91S)

A person must not park a vehicle in any ticket parking space:

- (a) while any other vehicle is parked in the space, or
- (b) in such a manner that any part of the vehicle lies over the markings for the space.

Maximum penalty: 20 penalty units.

68 Temporary closure of ticket parking areas (cf MTR, r 91T)

- (1) If the parking authority decides that the use of a ticket parking area, or ticket parking space, should be temporarily discontinued, a sign displaying words to that effect (a *temporary closure sign*) may be erected in, or in close proximity to, the area or space.
- (2) A person must not park a vehicle in a ticket parking area or ticket parking space to which such a temporary closure sign relates.

Maximum penalty: 20 penalty units.

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Clause 69 Road Transport (Safety and Traffic Management) (Road Rules)
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69 Use of false or damaged parking tickets (cf MTR, r 91U)

A person must not display in or on a vehicle that is parked in a ticket parking area:

- (a) any article or thing resembling a parking ticket that falsely suggests that the relevant parking fee has been paid, or
- (b) any parking ticket that is altered, defaced, mutilated or illegible.

Maximum penalty: 20 penalty units.

70 Misuse of ticket machines (cf MTR, r 91V)

A person must not:

- (a) insert in a parking ticket machine anything other than coins or other means of payment, as specified on the machine, or
- (b) deface any parking ticket machine or affix anything (such as advertising matter) to any ticket machine.

Maximum penalty: 20 penalty units.

71 Use of coupons in coupon parking areas (cf MTR, r 91BB)

- (1) A person must not park a vehicle in a coupon parking area unless a current parking coupon is displayed, in such a manner that its date and expiry time are clearly visible to persons outside the vehicle:

- (a) in or on the front left-hand portion of the vehicle, or
- (b) if a different portion is specified in the coupon in relation to a particular class of vehicles, in or on such portion of the vehicle as is so specified.

Maximum penalty: 20 penalty units.

- (2) A person does not commit an offence under subclause (1) if the person parks a vehicle in a coupon parking area before obtaining a parking coupon, so long as the person obtains and displays a current parking coupon in accordance with this clause immediately after parking the vehicle.

- (3) A person must not display more than 3 parking coupons at any one time in or on a vehicle that is parked in a coupon parking area.

Maximum penalty: 20 penalty units.

- (4) The driver of a vehicle must not allow the vehicle to remain parked in a coupon parking area after the expiry of the parking coupons displayed in or on the vehicle.

Maximum penalty: 20 penalty units.

- (5) The driver of a vehicle must not allow the vehicle to remain parked in a coupon parking area for more than the period of time indicated on the coupon parking signs for the area as the maximum time for which a vehicle may be parked in the area.

Maximum penalty: 20 penalty units.

- (6) A person does not commit an offence against this clause if:

- (a) the coupon parking area is, or forms part of, a metered parking area or a ticket parking area, and
- (b) the person has complied with the provisions of this Division, as the case requires, in relation to the parking of the vehicle in the area.

- (7) Nothing in this clause prevents a person from parking a vehicle in different parts of the same coupon parking area while displaying the same parking coupon.

- (8) This clause:

- (a) does not apply to a coupon parking area outside the controlled parking hours for the area, and
- (b) does not apply to a vehicle displaying a current mobility parking scheme authority, and
- (c) does not apply to a vehicle displaying a current parking permit while it is parked in a coupon parking area located in a road specified in the permit and the area is designated for use by the holder of the permit.

72 Parking in coupon parking spaces (cf MTR, r 91CC)

A person must not park a vehicle in a coupon parking space:

- (a) while any other vehicle is parked in the space, or
- (b) in such a manner that any part of the vehicle lies over the markings for the space.

Maximum penalty: 20 penalty units.

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Clause 73 Road Transport (Safety and Traffic Management) (Road Rules)
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73 Temporary closure of coupon parking areas (cf MTR, r 91DD)

- (1) If the parking authority decides that the use of a coupon parking area, or coupon parking space, should be temporarily discontinued, a sign displaying words to that effect (a *temporary closure sign*) may be erected in, or in close proximity to, the area or space.
- (2) A person must not park a vehicle in a coupon parking area or coupon parking space to which such a temporary closure sign relates.

Maximum penalty: 20 penalty units.

74 Use of false or damaged parking coupons (cf MTR, r 91EE)

A person must not display in or on a vehicle that is parked in a coupon parking area:

- (a) any article or thing resembling a parking coupon that falsely suggests that the relevant parking fee has been paid, or
- (b) any parking coupon that is altered, defaced, mutilated or illegible.

Maximum penalty: 20 penalty units.

75 Powers of police in emergency (cf Traffic Act, s 10VB)

- (1) A police officer may, during a temporary obstruction or danger to traffic or in an emergency:
 - (a) direct a person not to cause or permit any vehicle to park in any part of a pay parking area, or
 - (b) direct the responsible person for or driver of a vehicle parking in any part of a pay parking area to remove the vehicle from that part or (if no person appears to be in charge of the vehicle) to remove the vehicle from that part.

- (2) A person must not, without reasonable excuse, fail to comply with a direction under this clause.

Maximum penalty: 20 penalty units.

76 Loading zone ticket machines and misuse of loading zone tickets (cf MTR, rr 91VC and 91VF)

- (1) Tickets issued by a loading zone ticket machine are to be free of charge.

- (2) A loading zone ticket is to differentiate between heavy goods vehicles and light goods vehicles by specifying an expiry time that:
- (a) in relation to a heavy goods vehicle, is 30 minutes after the time of its issue, and
 - (b) in relation to a light goods vehicle, is 15 minutes after the time of its issue.

- (3) A person must not:
- (a) deface any loading zone ticket machine or affix anything (such as advertising material) to any loading zone ticket machine, or
 - (b) intentionally cause any loading zone ticket machine to produce more than one ticket on any one occasion (except for the purpose of obtaining a ticket that is not mutilated or illegible), or
 - (c) interfere with any loading zone ticket machine, unless lawfully authorised to do so.

Maximum penalty: 20 penalty units.

- (4) A person must not display in or on a goods vehicle that is parked in a ticket-operated loading zone:
- (a) any article or thing resembling a loading zone ticket that falsely suggests that the goods vehicle is parked lawfully in the zone, or
 - (b) any loading zone ticket that is altered, defaced, mutilated or illegible.

Maximum penalty: 20 penalty units.

77 Use of loading zone tickets in ticket-operated loading zones (cf MTR, r 91VE)

- (1) A person must not park a goods vehicle in a ticket-operated loading zone unless a current loading zone ticket is displayed, in such a manner that its date and expiry time are clearly visible to persons outside the vehicle:
- (a) in or on the front left-hand portion of the vehicle, or

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- (b) if a different portion is specified in the ticket in relation to a particular class of vehicles, in or on such portion of the vehicle as is so specified.

Maximum penalty: 20 penalty units.

- (2) A person does not commit an offence under subclause (1) if the person parks a goods vehicle in a ticket-operated loading zone before obtaining a loading zone ticket, so long as the person obtains and displays a current loading zone ticket in accordance with this clause immediately after parking the vehicle.
- (3) A person must not display more than one loading zone ticket at any one time in or on a goods vehicle that is parked in a ticket-operated loading zone.

Maximum penalty: 20 penalty units.

- (4) The driver of a goods vehicle must not allow the vehicle to remain parked in a ticket-operated loading zone after the expiry of the loading zone ticket displayed in or on the vehicle.

Maximum penalty: 20 penalty units.

- (5) The driver of a goods vehicle must not replace a loading zone ticket in or on the vehicle (whether or not either of the expiry times shown on the ticket has been reached) with a fresh loading zone ticket for the purpose of allowing the vehicle to remain parked in the ticket-operated loading zone after the expiry time specified in the first loading zone ticket for the vehicle.

Maximum penalty: 20 penalty units.

- (6) This clause prevails over any other parking restrictions that apply within a ticket-operated loading zone, and those restrictions do not apply, and may not be enforced, in respect of a goods vehicle that is parked in such a zone in accordance with this clause.

78 Temporary closure of ticket-operated loading zones

- (1) If the Authority decides that the use of a ticket-operated loading zone should be temporarily discontinued, a sign displaying words to that effect (a *temporary closure sign*) may be erected in, or in close proximity to, the zone.

- (2) A person must not park any vehicle in a ticket-operated loading zone to which a temporary closure sign relates.

Maximum penalty: 20 penalty units.

79 Parking in special event parking areas (cf MTR, r 91EEA)

- (1) A person must not park a vehicle in a special event parking area for more than the period of time indicated on the special event parking signs for the area as the maximum time for which a vehicle may be parked in the area.

Maximum penalty: 20 penalty units.

- (2) Subclause (1) does not apply to:

- (a) a vehicle that is a public utility service vehicle, or
- (b) a vehicle that is displaying a current special event parking permit (within the meaning of clause 124 (2) (e)) in relation to the relevant special event parking area and that is parked in accordance with the terms of the permit, or
- (c) a vehicle that is actually taking up or setting down persons or goods.

- (3) This clause does not affect any other parking restrictions that apply within a special event parking area, and those restrictions continue to apply, and may be enforced, accordingly.

80 Unauthorised use and revocation of mobility parking scheme authorities (cf MTR, r 54 (12), (13) and (14))

- (1) A person must not display a mobility parking scheme authority on a vehicle unless the person is entitled to do so.

Maximum penalty: 20 penalty units.

- (2) The Authority may at any time revoke a mobility parking scheme authority by causing notice of the revocation to be served, either personally or by post, on the person or organisation to whom or to which the authority was issued.

- (3) On receiving a notice referred to in subclause (2), the person or organisation must immediately deliver the mobility parking scheme authority to the Authority.

Maximum penalty: 20 penalty units.

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Clause 81 Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

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81 Stopping of public buses in bus zones and at bus stops (cf MTR, r 84 (1) (c))

(1) The driver of a public bus must not stop in a bus zone or at a bus stop in circumstances where rule 183 or 195 of the *Australian Road Rules* would have been contravened if the driver had been driving a vehicle other than a public bus unless the driver:

- (a) is actually engaged in taking up or setting down passengers, or
- (b) is stopping for the purposes of a regular passenger service.

Maximum penalty: 20 penalty units.

(2) In this clause:

bus stop is a bus stop of the kind referred to in rule 195 of the *Australian Road Rules*.

bus zone has the same meaning as it has in rule 183 of the *Australian Road Rules*.

public bus has the same meaning as it has in the *Australian Road Rules*.

stop has the same meaning as it has in the *Australian Road Rules*.

Note. Rules 183 (Stopping in a bus zone) and 195 (Stopping at or near a bus stop) of the *Australian Road Rules* do not apply to drivers of public buses.

82 Stopping or waiting next to clearway (no stopping) lines (cf MTR, r 54 (6C))

(1) If a clearway (no stopping) line is marked on the kerb or carriageway of a road, the driver of a motor vehicle (other than an authorised driver) must not cause the vehicle to stop or wait, except for an urgent purpose arising from a medical or similar emergency, on any portion of the road adjacent to the line unless the stopping or waiting is in accordance with a clearway sign applying to that road.

Maximum penalty: 20 penalty units.

(2) In this clause:

authorised driver means:

- (a) the driver of a bus being used to provide a regular passenger service at a bus stop, or

- (b) the driver of a taxi picking up or setting down passengers, or
- (c) the driver of a postal vehicle (within the meaning of the *Australian Road Rules*) engaged in the clearance of mail from a public postbox (as defined in Part 2 of the Dictionary to this Regulation).

clearway (no stopping) line means a broken longitudinal yellow line marked, with the approval of the Authority, by painting or similar process:

- (a) on the top or side of the kerb of a road, or
- (b) on the carriageway of a road adjacent to the kerb, or
- (c) where there is no kerb, along a lateral boundary of the carriageway.

clearway sign is a traffic sign of the kind referred to in rule 176 of the *Australian Road Rules*.

83 Children under 12 years must not ride on certain footpaths

- (1) A child under 12 years of age must not ride on any footpath in an area that the Minister has declared, by order published in the Gazette, to be an area in which riding on footpaths by children under 12 years of age is prohibited.

Maximum penalty: 20 penalty units.

- (2) In this clause:

footpath means a footpath within the meaning of the *Australian Road Rules*, but does not include a separated footpath within the meaning of those Rules.

84 Precedence of funeral cortege or authorised procession (cf MTR, r 78 (c))

The driver of a motor vehicle on a road must not negligently or wilfully interfere with, or interrupt, the free passage along the road of any funeral cortege or authorised procession, or of any vehicle or person apparently forming part of the cortege or procession.

Maximum penalty: 20 penalty units.

85 Precedence at ferries, punts, bridges or railway crossings (cf MTR, r 79)

- (1) The driver of a motor vehicle on a road:

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- (a) must on arrival at any ferry, punt, bridge or railway crossing at which the driver is required to wait, unless otherwise directed by a police officer, keep the vehicle as near as practicable to that boundary of the carriageway of the road that is on the driver's left, and at the end of the line of vehicles waiting to proceed on board the ferry or punt or over the bridge or railway crossing, and
- (b) must not break out of that line to take precedence of any vehicle that from its position had a prior right to proceed on board the ferry or punt or over the bridge or railway crossing.

Maximum penalty: 20 penalty units.

- (2) Subclause (1) does not apply to a driver of a motor vehicle if:
 - (a) permission for the vehicle to break out of the line and take precedence of any vehicle that had a prior right to proceed on board the ferry or punt is given by an authorised person under subclause (3), and
 - (b) the driver complies with any directions given by the authorised person as to the order or position in which the vehicle is to be placed and in which it may proceed to board the ferry or punt.
- (3) An authorised person may give permission for a driver of a motor vehicle to break out of line and take precedence of any vehicle that had a prior right to proceed on board a ferry or punt in accordance with the directions of the authorised person if the authorised person considers that an emergency or all the circumstances of the case make it necessary or appropriate for the driver to be given precedence.

Note. Precedence might, for example, be given to the driver of an ambulance proceeding to or from an accident, or to a fire fighter or police officer proceeding to an emergency or a bus being used to provide a regular passenger service.

- (4) In this clause:
authorised person means a police officer or, if no police officer is present, the person in charge of the ferry or punt concerned.

86 Driving on roads temporarily closed to traffic (cf MTR, r 90 (1) (c))

A person must not drive a motor vehicle on any road that is closed to traffic under section 74 of the Act.

Maximum penalty: 20 penalty units.

87 Driving of lengthy vehicles in central area of Sydney and certain other roads (cf MTR, r 80A)

(1) In this clause:

Bradfield Highway means the carriageway of the Sydney Harbour Bridge and the approaches to it, on the southern side from the northern end of Clarence Street and on the northern side from the junction of Alfred Street South and Pacific Highway.

excluded road means any of the following roads in Sydney:

- (a) Goulburn Street, between Wentworth Avenue and George Street,
- (b) Sussex Street, north of Liverpool Street,
- (c) Day Street,
- (d) Day Place,
- (e) the approaches to Pymont Bridge on the eastern side,
- (f) King Street, between Day Street and Sussex Street,
- (g) Erskine Street, between Day Street and Sussex Street,
- (h) Napoleon Street,
- (i) Kent Street, north of Napoleon Street,
- (j) the approaches to Bradfield Highway on the southern side,
- (k) Circular Quay, excluding the Circular Quay Elevated Roadway,
- (l) Circular Quay East, between Circular Quay and Macquarie Street,
- (m) Macquarie Street,
- (n) Queen's Square,
- (o) Prince Albert Road, between Queen's Square and College Street,
- (p) College Street,
- (q) Wentworth Avenue,
- (r) Elizabeth Street, between Hay Street and Goulburn Street,
- (s) Bridge Street.

lengthy vehicle means an articulated vehicle, a bus that exceeds 12.5 m in length or a combination of a motor vehicle and trailer, which together with any loading on it exceeds 12.5m in length.

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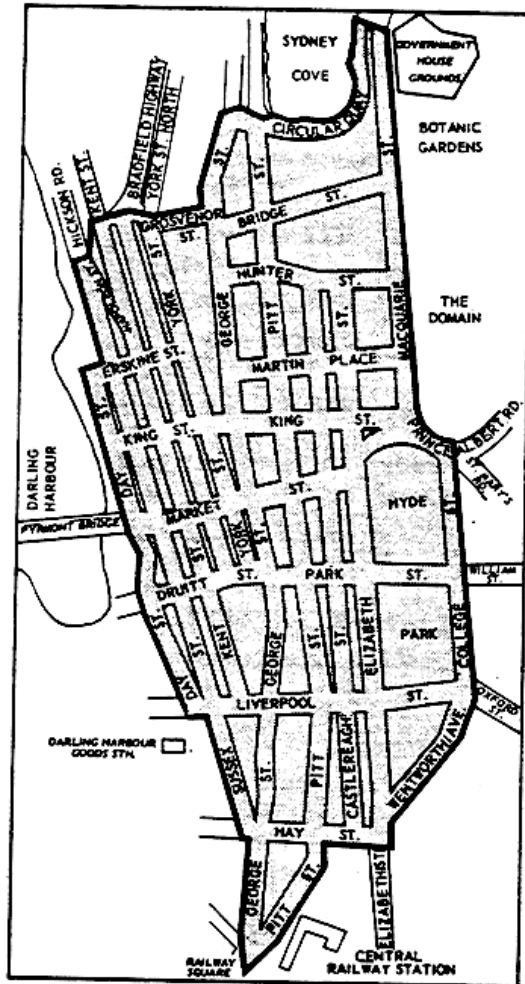
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- (2) A person must not, unless written permission is first obtained from the Authority and all the conditions of the permission are strictly complied with, drive or cause or permit to be driven any lengthy vehicle on Monday to Friday, inclusive:
- (a) between 8am and 6pm on any road (or part of a road) in the City of Sydney that is within the area that corresponds with the shaded area indicated in the diagram at the end of this clause (excluding the Circular Quay Elevated Roadway),
 - (b) between 8am and 9.15am in a southerly direction, or between 4.30pm and 6.30pm in any direction, on Bradfield Highway, Sydney, or
 - (c) between 8am and 9.15am from the direction of Bradfield Highway, or between 4.30pm and 6.30 pm in any direction, on the Circular Quay Elevated Roadway or on any thoroughfare connecting that Roadway with Bradfield Highway or Macquarie Street, or
 - (d) between 3.30pm and 6pm along any portion of Princes Highway between Lord Street, St Peters and Carillon Avenue, Newtown.

Maximum penalty: 20 penalty units.

- (3) Subclause (2) does not apply to a person who drives or causes or permits to be driven any lengthy vehicle on Monday to Friday, inclusive, in the area referred to in subclause (2) (a) between 8am and 5pm:
- (a) on any road (or part of a road) that is an excluded road, or
 - (b) in a northerly direction on George Street, between Railway Square and Liverpool Street, or in a westerly direction on Liverpool Street, between George Street and Day Street, or
 - (c) except in the case of a bus that exceeds 12.5m in length, on any road (or part of a road) that is not an excluded road, excluding the Circular Quay Elevated Roadway, by the shortest practicable route to or from the nearest road that is an excluded road while proceeding to or from:
 - (i) a warehouse within the meaning of the *Customs Act 1901* of the Commonwealth,
 - (ii) any goods store, not being premises used for storing merchandise owned by the owner or occupier of such premises, or

- (iii) a building construction or demolition site in connection with the conveyance of goods that, because of their bulk, dimensions or weight, cannot be conveyed on a smaller motor vehicle.



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88 Use of toy vehicles on roads (cf GTR, s 3B (1) and (4)–(5A))

- (1) A person must not ride in or on a toy vehicle on a road while the toy vehicle is attached to another vehicle.

Maximum penalty: 20 penalty units.

- (2) A person riding in or on a toy vehicle on a road must not permit the toy vehicle to be drawn by another vehicle.

Maximum penalty: 20 penalty units.

- (3) A person must not ride in or on, or cause, permit or allow another person to ride in or on, a toy vehicle on a road if any person riding in or on the toy vehicle is wholly or partly assisted in propelling the toy vehicle by means other than human power.

Maximum penalty: 20 penalty units.

- (4) Nothing in this clause prohibits a toy vehicle from being ridden across a marked foot crossing or a children's crossing (within the meaning of the *Australian Road Rules*).

- (5) In this clause, *toy vehicle* means a vehicle (other than a bicycle) ordinarily used by a child at play or by an adult for recreational or sporting purposes that is designed to be propelled by human power, and includes a scooter, a skateboard, roller-skates and similar toys.

89 Prohibition on car minding (cf MTR, r 57)

- (1) The Commissioner of Police may, by written notice served on a person, prohibit the person from:

- (a) parking, minding, caring for, or taking charge of any motor vehicle or trailer (other than a motor vehicle or trailer of which the person is the driver) on any road, or
- (b) offering his or her services for any such purpose.

- (2) A person on whom a notice under subclause (1) has been served must comply with any prohibition in the notice.

Maximum penalty: 20 penalty units.

- (3) Nothing in this clause authorises the Commissioner of Police:

- (a) to prohibit the proprietor of a parking station or parking area from parking, minding, caring for, or taking charge of a motor vehicle or trailer in or on any parking station or parking area, or

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- (b) to prohibit the proprietor of a parking station or parking area from offering the proprietor's services for any such purpose, whether by the display or publication of any advertisement in relation to the parking station or parking area or otherwise and whether the services are performed or offered to be performed by the proprietor or by an employee of the proprietor.

90 Inspection and carrying of driver licences (cf MTR, rr 64 (a) and 87)

- (1) The responsible person for or the person in charge of a motor vehicle must, before permitting any other person to drive the vehicle, cause the driver licence issued to the person to be produced to the responsible person or person in charge and inspect the licence.

Maximum penalty: 20 penalty units.

- (2) A person who drives a motor vehicle on a road must carry his or her driver licence.

Maximum penalty: 20 penalty units.

Note. Section 19 of the *Road Transport (General) Act 1999* enables an authorised officer (which is defined in section 3 (1) of that Act to include a police officer), in the execution of his or her duties under the road transport legislation, to require the driver of a vehicle to produce his or her driver licence to the officer.

91 Responsible person's consent (cf MTR, r 88)

The person in charge of a motor vehicle or trailer on a road must not permit any person to drive or use the vehicle without the consent of the responsible person for the vehicle.

Maximum penalty: 20 penalty units.

92 Parents not to cause or permit children to drive on roads (cf Traffic Act, s 6B, MTR, r 34A)

- (1) Any parent of a child must not cause or permit the child to drive a motor vehicle on a road.

Maximum penalty: 20 penalty units.

- (2) Subclause (1) does not apply to a parent of a child if the Authority:

- (a) has granted a driver licence to the child under the *Road Transport (Driver Licensing) Act 1998*, or
(b) has issued a learner licence to the child under the *Road Transport (Driver Licensing) Act 1998*.

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(3) In this clause:

child means a person who has not attained the age of 16 years and 9 months.

parent of a child includes a person having parental responsibility (within the meaning of the *Children and Young Persons (Care and Protection) Act 1998*) for the child.

93 School buses (cf MTR, r 136)

(1) In this clause:

four-way flasher means:

- (a) a device referred to in clause 124 (1) of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998*, or
- (b) direction indicator lights that can be operated as referred to in clause 112 (4) of that Schedule, or
- (c) any hazard warning signal device complying with the requirements of the ADR (3rd Ed) relating to the installation of lighting and light-signalling devices.

(2) In this clause, a reference to the driving of a bus for school purposes is a reference to the driving of a bus that:

- (a) is being used solely or principally for the conveyance of children to or from school, and
- (b) is being so used on a journey wholly outside a transport district (within the meaning of the *Transport Administration Act 1988*).

(3) The owner of a bus must, before permitting any person to drive the bus for school purposes:

- (a) attach to the bus 2 signs complying with subclause (5), or
- (b) provide for use by the driver 2 signs complying with subclause (5) and the means of attaching the signs to the bus.

Maximum penalty: 20 penalty units.

(4) A person must not drive a bus for school purposes on a road unless signs complying with subclause (5) are clearly displayed at the front and rear of the bus.

Maximum penalty: 20 penalty units.

- (5) The signs referred to in subclauses (3) and (4) must contain the words “School Bus” in block letters:
- (a) not less than:
 - (i) 100 mm high in the case of the sign to be displayed at the front of a bus, and
 - (ii) 120 mm high in the case of the sign to be displayed at the rear of a bus, and
 - (b) in black lettering on a fluorescent yellow background.
- (6) If a bus fitted with a four-way flasher is being driven for school purposes, the driver must operate the four-way flasher when the bus is stopped to allow a person to alight from or enter it.
- Maximum penalty: 20 penalty units.
- (7) This clause does not apply to a vehicle that is operated in accordance with clause 94.

94 Warning signs and lights for school buses (cf MTR, r 136A)

- (1) In this clause:
- warning system* means a system of signs and flashing lights that is designed to warn motorists of the presence of children on a bus and that complies with the requirements of the technical specification approved by the Authority from time to time for the purposes of this clause.
- (2) The owner of a bus must not permit any person to drive the bus for school purposes on a road unless a warning system is attached to the bus.
- Maximum penalty: 20 penalty units.
- (3) A person must not drive a bus for school purposes on a road unless a warning system is attached to the bus.
- Maximum penalty: 20 penalty units.
- (4) The driver of a bus being used for school purposes on a road must activate the flashing lights of a warning system when stopping the bus to set down or take up children.
- Maximum penalty: 20 penalty units.

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Division 8 Miscellaneous other road rules

- (5) The driver of a bus must not, on a road, activate the flashing lights of a warning system when the bus is not being used for school purposes.
Maximum penalty: 20 penalty units.
- (6) This clause does not apply to a bus:
- (a) that is operating on charter for a school excursion or being used for community service activities, and
 - (b) where no individual fares are being directly collected or school passes used.
- (7) This clause does not apply:
- (a) to the owner of a bus whom the Authority exempts from compliance with this clause, and
 - (b) to a driver of that bus.
- (8) The Authority is to make any approved technical specification available on request.
- (9) For the purposes of this clause, a bus is driven or used for school purposes if:
- (a) it is being used to convey children (whether with or without adult passengers) to or from school:
 - (i) between 7.00 am and 9.30 am on a weekday, or
 - (ii) between 2.30 pm and 5.00 pm on a weekday, or
 - (b) it is used solely for the purpose of conveying children to or from school.

95 Safety provisions for buses first registered on or after 1 August 1997 (cf MTR, r 136B)

- (1) This clause applies to any bus used by an accredited service operator to operate any regular passenger service within the meaning of the *Passenger Transport Act 1990* and first registered on or after 1 August 1997.
- (2) In this clause:
- bus door safety system** means a bus door system installed on a bus that:
- (a) is designed to prevent, without driver intervention, entrapment of persons by the closing of the doors, and

- (b) complies with the requirements of any technical specification approved by the Authority for the purposes of this clause.

field of view system means a system installed on a bus that:

- (a) provides the driver of the bus with an adequate view of the doorways of the bus, and
- (b) complies with the requirements of the technical specification approved by the Authority for the purposes of this clause.

safety padding means padding that:

- (a) is affixed to handrails, the top and back of seats, and partitions on buses, including raised items that are part of, or are affixed to, seats and partitions, and
- (b) complies with the requirements of the technical specification approved by the Authority for the purposes of this clause.

- (3) The owner of a bus must not permit any person to drive the bus on a road unless the bus is fitted with:
 - (a) a bus door safety system, and
 - (b) safety padding, and
 - (c) a field of view system.

Maximum penalty: 20 penalty units.

- (4) A person must not drive a bus on a road unless the bus is fitted with:
 - (a) a bus door safety system, and
 - (b) safety padding, and
 - (c) a field of view system.

Maximum penalty: 20 penalty units.

- (5) A requirement of subclause (3) or (4) does not apply:
 - (a) to the owner of a bus whom the Authority exempts in writing from compliance with the requirement, and
 - (b) to the driver of a bus, the owner of which has been exempted under paragraph (a).
- (6) The Authority is to make any technical specification approved for the purposes of this clause available on request.

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Part 3 Additional NSW road rules

Division 8 Miscellaneous other road rules

96 Door requirements for buses registered before 1 August 1997 (cf MTR, r 136C)

- (1) This clause applies to buses fitted with driver controlled doors and first registered before 1 August 1997.
- (2) The owner of a bus to which this clause applies must not permit a person to drive a bus on a road unless the steady force applied to any object located up to 1500mm above the door step when the door of the bus is closing does not exceed 150 newtons when measured between 20mm and 300mm from the door's fully closed position.

Maximum penalty: 20 penalty units.

- (3) A person must not drive a bus to which this clause applies on a road unless the steady force applied to any object located up to 1500mm above the door step when the door of the bus is closing does not exceed 150 newtons when measured between 20mm and 300mm from the door's fully closed position.

Maximum penalty: 20 penalty units.

- (4) Despite subclauses (2) and (3), the steady force applied to any object located up to 1500mm above the door step when the door of the bus is closing may, if a steady force of 150 newtons results in the door not working properly, be increased to a steady force that enables the door to work properly. However, it must not, in any case, be increased to more than 400 newtons.

Part 4 Pay parking schemes

Division 1 Metered parking schemes

97 Metered parking schemes (cf Traffic Act, s 10R)

- (1) A parking authority may establish and operate metered parking schemes for any road within its area of operations.
- (2) For the purposes of any such scheme, a parking authority:
 - (a) may, in accordance with Authority guidelines, set aside metered parking spaces in any road within its area of operations, and
 - (b) may fix the fees for the parking of a vehicle in any such space, and
 - (c) may install parking meters for use in connection with the payment of such fees.
- (3) In the case of a council, the fees for parking in metered parking spaces are to be fixed by resolution of the council.
- (4) In the case of a declared organisation, the fees for parking in metered parking spaces are to be fixed in accordance with pricing principles set out in Authority guidelines.
- (5) Different fees may be fixed for different metered parking spaces and for different days and different times of day.
- (6) A parking meter may only be installed at the space to which it applies or, if one parking meter applies to more than one space, in the immediate vicinity of those spaces.

98 Metered parking areas (cf MTR, r 91D)

- (1) A parking authority may set aside the whole or any part of a road in its area of operations as a metered parking area.
- (2) A metered parking area must be designated by permissive parking signs on which the word "METER" is added (referred to as *metered parking signs*) situated along any road in the area.

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Clause 99 Road Transport (Safety and Traffic Management) (Road Rules)
Regulation 1999

Part 4 Pay parking schemes
Division 1 Metered parking schemes

99 Parking meters (cf MTR, r 91F)

- (1) The parking meter for a metered parking space must indicate:
 - (a) the fees fixed for the space under this Division, and
 - (b) the denomination of coins to be used in the meter.
- (2) A parking meter must clearly show the status of the metered parking space or spaces that it controls and, in the case of a multi-space parking meter, must identify each metered parking space by its number.

100 Metered parking spaces (cf MTR, r 91G)

- (1) A metered parking space must be designated by means of studs, pads, plates or strips.
- (2) In the case of a metered parking space controlled by a multi-space parking meter, the number for the space and an arrow indicating the direction of the meter must be marked in or adjacent to the space.

Division 2 Ticket parking schemes

101 Ticket parking schemes (cf MTR, rr 91L (1) and 91M)

- (1) A parking authority may, in accordance with Authority guidelines, establish and operate a ticket parking scheme for any road within its area of operations.
- (2) For the purposes of any such scheme, a parking authority:
 - (a) may, in accordance with Authority guidelines, set aside as a ticket parking area the whole or any part of any road within its area of operations, and
 - (b) may fix the fees for the parking of vehicles in any such area, and
 - (c) may adopt such means of and schemes for payment of such fees as are approved from time to time by the Authority, and
 - (d) may install devices for use in connection with the payment of such fees (*pay parking devices*).
- (3) In the case of a council, the fees for parking in a ticket parking area are to be fixed by resolution of the council.

- (4) In the case of a declared organisation, the fees for parking in a ticket parking area are to be fixed in accordance with pricing principles set out in Authority guidelines.
- (5) Different fees may be fixed for different ticket parking areas and for different days and different times of day.

102 Ticket parking areas (cf MTR, r 91L (3) and (4))

- (1) A ticket parking area must be designated by permissive parking signs on which the word "TICKET" is added (referred to as *ticket parking signs*) situated along any road in the area.
- (2) A ticket parking area is taken to include only such parts of the roads to which ticket parking signs apply as are lawfully available, apart from this Division, for the parking of vehicles.

103 Ticket parking spaces (cf MTR, r 91O)

A ticket parking area may be divided into ticket parking spaces, of a size suitable for parking a single vehicle, by means of studs, pads, plates or strips.

104 Ticket machines (cf MTR, r 91N)

The ticket machine for a ticket parking area must indicate:

- (a) the fees fixed for the area under this Division, and
- (b) the denomination of coins to be used in the machine.

105 Parking tickets (cf MTR, r 91P)

- (1) The following information must be printed on a parking ticket:
 - (a) the day of the week,
 - (b) the date (expressed as the day of the month, the month and the year),
 - (c) the expiry time (expressed in hours and minutes),
 - (d) the name of the parking authority by which the ticket is issued,
 - (e) the ticket parking area code (if applicable),
 - (f) a serial number,
 - (g) instructions for use of the ticket.

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Part 4 Pay parking schemes
Division 2 Ticket parking schemes

- (2) A parking ticket must be legible and of a size and design that enables it to be easily displayed in or on a vehicle.

106 Duration of parking tickets (cf MTR, r 91Q)

A parking ticket takes effect on the date and time it is issued and expires on the date and time specified on the ticket as the date and time of its expiry.

Division 3 Coupon parking schemes

107 Coupon parking schemes (cf MTR, rr 91W (1) and 91X)

- (1) A parking authority may, in accordance with Authority guidelines, establish and operate a coupon parking scheme for any road within its area of operations.
- (2) For the purposes of any such scheme, a parking authority:
- (a) may, in accordance with Authority guidelines, set aside as a coupon parking area the whole or any part of any road within its area of operations, and
 - (b) may fix the fees for the parking of vehicles in any such area, and
 - (c) may adopt such means of and schemes for payment of such fees as are approved from time to time by the Authority, and
 - (d) may install devices for use in connection with the payment of such fees (*pay parking devices*).
- (3) In the case of a council, the fees for parking in a coupon parking area are to be fixed by resolution of the council.
- (4) In the case of a declared organisation, the fees for parking in a coupon parking area are to be fixed in accordance with pricing principles set out in Authority guidelines.
- (5) Different fees may be fixed for different coupon parking areas and for different days and different times of day.

108 Coupon parking areas (cf MTR, r 91W (2)–(4))

- (1) A coupon parking area must be designated by permissive parking signs on which the word “COUPON” is added (referred to as *coupon parking signs*) situated along any road in the area.
- (2) A coupon parking area is taken to include only such parts of the road to which coupon parking signs apply as are lawfully available, apart from this Division, for the parking of vehicles.

109 Coupon parking spaces (cf MTR, r 91Y)

A coupon parking area may be divided into coupon parking spaces, of a size suitable for parking a single vehicle, by means of studs, pads, plates or strips.

110 Parking coupons (cf MTR, r 91Z)

- (1) A parking authority may issue pre-paid parking coupons, either time or money based, to be used for coupon parking areas within the parking authority’s area of operations during the controlled parking hours.
- (2) The following information must be printed on a parking coupon:
 - (a) the name of the coupon parking scheme in connection with which the coupon may be used,
 - (b) the amount of money that has been paid for parking in coupon parking areas to which that scheme applies (in the case of a money based coupon) or the amount of time for which a vehicle may be parked in such an area (in the case of a time based coupon),
 - (c) a serial number,
 - (d) instructions for use of the coupon.
- (3) A parking coupon must be legible and of a size and design that enables it to be easily displayed in or on a vehicle.
- (4) A parking coupon must be so designed or manufactured as to enable a person to indicate on the coupon the date and time on which the coupon is to take effect.

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Clause 111 Road Transport (Safety and Traffic Management) (Road Rules)
Regulation 1999

Part 4 Pay parking schemes

Division 3 Coupon parking schemes

111 Duration of parking coupons (cf MTR, r 91AA)

- (1) A parking coupon (whether time based or money based) takes effect on the date and time indicated on the coupon (in the manner indicated by the instructions on the coupon) as the date and time on which it takes effect.
- (2) A money based coupon expires at the end of the period of time for which it is in force, calculated by reference to:
 - (a) the date and time indicated on the coupon as the date and time on which it took effect, and
 - (b) the parking fee specified on the coupon as having been pre-paid, and
 - (c) the relevant parking fee for the coupon parking area in connection with which it is used, as indicated on the coupon parking signs by which the area is designated.
- (3) A time based coupon expires at the end of the period of time that it is in force, calculated by reference to:
 - (a) the date and time indicated on the coupon as the date and time on which it took effect, and
 - (b) the time specified on the coupon as the time for which the coupon remains in force.

Division 4 Miscellaneous

112 Councils' common pay parking schemes (cf Traffic Act, s 10U)

- (1) A council may, in accordance with Authority guidelines, agree with one or more other councils concerning the operation of ticket parking schemes or coupon parking schemes on a common payment basis.
- (2) The councils must, by resolution, fix fees on a common basis that are to be charged for parking in the ticket parking areas or coupon parking areas covered by the agreement.

113 Authority guidelines and approval (cf Traffic Act, ss 10R (4), 10T (6) and 10V)

- (1) The Authority may, by order in writing, establish guidelines for the purposes of this Part.

- (2) To the extent that a provision of this Regulation requires a parking authority to comply with an Authority guideline or approval given under clause 101 or 107, the parking authority is not entitled to provide or to charge for parking in a metered space, a ticket parking area or a coupon parking area if it fails to comply with the guideline or approval.
- (3) For the purposes of this clause, a parking authority is taken to have complied with an Authority guideline or approval until the contrary is proved.

114 Other powers to provide pay parking (cf Traffic Act, s 10VA)

- (1) Nothing in this Part affects any other power of a parking authority to provide for parking on land within its area of operations.
- (2) A parking authority may exercise any power under this Part in relation to land that it does not own, but only with the consent of the owner of the land.
- (3) Such consent may be given subject to terms and conditions, including terms in relation to the duration and revocation of that consent.
- (4) Subject to any such terms, such consent may be revoked only after the giving of reasonable notice.

115 Overlapping schemes

- (1) Nothing in this Part prevents a parking authority from establishing and operating a pay parking scheme on any part of a road on which it is operating any other pay parking scheme.
- (2) The parking authority may not recover the fee fixed in respect of any vehicle parking in a metered space, a ticket parking area or a coupon parking area if any other applicable parking fee has been paid.

116 Application of money from parking (cf Traffic Act, s 10VC)

- (1) The costs of administering a pay parking scheme operated by a parking authority under this Part are to be borne by the parking authority.
- (2) Those costs are taken to include the following:
 - (a) the cost of providing, controlling, maintaining and regulating metered spaces, and the parking meters installed in respect of those spaces,

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Regulation 1999

Part 4 Pay parking schemes

Division 4 Miscellaneous

- (b) the cost of providing, controlling, maintaining and regulating pay parking,
- (c) the cost of providing and maintaining signs or other devices and marking lines:
 - (i) to indicate the position of pay parking areas and pay parking spaces, or
 - (ii) to indicate the places in any road within the area of operations of the parking authority concerned where a vehicle (other than a public vehicle) may park.
- (3) All fees that a parking authority collects in respect of the operation of pay parking belong to the parking authority, subject to clause 112.
- (4) Any surplus arising from the operation of pay parking may be applied at the discretion of the parking authority.
- (5) A parking authority must pay to the Authority such amount as is agreed on between the Authority and the parking authority in respect of the costs referred to in subclause (2) (c).

117 Disputes (cf Traffic Act, s 10VD)

- (1) Any dispute arising under this Part between a parking authority and the Authority is to be resolved by consultation between the Minister responsible for the parking authority and the Minister administering the Act or, if agreement cannot be reached, by the Premier.
- (2) Any dispute arising under this Part between 2 or more parking authorities is to be resolved:
 - (a) if the same Minister is responsible for each of those authorities, by that Minister, and
 - (b) in any other case, by consultation between the various Ministers responsible for those authorities or, if agreement cannot be reached, by the Premier.
- (3) In this section, a reference to the Minister responsible for a parking authority is a reference to:
 - (a) in the case of a council, the Minister administering the *Local Government Act 1993*, and
 - (b) in the case of a declared organisation that is constituted by or under an Act, the Minister administering that Act, and

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Regulation 1999

Clause 117

Pay parking schemes
Miscellaneous

Part 4
Division 4

- (c) in the case of any other declared organisation, the Minister specified in Column 3 of Schedule 3 as the Minister responsible for the declared organisation.

118 Trailers not separately chargeable (cf MTR, r 91FF)

Nothing in this Part requires a separate parking fee to be paid for a trailer drawn by another vehicle.

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Clause 119 Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

Part 5 Other parking schemes

Division 1 Ticket-operated loading schemes

Part 5 Other parking schemes

Division 1 Ticket-operated loading schemes

119 Ticket-operated loading schemes (cf MTR, rr 91L (1) and 91VA)

- (1) The Authority may establish and operate a ticket-operated loading scheme for any road.
- (2) For the purposes of any such scheme, the Authority:
 - (a) may set aside as a ticket-operated loading zone the whole or any part of any road, and
 - (b) may install loading zone ticket machines for use in connection with the scheme.

120 Ticket-operated loading zones (cf MTR, r 91VB)

A ticket-operated loading zone must be designated by loading zone signs on which the word "TICKET" is added (referred to as *ticket loading signs*) situated along any road in the area.

121 Loading zone tickets (cf MTR, r 91VD)

- (1) The following information must be printed on a loading zone ticket:
 - (a) the name of the Authority as the body by or on whose behalf the ticket is issued,
 - (b) a serial number,
 - (c) instructions for use of the ticket,
 - (d) the day of the week on which the ticket is issued,
 - (e) the date (expressed as the day of the month, the month and the year) on which the ticket is issued,
 - (f) the different expiry times for heavy goods vehicles and light goods vehicles.
- (2) A loading zone ticket must be legible and of a size and design that enables it to be easily displayed in or on a goods vehicle.

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Clause 122

Other parking schemes
Special event parking schemes

Part 5
Division 2

Division 2 Special event parking schemes

122 Special event parking schemes (cf MTR, r 91CA (1))

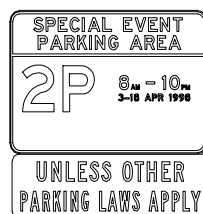
- (1) The Authority may establish and operate a special event parking scheme for any road.
- (2) For the purposes of any such scheme, the Authority may set aside as a special event parking area the whole or any part of any road.

123 Special event parking areas (cf MTR, r 91EEA)

- (1) A special event parking area must be designated by traffic signs, of the kind illustrated by Diagrams 1 and 2 to this clause, situated at each point of entry to or exit from the area (*special event parking signs*).
- (2) In a special event parking sign:
 - (a) the numeral or fraction appearing before the symbol “P” indicates the maximum period (in hours or fractions of an hour) for which a vehicle may be parked within the special event parking area to which the sign relates, and
 - (b) the times and days (if any) indicate the periods during which a vehicle may not be parked in the special event parking area to which the sign relates.

Diagram 1

Diagram 2



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Clause 124 Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

Part 6 Parking permits and mobility parking scheme authorities

Division 1 Parking permits

Part 6 Parking permits and mobility parking scheme authorities

Division 1 Parking permits

124 Parking permits (cf MTR, r 91CA)

- (1) A parking authority may issue a permit authorising the parking of a vehicle without charge or time restrictions in a parking space:
 - (a) located within a parking area or road specified in the permit, and
 - (b) designated by the parking authority for use by holders of such a permit.
- (2) The parking authority is to classify the permit in one of the following classes:
 - (a) business parking permits,
 - (b) commuter parking permits,
 - (c) resident parking permits,
 - (d) residents' visitor parking permits,
 - (e) special event parking permits.
- (3) A permit must specify the parking area or road to which it applies, the conditions to which it is subject and:
 - (a) in the case of a resident's visitor parking permit, the address of the resident who holds the permit, or
 - (b) in the case of any other permit, the registration number of the vehicle to which it relates.
- (4) A parking authority must not issue a permit except in accordance with the guidelines issued by the Authority.
- (5) For the purposes of this clause, a parking space is designated for use by a holder of a permit if the following words are displayed on, or next to, a traffic sign that designates the space as a parking space or designates the area in which the parking space is located as a parking area:

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Clause 124

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Parking permits

Part 6

Division 1

- (a) for a business, commuter or special event parking permit, the words “PERMIT HOLDERS EXCEPTED”,
 - (b) for a resident or resident’s visitor parking permit, the words “PERMIT HOLDERS EXCEPTED” or “AUTHORISED RESIDENTS VEHICLES EXCEPTED”.
- (6) In this clause:
- parking area* means a pay parking area, permissive parking area or special event parking area.
- permissive parking area* means the part of a road to which a permissive parking sign applies.

Division 2 Mobility parking scheme authorities

125 Mobility parking scheme authorities (cf MTR, r 54 (10))

- (1) The Authority may issue a mobility parking scheme authority:
 - (a) for use by a disabled person, or
 - (b) for use by an organisation in connection with the conveyance of disabled persons.
- (2) A mobility parking scheme authority is subject to such conditions (if any) as the Authority may specify in the authority.

126 Relaxation of parking restrictions (cf MTR, r 54 (11))

- (1) The driver of a vehicle that is displaying a mobility parking scheme authority, in the manner specified by the conditions of the authority, and that is being used:
 - (a) for the conveyance of the disabled person to whom the authority was issued, or
 - (b) for the conveyance of disabled persons by the organisation to which the authority was issued,may park the vehicle otherwise than in accordance with a permissive parking sign.
- (2) The maximum period for which a vehicle may be parked otherwise than in accordance with a permissive parking sign pursuant to subclause (1) is:

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Division 2 Mobility parking scheme authorities

- (a) 30 minutes, if the maximum period allowed by the sign is less than 30 minutes, and
 - (b) 2 hours, if the maximum period allowed by the sign is 30 minutes, and
 - (c) an unlimited period of time, if the maximum period allowed by the sign is more than 30 minutes.
- (3) This clause applies to a disabled person to whom an interstate or overseas authority has been issued in the same way as it applies to a person to whom a mobility parking scheme authority has been issued.
- (4) In this clause, *interstate or overseas authority* means a document issued by a public authority of another State or Territory, or of a foreign country, to indicate:
- (a) that a specified person is a disabled person, or
 - (b) that a specified vehicle is used for the purpose of conveying disabled persons.

Part 7 Alcohol and other drug use

127 Substances prescribed as drugs for the purposes of the definition of “drug” in Dictionary to Act (cf MTR, r 130B)

For the purposes of paragraph (c) of the definition of *drug* in the Dictionary to the Act, the following are prescribed as drugs:

- (a) substances listed in Schedule 4, and
- (b) substances that are salts, isomers, esters or ethers of any of the substances so listed or that are salts of those isomers, esters or ethers.

128 Premises, institutions and establishments prescribed for the purposes of sections 19 and 26 (cf MTR, r 138)

The premises, institutions or establishments listed below are prescribed as hospitals for the purposes of section 19 of the Act and are places prescribed for the purposes of section 26 (b) of the Act:

- (a) the following premises, institutions or establishments of the Royal Australian Air Force:
 - (i) Medical Section, No. 1 Central Ammunition Depot, Kingswood,
 - (ii) No. 3 RAAF Hospital, RAAF Base, Richmond,
 - (iii) Base Medical Flight, RAAF Base, Williamtown,
- (b) the 7th Camp Hospital, Kapooka, of the Australian Army,
- (c) the following premises, institutions or establishments of the Royal Australian Navy:
 - (i) Naval Hospital, HMAS Penguin, Balmoral,
 - (ii) Sick Bay, HMAS Harman, Canberra, ACT,
 - (iii) Sick Bay, HMAS Kuttabul, Garden Island,
 - (iv) Sick Bay, HMAS Creswell, Jervis Bay, ACT,
 - (v) Naval Hospital, HMAS Albatross, Nowra,
 - (vi) Sick Bay, HMAS Watson, Watson’s Bay,
 - (vii) Sick Bay, HMAS Waterhen, Waverton.

129 Laboratories prescribed in relation to section 27 of Act (cf MTR, r 140)

For the purposes of section 27 of the Act, the laboratory at Lidcombe of the Department of Health’s Division of Analytical Laboratories is prescribed.

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Part 7 Alcohol and other drug use

130 Security of blood samples taken under Divisions 4 and 5 of Part 2 of Act (cf MTR, r 137)

- (1) After a sample of blood taken under Division 4 of Part 2 of the Act is dealt with in accordance with section 23 (1) of the Act, the portion of the sample referred to in section 23 (2) (a) of the Act must be placed immediately in a locked security box of a type approved by the Commissioner of Police. It is to be kept in such a security box until it is collected by a police officer.
- (2) A person must not interfere or tamper with a portion of a sample of a person's blood taken under Division 4 or 5 of Part 2 of the Act unless the portion is destroyed:
 - (a) by or at the direction of an analyst in the course of or on completion of an analysis of the portion, or
 - (b) in the case of a portion referred to in section 23 (2) (b) of the Act or a portion stored in a container referred to in section 27 (4) (a) of the Act—by or at the direction of the person from whom the sample was taken or after the expiration of 1 month commencing on the day on which the sample was taken.

Maximum penalty (subclause (2)): 20 penalty units.

Part 8 Prescribed traffic control devices

131 Devices that are prescribed for the purposes of section 50 of Act

- (1) For the purposes of the definition of *prescribed traffic control device* in section 50 of the Act, the following traffic control devices are prescribed:
- (a) any traffic control device of a kind mentioned in the *Australian Road Rules* that has effect for the Rules under rule 315 of the Rules,
Note. See also rules 316–318 of the *Australian Road Rules*.
 - (b) any word, figure, symbol or anything else used on or with a traffic control device referred to in paragraph (a),
 - (c) any pay parking device, parking meter, parking ticket machine, special event parking sign, ticket loading sign or ticket parking sign.
- (2) In this clause:
traffic control device has the same meaning as it has in the *Australian Road Rules*.

Note. The *Australian Road Rules* define traffic control devices to mean traffic signs, road markings, traffic signals, or other devices, to direct or warn traffic on, entering or leaving a road.

132 Offences (cf MTR, rr 54 (9) and 56 (1) (e))

- (1) A person must not (except with the approval of the Authority) place or cause to be placed any matter or thing in such a position as to prevent or be likely to prevent any prescribed traffic control device (within the meaning of section 50 of the Act) from being clearly observed by the driver of any motor vehicle approaching the device along a portion of a road in respect of which the device is installed or displayed.

Maximum penalty: 20 penalty units.

Note. Section 52 of the Act also makes it an offence for a person to install or display (or interfere, alter or remove) any prescribed traffic control device without appropriate authority.

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Part 8 Prescribed traffic control devices

- (2) If the Authority or a police officer directs a person who has contravened subclause (1) to remove immediately the matter or thing concerned, the person must comply with the direction.

Maximum penalty: 20 penalty units.

- (3) A person must not drive or cause or permit to be driven on a road a motor vehicle that has exhibited on the rear of it or on the rear of a trailer that is attached to it a *do not overtake turning vehicle sign* (as referred to in the *Australian Road Rules*) unless the vehicle is, or the vehicle and trailer together are 7.5 m or more in length.

Maximum penalty: 20 penalty units.

Part 9 Monitoring of heavy vehicles and vehicles carrying dangerous goods

133 Vehicles to which Division 2 of Part 5 of Act applies (in addition to vehicles carrying dangerous goods) (cf MTR, r 126J)

For the purposes of section 60 (1) (a) of the Act, the following vehicles are prescribed:

- (a) all classes and descriptions of coaches, and
- (b) every heavy motor vehicle that is an articulated vehicle or a prime mover.

134 Prescribed officers for the purposes of Division 2 of Part 5 of Act (cf MTR, r 126K)

- (1) For the purposes of Division 2 of Part 5 of the Act, the following persons are authorised as prescribed officers:
 - (a) officers employed by the Authority as enforcement officers and to whom the Authority has issued a written authorisation for the purposes of this Division,
 - (b) officers of the Dangerous Goods Branch of the WorkCover Authority who are employed as inspectors of dangerous goods,
 - (c) authorised officers within the meaning of the *Road and Rail Transport (Dangerous Goods) Act 1997*.
- (2) For the purposes of section 64 (4) (b) of the Act, the prescribed manner of identification is:
 - (a) for a prescribed officer employed by the Authority—wearing a uniform of the Authority, or
 - (b) for a prescribed officer employed by the WorkCover Authority—wearing a reflectorised vest displaying the words “SAFETY OFFICER”, or
 - (c) for a prescribed officer referred to in subclause (1) (c)—wearing a reflectorised vest displaying the letters “EPA”.

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Part 9 Monitoring of heavy vehicles and vehicles carrying dangerous goods

135 Manner of approval of aspects of data recording and related matters (cf MTR, r 126L)

Any approval of the Authority for the purposes of Division 2 of Part 5 of the Act is to be signified in one of the following ways:

- (a) in a Vehicle Monitoring Device Specification published or adopted by the Authority (and available on request from the Authority),
- (b) by instrument in writing signed by the Chief Executive of the Authority or by another person authorised in writing by the Authority and given to a person seeking to rely on it.

136 Accessories to contravention of Division 2 of Part 5 of Act (cf MTR, r 126M)

A person must not knowingly cause, permit or allow any other person to contravene a provision of Division 2 of Part 5 of the Act.

Maximum penalty: 20 penalty units.

137 Manner of granting exemptions (cf MTR, r 126N)

- (1) For the purposes of section 68 (1) of the Act, an exemption may be granted:
 - (a) by order published in the Gazette or in a newspaper circulating in New South Wales, or
 - (b) by notice in writing signed by the Chief Executive of the Authority, or by another person authorised in writing by the Authority, and served on the person who is, or whose vehicle is, to be exempted.
- (2) An exemption granted in the manner provided by subclause (1) (b) may in the same manner be rescinded.

Note. In relation to clause 137 (1) (a), section 43 (2) of the *Interpretation Act 1987* provides that if an Act or statutory rule confers a power on any person or body to make an order (whether or not the order must be in writing), the power includes power to amend or repeal any order made in the exercise of that power.

Part 10 Child safety

138 Schemes to assist children to cross roads (cf Traffic Act, s 4C; MTR, r 55B)

- (1) The Authority may:
 - (a) from time to time give authorities for schemes (*authorised children's crossing schemes*) designed to assist children to cross roads with safety to be conducted by persons who are desirous of taking part in such schemes and are referred to in such authorities, and
 - (b) authorise any person or class of persons by whom such schemes may be conducted to exercise and discharge for the purposes of such schemes the functions specified in such authorities, and
 - (c) at any time revoke any such authority.
- (2) Each authorised children's crossing scheme comes into force on the date specified in the authority for the scheme.
- (3) Any authorised children's crossing scheme in force under this clause may from time to time be amended or replaced by a subsequent scheme authorised in like manner.
- (4) Any person taking part in the carrying out of any authorised children's crossing scheme must:
 - (a) have attained the age of 18 years, and
 - (b) wear any safety vest issued to him or her by the Authority.
- (5) For the purpose of carrying out any authorised children's crossing scheme, when children are about to use or are on a children's crossing, any person authorised in that behalf by the Authority:
 - (a) may cause to be exhibited at or near the children's crossing, on each side of the roadway, a hand-held stop sign, or
 - (b) cause a barrier to be placed on each side of the children's crossing across or partly across the roadway.
- (6) A barrier referred to in subclause (5) (b):
 - (a) must be so placed that it is parallel to the children's crossing and is on that side of the crossing that is nearer to approaching traffic, and

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- (b) must be of a type approved by the Authority and must have affixed to it a stop sign in or to the effect of a hand-held stop sign, and
 - (c) must be so constructed that when it is placed in position on the roadway any stop sign affixed to it will face and be clearly visible to the driver of any motor vehicle approaching the children's crossing on the side of the roadway where the barrier is situated.
- (7) In any proceedings in any court, evidence that a hand-held stop sign was exhibited, as prescribed by this clause, by a person at or near a children's crossing when children were about to use, or were on, any portion of the crossing, is evidence (unless evidence to the contrary is adduced) that the exhibition of the sign by such person was authorised.
- (8) In this clause:
- children's crossing*** has the same meaning as it has in rule 80 of the *Australian Road Rules*.
- hand-held stop sign*** is a traffic sign of the kind referred to in rule 80 of the *Australian Road Rules*.

Part 11 Speed limiters

139 Application of Part (cf MTR, r 123B)

This Part applies to the following vehicles:

- (a) a motor lorry or bus manufactured on or after 1 January 1988 (but not a motor lorry or bus to which Part 9 of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* applies), being:
 - (i) a motor lorry having a GVM exceeding 15 tonnes, or
 - (ii) a bus used to provide a public passenger service and having a GVM exceeding 14.5 tonnes, and
- (b) a motor lorry or bus manufactured on or after 1 January 1991, being:
 - (i) a motor lorry having a GVM exceeding 12 tonnes, or
 - (ii) a bus used to provide a public passenger service and having a GVM exceeding 5 tonnes.

140 Vehicles to be speed-limited (cf MTR, r 123C)

The responsible person for a vehicle to which this Part applies must not cause, permit or allow the vehicle to be used unless the speed at which the vehicle is capable of being driven is limited, in the manner prescribed for the purposes of this Part, to not more than 100 km/h.

Maximum penalty: 20 penalty units.

141 Manner of limiting speed (cf MTR, r 123D)

- (1) For the purposes of this Part, the manner of limiting the speed of a vehicle is:
 - (a) in the case of a vehicle manufactured on or after 1 January 1989—the manner prescribed by the ADR (3rd Ed) in respect of vehicles of that type, and
 - (b) in the case of a vehicle to which Part 9 of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* applies—the manner prescribed in that Part, and
 - (c) in any other case—the manner prescribed by an order made by the Authority and published in the Gazette.

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Part 11 Speed limiters

- (2) The requirements imposed by an order under subclause (1) (c) are not to be more onerous than the requirements of any Vehicle Safety Bulletin issued by the Commonwealth Office of Road Safety.
- (3) An order that, that immediately before the repeal of the *Motor Traffic Regulations 1935*, had effect under Regulation 123D of those Regulations is taken to have effect under this clause.

142 Modifications (cf MTR, r 123E)

- (1) The Authority or a police officer may serve a notice under this clause on the responsible person for a vehicle to which this Part applies if the Authority or police officer has reason to believe that the vehicle is capable of being driven at a speed exceeding 105 km/hr.
- (2) If:
 - (a) a driver of any vehicle to which this Part applies has been convicted of an offence arising out of a contravention of clause 38 while driving the vehicle and it was found by the court that, at the time of the offence, the driver was driving the vehicle at the speed exceeding 105 km/h, or
 - (b) a driver of any vehicle to which this Part applies has paid a penalty prescribed for the purposes of section 15 of the *Road Transport (General) Act 1999* in respect of an alleged offence so arising and the police officer or authorised officer who issued the relevant penalty notice indicated on the notice that, at the time of the alleged offence, the driver was driving the vehicle at a speed exceeding 105 km/h, or
 - (c) a penalty notice enforcement order under the *Fines Act 1996* has been made, or is taken to have been made, against a driver of any vehicle to which this Part applies in respect of an alleged offence so arising and the police officer or authorised officer who issued the relevant penalty notice indicated on the notice that, at the time of the alleged offence, the driver was driving the vehicle at a speed exceeding 105 km/h,

the Authority or a police officer may serve a notice under this clause on the person who, at the time of the offence or alleged offence concerned, was the responsible person for the vehicle.

- (3) A notice under this clause may:

- (a) require alterations to be made to the vehicle by the responsible person on whom the notice was served so that the speed at which it is capable of being driven is limited, in the manner prescribed for the purposes of this Part, to not more than 100 km/h, and
- (b) require the responsible person on whom the notice was served to supply such information concerning any such alterations made to the vehicle as the notice indicates, and
- (c) require the responsible person on whom the notice was served to have the vehicle tested to determine whether the vehicle's speed is limited in accordance with this Part and to provide a certificate to that effect in the manner and form specified in the notice.

143 Exemptions (cf MTR, r 123F)

- (1) The Authority may:
 - (a) by order published in the Gazette or in a newspaper circulating in New South Wales, or
 - (b) by notice in writing signed by the Chief Executive of the Authority, or by another person authorised in writing by the Authority, and served on the person who is, or whose vehicle is, to be exempted,

exempt persons or vehicles from any specified provision or provisions of this Part.

- (2) The exemption may be unconditional or may be conditional on the observance of conditions specified in the notice of exemption.
- (3) If an exemption is conditional on the observance of specified conditions, the exemption ceases to have effect as soon as there is a failure to observe the conditions.
- (4) An exemption granted in the manner provided by subclause (1) (b) may in the same manner be rescinded.

Note. In relation to clause 143 (1) (a), section 43 (2) of the *Interpretation Act 1987* provides that if an Act or statutory rule confers a power on any person or body to make an order (whether or not the order must be in writing), the power includes power to amend or repeal any order made in the exercise of that power.

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Clause 144 Road Transport (Safety and Traffic Management) (Road Rules)
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Part 12 Seizure of certain vehicles

Division 1 Interpretation

Part 12 Seizure of certain vehicles

Division 1 Interpretation

144 Definitions (cf MTR, r 58A (1))

In this Part:

business day means any day except:

- (a) a Saturday or Sunday, or
- (b) a day that is observed as a public holiday throughout the State.

designated road means any of the following roads (or portions of roads) in Kings Cross in the City of South Sydney:

Amos Lane

Barncleuth Square

Bayswater Road, between Ward Avenue and Roslyn Street

Brougham Street

Earl Place

Hughes Street

Kings Cross Road

Manning Street

McDonald Street

Orwell Street

Rockwall Crescent

Tusculum Street

Victoria Street.

enforcement officer means the general manager of the Council of the City of South Sydney or an employee of that Council authorised by the general manager to be an enforcement officer for the purposes of Division 3.

general manager means the general manager of the Council of the City of South Sydney.

officer-in-charge means the officer-in-charge of the place at which the vehicle is kept or impounded under Division 2.

Division 2 Seizure of vehicles by police officers

145 When police officers may seize motor vehicles or trailers (cf MTR, r 58 (1))

- (1) A police officer may seize and take charge of and remove or tow away or cause to be removed or towed away, any motor vehicle or trailer:
 - (a) that is a danger or unreasonable obstruction to traffic, or
 - (b) that has been abandoned on a road, or
 - (c) that has been caused or permitted to be used contrary to law on any part of a road in which is conspicuously displayed a sign exhibiting or including the words “tow away area” or “vehicles impounded” or other words indicating that such a vehicle is subject to seizure.
- (2) Before seizing a motor vehicle or trailer, the police officer must:
 - (a) if no person is in charge of the vehicle—make reasonable inquiry for the purpose of locating the responsible person for or driver of the vehicle, or
 - (b) if on such inquiry the responsible person for or driver of the vehicle is located—request that person to remove the vehicle or cause it to be removed immediately and afford the person a reasonable opportunity to comply with the request, or
 - (c) if any person is in charge of the vehicle—request the person to remove the vehicle or cause it to be removed immediately and afford the person a reasonable opportunity to comply with the request.
- (3) The inquiry referred to in subclause (2) (a) must be made in the vicinity of the place where the vehicle is found. However, nothing in that paragraph authorises or requires a police officer to enter any building for the purpose of the inquiry.

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Clause 146 Road Transport (Safety and Traffic Management) (Road Rules)
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Part 12 Seizure of certain vehicles

Division 2 Seizure of vehicles by police officers

146 Where seized vehicle to be kept (cf MTR, r 58 (1))

Any motor vehicle or trailer so removed or towed away may be kept or impounded at any place appointed or set apart by the Commissioner of Police for the purpose.

147 Commissioner of Police to notify responsible person of seizure (cf MTR, r 58 (2))

On seizure of a motor vehicle or trailer under this Division, the Commissioner of Police must:

- (a) if the name and address of the responsible person for the vehicle are recorded at the office of the Authority in respect of the registration (if any) of the vehicle—send or cause to be sent to such person a notice setting out particulars of the time, date and place of the seizure and the place where the vehicle is kept or impounded within a period of 14 days after the seizure, or
- (b) if the name and address of the responsible person for the vehicle are not so recorded:
 - (i) if the responsible person for the vehicle can, after reasonable inquiry, be located—send or cause to be sent to the responsible person a notice setting out the particulars referred to in paragraph (a) within a period of 14 days after the seizure, or
 - (ii) if the responsible person for the vehicle cannot, after reasonable inquiry, be located—cause a notice setting out the like particulars referred to in paragraph (a) to be published in a newspaper circulating in the area in which the vehicle is seized.

148 Conditions for release of a seized vehicle (cf MTR, r 58 (3) and (4))

- (1) Except in the case of a motor vehicle or trailer that is dealt with under subclause (2), the following conditions are to be observed before the release of a motor vehicle or trailer kept or impounded under this Division:
 - (a) application for the release must be made by the responsible person for the motor vehicle or trailer or by a person acting for or on behalf of the responsible person to an officer-in-charge,

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Seizure of certain vehicles

Part 12

Seizure of vehicles by police officers

Division 2

- (b) the applicant must furnish evidence as to the responsible person for the motor vehicle or trailer to the satisfaction of the officer-in-charge,
 - (c) the motor vehicle or trailer must not be released from custody unless:
 - (i) the officer-in-charge is satisfied that the applicant is the responsible person for the motor vehicle or trailer or that the applicant possesses authority to act for or on behalf of the responsible person, and
 - (ii) the appropriate amount fixed by the Commissioner of Police as the amount payable in respect of the seizure, taking charge of, removal, towing away, keeping, impounding or releasing of the motor vehicle or trailer has been paid to the officer-in-charge, and
 - (iii) the applicant has signed a receipt for the delivery of the motor vehicle or trailer on a form supplied to the applicant by the officer-in-charge.
- (2) If within a period of 3 months after the date on which the motor vehicle or trailer has been seized, the responsible person has failed to claim the motor vehicle or trailer and to pay the amount referred to in subclause (1) (c) (ii), the motor vehicle or trailer may, after the expiration of the period, be disposed of or destroyed in accordance with the directions of the Commissioner of Police.

**Division 3 Seizure of vehicles by council employees in Kings
Cross area**

149 When council employees may seize motor vehicles or trailers (cf MTR, r 58A (2), (4) and (5))

- (1) An enforcement officer may seize and take charge of and remove or tow away or cause to be removed or towed away any motor vehicle or trailer that has been caused or permitted to be used contrary to law in any part of a designated road in which is conspicuously displayed a sign exhibiting or including the words “tow away area” or “vehicles impounded” or other words indicating that the vehicle is subject to seizure.
- (2) Before seizing a motor vehicle or trailer the enforcement officer must:

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Division 3 Seizure of vehicles by council employees in Kings Cross area

- (a) if no person is in charge of the vehicle—make reasonable inquiry for the purpose of locating the responsible person for or driver of the vehicle, and
 - (b) if on such inquiry the responsible person for or driver of the vehicle is located—request the responsible person for the vehicle or driver to remove the vehicle or cause it to be removed immediately and give the responsible person or driver a reasonable opportunity to comply with the request, and
 - (c) if any person is in charge of the vehicle—request the person to remove the vehicle or cause it to be removed immediately and give the person a reasonable opportunity to comply with the request.
- (3) The inquiry referred to in subclause (2) (a) is to be made in the vicinity of the place where the vehicle is found. However, nothing in that paragraph authorises or requires an enforcement officer to enter any building for the purpose of the inquiry.

150 Where seized vehicle to be kept (cf MTR, r 58A (3))

Any motor vehicle or trailer so removed or towed away may be kept or impounded at any place appointed or set apart by the Commissioner of Police for the purpose.

151 Enforcement officer to notify Authority (cf MTR, r 58A (6) and (7))

- (1) As soon as practicable after the seizure of a motor vehicle or trailer, the enforcement officer must:
 - (a) give the Authority notice of the seizure containing a description of the vehicle to which it relates (including particulars on any registration label and number-plate attached to the vehicle and any identification number stamped on or applied to the engine), and
 - (b) request the Authority to supply to the enforcement officer any particulars known or available to the Authority of the name and address of the responsible person for the vehicle.
- (2) The Authority is to give the enforcement officer the requested particulars within 3 business days after receipt of the notice.

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Clause 152

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Part 12

Seizure of vehicles by council employees in Kings Cross area

Division 3

152 Enforcement officer to notify responsible person of seizure (cf MTR, r 58A (8) and (9))

- (1) If the name and address of the responsible person for the vehicle are supplied by the Authority, the enforcement officer must, within a period of 14 days after the seizure, send or cause to be sent to the responsible person a notice setting out particulars of the time, date and place of the seizure and the place where the vehicle is kept or impounded.
- (2) If the name and address of the responsible person for the vehicle are not so supplied, the enforcement officer must:
 - (a) if the responsible person for the vehicle can, after reasonable inquiry, be located—send or cause to be sent to the responsible person a notice setting out the particulars set out in clause 151 (1) (a) within a period of 14 days after the seizure, and
 - (b) if the responsible person for the vehicle cannot, after reasonable inquiry, be located—cause a notice setting out those particulars to be published in a newspaper circulating in the City of South Sydney.

153 Applications for the release of seized vehicles (cf MTR, r 58A (10)–(15))

- (1) Application for the release of a motor vehicle or trailer kept or impounded under this Division is to be made by the responsible person for the motor vehicle or trailer or by a person acting for or on behalf of the responsible person to the general manager at an office of the Council of the City of South Sydney during office hours on a business day.
- (2) The application is to be dealt with by the general manager or by some other enforcement officer designated by the general manager.
- (3) The applicant is to furnish evidence as to the responsible person for the motor vehicle or trailer to the satisfaction of the enforcement officer to whom the application is made.
- (4) The motor vehicle or trailer is not to be released from custody unless:
 - (a) the enforcement officer dealing with the application is satisfied that the applicant is the responsible person for the motor vehicle or trailer or that the applicant possesses authority to act for or on behalf of the responsible person, and

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Part 12 Seizure of certain vehicles

Division 3 Seizure of vehicles by council employees in Kings Cross area

- (b) any amount payable under a penalty notice served on the responsible person in respect of an offence under this Regulation of stopping or parking the motor vehicle or trailer (or of causing or permitting the motor vehicle or trailer to stop, wait or park) in that portion of the designated road from which the motor vehicle or trailer was removed or towed away has been paid, and
 - (c) the appropriate amount fixed by the Authority as the amount payable in respect of the seizure, taking charge of, removal, towing away, keeping, impounding or releasing of the motor vehicle or trailer has been paid to the enforcement officer to whom the application is made, and
 - (d) the applicant has signed a receipt for the delivery of the motor vehicle or trailer on a form supplied to the applicant by the enforcement officer to whom the application is made.
- (5) If, within a period of 3 months after the date on which the motor vehicle or trailer has been seized, the responsible person has failed to claim the motor vehicle or trailer and to pay the appropriate amount, the motor vehicle or trailer may, after the expiration of the period, be disposed of or destroyed in accordance with the directions of the general manager or the Council of the City of South Sydney.
- (6) For the purposes of subclause (4) (b), an amount is not to be taken to be payable under a penalty notice unless the requirements of Part 3 of the *Fines Act 1996* have been complied with.

Part 13 Miscellaneous

154 Penalties and disqualifications for speeding offences (cf Traffic Act, s 4A (1)–(1B), (5B) and (5BA))

(1) Definitions

In this clause:

speed limit, in relation to a speeding offence, means the speed limit that was contravened in committing the offence.

speeding offence means any of the following offences:

- (a) an offence under rule 20 (Obeying the speed-limit) of the *Australian Road Rules*,
- (b) an offence under Division 1 (Special speed limits) of Part 3 of this Regulation.

(2) Penalties and disqualifications for speeding offence

A person who commits a speeding offence in any of the circumstances referred to in subclauses (3)–(5) is:

- (a) liable to the maximum penalty specified in this clause for an offence committed in those circumstances, and
- (b) disqualified from holding a driver licence for the period specified in this clause for an offence committed in those circumstances.

(3) Exceeding speed limit by more than 45km/h

A person who commits a speeding offence by exceeding a speed limit by more than 45 km/h is:

- (a) liable to a maximum penalty of 30 penalty units (in the case of a heavy motor vehicle or coach) or 20 penalty units (in any other case), and
- (b) disqualified from holding a driver licence by a conviction for the offence (and without any specific order) for 3 months from holding a driver licence or, if the court on the conviction thinks fit to order a longer period of disqualification, is disqualified for the period specified in the order.

(4) Exceeding speed limit by more than 30km/h

A person who commits a speeding offence by exceeding a speed limit by more than 30 km/h is:

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Clause 154 Road Transport (Safety and Traffic Management) (Road Rules)
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Part 13 Miscellaneous

- (a) liable to a maximum penalty of 20 penalty units, and
 - (b) disqualified from holding a driver licence by a conviction for the offence (and without any specific order) for 1 month from holding a driver licence or, if the court on the conviction thinks fit to order a longer period of disqualification, is disqualified for the period specified in the order.
- (5) **Exceeding speed limit on road by 30km/h or less**
A person who commits a speeding offence by exceeding a speed limit by 30 km/h or less is liable to a maximum penalty of 20 penalty units.
- (6) **Alternative verdicts in prosecutions for speeding by more than 45km/h**
If on a prosecution of a person for an offence under subclause (3), the court is satisfied that the person exceeded the relevant speed limit, but is not satisfied that it was exceeded by more than 45 km/h, the court may convict the person of an offence under subclause (5) or under subclause (4) if satisfied that it was exceeded by more than 30km/h.
- (7) **Alternative verdicts in prosecutions for speeding by more than 30km/h**
If on a prosecution of a person for an offence under subclause (4), the court is satisfied that the person exceeded the relevant speed limit, but is not satisfied that it was exceeded by more than 30 km/h, the court may convict the person of an offence under subclause (5).

155 Removal of unattended vehicles: section 76 (cf MTR, rr 140A and 141)

- (1) For the purposes of section 76 (1) of the Act, the following places are prescribed places:
- (a) a bus lane within the meaning of the *Australian Road Rules*,
 - (b) a length of road to which a clearway sign applies as referred to in rule 176 of the *Australian Road Rules*,
 - (c) a transit lane within the meaning of the *Australian Road Rules*.
- (2) For the purposes of section 76 (5) of the Act, the prescribed tow-away charge is the charge prescribed by Schedule 5.

156 Testing of speed measuring devices: section 46 (1) (b) of Act (cf MTR, r 139)

For the purposes of section 46 (1) (b) of the Act:

- (a) an approved speed measuring device that is a radar based device must be tested for accuracy and functional requirements

in accordance with *Australian Standard 2898 Radar Speed Detection*, and

- (b) any other approved speed measuring device must be tested for accuracy and functional requirements in accordance with the manufacturer's recommended calibration method as approved by the Commissioner of Police, and
- (c) the prescribed time is 12 months.

157 Removal of dangers and obstructions to traffic

For the purposes of section 75 (3) of the Act, the general manager of a council of a local government area is a prescribed person in relation to the issue of a certificate referred to in that subsection.

158 Failure to comply with order, notice, direction or requirement (cf MTR, r 129 (1) (c))

- (1) A person who fails, without reasonable excuse, to comply with any order, notice, direction, requirement or request given or made to the person under this Regulation is guilty of an offence.

Maximum penalty: 20 penalty units.

Note. Clause 6 requires the *Australian Road Rules* to be read as if they formed part of this Regulation.

- (2) A person is not liable to be punished for an offence against subclause (1) for a failure to comply with an order, notice, direction, requirement or request given or made to the person under this Regulation if the person is liable to be punished for an offence in respect of the same failure to comply under another provision of this Regulation.

Note. The offence in clause 75 (2) is an example of an offence to which subclause (2) above might apply.

159 False or misleading information (cf MTR, r 129 (1) (d))

A person must not, in purported compliance with any provision of this Regulation, provide information that the person knows to be false or misleading in a material particular.

Maximum penalty: 20 penalty units.

Note. Clause 6 requires the *Australian Road Rules* to be read as if they formed part of this Regulation.

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Clause 160 Road Transport (Safety and Traffic Management) (Road Rules)
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Part 13 Miscellaneous

160 Certain provisions not to apply to light rail vehicles (cf MTR, r 56C (1) (f))

Any provision of this Regulation 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) is taken not to apply to the driver.

161 Certain provisions not to apply to emergency vehicles (cf MTR, r 132)

- (1) A provision of Part 3 (Additional NSW road rules) does not apply to the driver of an emergency vehicle if:
 - (a) in the circumstances:
 - (i) the driver is taking reasonable care, and
 - (ii) it is reasonable that the provision should not apply, and
 - (b) if the vehicle is a motor vehicle that is moving—the vehicle is displaying a blue or red flashing light or sounding an alarm.
- (2) Subclause (1) (b) does not apply to the driver if, in the circumstances, it is reasonable:
 - (a) not to display the light or sound the alarm, or
 - (b) for the vehicle not to be fitted or equipped with a blue or red flashing light or an alarm.
- (3) A provision of Division 7 (Parking) of Part 3 or clause 81 or 82 does not apply to the driver of an emergency vehicle if, in the circumstances:
 - (a) the driver is taking reasonable care, and
 - (b) it is reasonable that the provision should not apply.

Note. The term **emergency vehicle** is defined in Part 1 of the Dictionary to mean a vehicle driven by any of the following persons:

- (a) a police officer acting in the course of his or her duties as a police officer,
- (b) a member of the Ambulance Service rendering or providing transport for sick or injured persons,
- (c) a member of a fire brigade or rural fire brigade providing transport in the course of an emergency,
- (d) a person (or person belonging to a class of persons) approved by the Authority.

Schedule 1 Qualifications on application of Australian Road Rules

(Clause 7)

1 Interpretation

In this Schedule:

bus lane sign is a traffic sign of the kind referred to in rule 154 of the *Australian Road Rules*.

no parking sign is a traffic sign of the kind referred to in rule 168 of the *Australian Road Rules*.

parking control sign has the same meaning as it has in the *Australian Road Rules*.

permissive parking area means a length of road or an area to which a permissive parking sign applies.

2 Crossing dividing lines permitted when entering or leaving road (cf MTR, r 66C (2) (b))

Rule 132 of the *Australian Road Rules* does not apply to a driver of a vehicle on a road with a dividing line who drives to the right of the dividing line (within the meaning of those Rules) in order to enter or leave the road by the shortest practicable route.

3 Certain signs taken to be speed-limit signs for purposes of Australian Road Rules (cf MTR, r 54A (1C) and (6))

- (1) For the purposes of rule 21 (Speed-limit where a speed-limit sign applies) of the *Australian Road Rules*:
- (a) a sign in or to the effect of Diagram 1 below is taken to be a speed-limit sign, and
 - (b) a sign in or to the effect of Diagram 2 is taken to be an end speed-limit sign in respect of the sign referred to in paragraph (a).

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Schedule 1 Qualifications on application of Australian Road Rules

Diagram 1

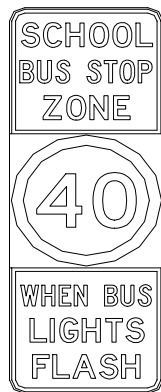
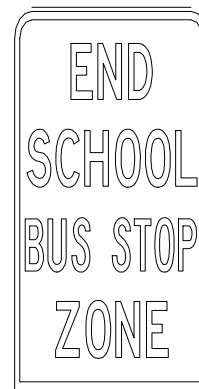


Diagram 2



- (2) For the purposes of the application of Part 3 (Speed-limits) of the *Australian Road Rules* with respect to a length of road to which a sign referred to in subclause (1) (a) applies, the speed-limit indicated by the sign applies only while a bus with a warning system within the meaning of clause 94 of this Regulation that is activated is between that sign and a sign referred to in subclause (1) (b).

4 Only public buses and emergency vehicles may travel in “buses only” lanes (cf MTR, r 54 (6) (za))

- (1) For the purposes of rule 154 (1) of the *Australian Road Rules*, rule 158 of those Rules does not apply so as to permit a driver (except the driver of a public bus or a special purpose vehicle) to drive a vehicle in a bus lane to which a bus lane sign applies if the words “buses only” appear on or with the sign.

Note. Rule 158 of the *Australian Road Rules* provides generally for exceptions to the prohibition on driving in bus lanes. This subclause will not affect the application of that rule to bus lanes marked by bus lane signs on which the words “bus only” do not appear.

- (2) In this clause:

special purpose vehicle means a motor vehicle (whether a tow truck, a vehicle used for repairing traffic control light signals or another vehicle) being operated by or at the direction of the Authority and proceeding to the scene of an accident or other emergency.

5 Buses turning from buses lanes (cf MTR, r 72AA)

- (1) Despite the provisions of Divisions 1 and 2 of Part 4 of the *Australian Road Rules*, the driver of a bus may cause the vehicle to turn to the right or left at an intersection from any bus lane if:
 - (a) the turn is in accordance with a signal displayed by a traffic lights erected at or near the intersection, and
 - (b) the turn may be made with safety to the public.
- (2) In this clause:
traffic lights has the same meaning as it has in the *Australian Road Rules*.

6 Taxi standing or stopping in Central Sydney Taxi Zone (cf MTR, r 54 (15) and Sch B)

- (1) The driver of a taxi does not contravene rule 167 (No stopping signs) of the *Australian Road Rules* merely because the driver causes the taxi to become stationary or to wait (for a period not exceeding 1 minute), for the sole purpose of picking up or setting down passengers or luggage, on a road within the Central Sydney Taxi Zone to which a no stopping sign applies that displays a reference to particular days or times when restrictions on stopping apply.
- (2) In this clause:
Central Sydney Taxi Zone:
 - (a) consists of that area within the City of Sydney bounded by the Harbour from Day Street, Darling Harbour, in the west to the Opera House in the north, and thence along Macquarie Street, Prince Albert Road, College Street, Wentworth Avenue and Elizabeth Street in the east, Eddy Avenue, Pitt Street, Railway Square and Broadway in the south, and Harris Street, William Henry Street, Pier Street, Harbour Street and Day Street in the west, returning to the waterfront at Darling Harbour, and
 - (b) includes those named roads specified as constituting the boundary of the area.
no stopping sign is a traffic sign of the kind referred to in rule 167 of the *Australian Road Rules*.

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Schedule 1 Qualifications on application of Australian Road Rules

7 **Dropping off or picking up permitted on road to which “no parking” sign applies** (cf MTR, r 54 (6) (l))

- (1) Rule 168 (1) (b) and (c) of the *Australian Road Rules* does not apply to the driver of a vehicle who stops on a length of road or in an area to which a no parking sign applies if rule 168 (1) (a) of the Rules applies to that driver.

Note. But for this subclause, rule 168 (1) (b) and (c) of the *Australian Road Rules* would impose additional requirements to be observed before a driver could lawfully drop off or pick up passengers or goods on a road to which a no parking sign applies.

- (2) Subclause (1) ceases to have effect on 1 December 2001.

8 **Goods vehicles stopping in ticket-operated loading zones**

Rule 179 of the *Australian Road Rules* does not apply to a driver who stops a goods vehicle in a ticket-operated loading zone.

Note. Clause 77 of this Regulation makes special provision for parking offences by goods vehicles in ticket-operated loading zones.

9 **“Restricted parking area” signs are not permit zone signs**

Despite Schedule 3 to the *Australian Road Rules*, a traffic sign is taken not to be a permit zone sign for the purposes of rule 185 of those Rules if the words “restricted parking area” appear on the sign.

10 **Drivers with mobility parking scheme authorities may park on road to which permissive parking sign applies with paying parking fees**

Rule 207 of the *Australian Road Rules* does not apply to the driver of a vehicle displaying a mobility parking scheme authority if:

- (a) the authority is in force, and
- (b) the conditions of the authority are complied with, and
- (c) the vehicle is parked in accordance with Division 2 of Part 6 of this Regulation.

11 **Drivers of taxi-cabs and certain motor lorries not required to wear seatbelts** (cf MTR, r 110F (2) and (4) (h))

- (1) Rule 264 of *Australian Road Rules* does not apply to:

- (a) the driver of a motor vehicle being operated as a taxi-cab under the authority of a licence under the *Passenger Transport Act 1990*, or

(b) the driver of a motor lorry weighing more than 2 tonnes unladen.

(2) Subclause (1) (b) ceases to have effect on 1 February 2000.

12 Certain permissive parking signs taken to have qualified operation with respect to current parking permit holders

For the purposes of rule 318 (2) of the *Australian Road Rules* in its application to permissive parking signs, a permissive parking sign is taken not to have effect in respect of a vehicle displaying a current parking permit while it is parked in a parking space located in a permissive parking area that is specified in the permit if the area is designated for use by the holder of the permit in accordance with clause 124 (5) of this Regulation.

13 School zone signs apply only on school days (cf MTR, r 54A (1B))

(1) For the purposes of rule 23 of the *Australian Road Rules*, a speed-limit indicated by a school zone sign of the kind referred to in that rule is taken to have effect only on school days or on such days as may be indicated by information on or with the sign that are school days.

(2) In this clause:

school day means any day other than Saturday, Sunday and a public holiday or a day publicly notified as a school holiday for government schools.

14 Certain rules concerning lights on vehicles not applicable

Rules 215, 217, 220, 221 and 222 of the *Australian Road Rules* do not apply to a driver of any vehicle.

Note. Division 5 of Part 3 of this Regulation makes provision for lights on vehicles that are covered by those rules. Clauses 93 and 94 of this Regulation also make provision with respect to warning lights on school buses.

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Schedule 2 Prohibited areas for dangerous goods transporters

Schedule 2 Prohibited areas for dangerous goods transporters

(Clause 59)

The tunnel on the Cahill Expressway beneath the Royal Botanic Gardens.

The tunnel connecting the Cahill Expressway with Bradfield Highway. Bradfield Highway between the hours of 7am and 9.30am Monday to Saturday both days inclusive and between the hours of 4pm and 6.30pm Monday to Friday both days inclusive.

The tunnel on General Holmes Drive beneath the extension of the north-south runway of Kingsford Smith Airport.

The tunnel on Main Road Number 173 between Victoria Street and the extension of Kellett Avenue, Kings Cross.

The Sydney Harbour Tunnel.

The tunnel on the M2 Motorway beneath Norfolk Road at North Epping.

The Eastern Distributor from the Art Gallery Road bridge, Woolloomooloo to Link Road, Zetland including the Anzac Parade and Moore Park Road branches.

Road Transport (Safety and Traffic Management) (Road Rules)
Regulation 1999

Declared organisations

Schedule 3

Schedule 3 Declared organisations

(Clause 117 (3) (c) and definitions of "area of operations"
and "declared organisation" in Dictionary)

Column 1	Column 2	Column 3
Declared organisation	Area of operations	Responsible Minister
Centennial Park and Moore Park Trust	<p>Centennial Park (being that part of Woollahra, Waverley, Randwick and South Sydney bounded by, but not including, Oxford Street, York Road, Darley Road, Alison Road, Dacey Avenue, South Dowling Street, Flinders Street and Moore Park Road).</p> <p>Moore Park (being that part of Randwick and South Sydney south of Dacey Avenue and bounded by, but not including, Dacey Avenue, Anzac Parade and South Dowling Street).</p>	
Charles Sturt University	<p>Bathurst campus (being that part of Bathurst bounded by, but not including, Panorama Avenue, Browning Street and Research Station Drive).</p> <p>Albury City campus (being that part of Albury bounded by, but not including, Olive Street, Wilson Street, David Street and Guinea Street).</p> <p>Thurgoona campus (being that part of Albury bounded by, but not including, Old Sydney Road, Thurgoona Drive, Shutter Avenue and Elizabeth Mitchell Drive).</p>	

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Schedule 3 Declared organisations

Wagga Wagga agricultural campus (being that part of Wagga Wagga bounded by, but not including, Farrer Road, Boorooma Street, Estella Road and Pine Gully Road).

Wagga Wagga city campus (being that part of Wagga Wagga bounded by Fernleigh Road, Hely Avenue, Charleville Road and Urana Street).

Darling Harbour Authority

The Darling Harbour Development Area (being that part of Sydney bounded by, but not including, King Street, Sussex Street, Harbour Street, Hay Street, Ultimo Road, Darling Drive, Pier Street, Harris Street, Allen Street and Murray Street).

Macquarie University

Marsfield campus (being that part of Marsfield bounded by, but not including, Epping Road, Herring Road, Talavera Road, Culloden Road, Balaclava Road, Vimiera Road, Waterloo Road and Marsfield Park).

Olympic Co-ordination Authority

The Homebush Bay area within the meaning of the *Olympic Co-ordination Authority Act 1995*.

Sydney Harbour Foreshore Authority

The Rocks area of Sydney, comprising the following streets:
(a) Cumberland Street (between Grosvenor Street and George Street),

- (b) Gloucester Street
(between the Cahill
Expressway and
Cumberland Street),
- (c) Harrington Street
(between Grosvenor
Street and Argyle
Street),
- (d) Essex Street (between
George Street and
Cumberland Street),
- (e) Argyle Street (between
George Street and
Cumberland Street),
- (f) George Street (between
Globe Street and
Cumberland Street),
- (g) Hickson Road
(between Campbells
Cove and Hickson
Road Reserve),
- (h) Globe Street (between
George Street and
Harrington Street),
- (i) Atherden Street
(between George Street
and Gloucester Walk),
- (j) Playfair Street (between
Argyle Street and
Atherden Street),
- (k) Kendall Lane (between
Argyle Street and Mill
Lane),
- (l) Mill Lane (between
George Street and
Playfair Street),
- (m) Gloucester Walk
(between George Street
and Argyle Street),
- (n) Cambridge Street
(between Argyle Street
and the intersection of
Harrington Street and
Gloucester Street),
- (o) Nurses Walk (between
Globe Street and Suez
Canal),

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Schedule 3 Declared organisations

- (p) Suez Canal (between Harrington Street and George Street).

The Pyrmont Area of Sydney, comprising the following streets:

- (a) Murray Street (between Union Street and Pirrama Road),
- (b) Pirrama Road (between Murray Street and Harris Street),
- (c) Darling Island (to its connection with Jones Bay Road),
- (d) Point Street (between Bowman Street and John Street),
- (e) Bowman Street (between Cross Street and Point Street),
- (f) Cross Street (between Bowman Street and Scott Street),
- (g) Scott Street (between Harris Street and Cross Street).

University of Newcastle

Callaghan campus (being that part of Newcastle bounded by, but not including, University Drive, Highway Route 123, the main Northern Rail line and the Steelworks golf course).

Newcastle CBD precinct (being that part of Newcastle bounded by, but not including, Auckland Street, Gibson Street, Laman Street and Charles Street).

	Central Coast campus (being that part of Ourimbah bounded by, but not including, Chittaway Road, Brush Road and the Northern Rail line).
University of New South Wales	Kensington campus (being that part of Kensington bounded by, but not including, Anzac Parade, High Street, Botany Street and Barker Street).
	Randwick campus (being that part of Randwick bounded by, but not including, King Street, Darley Road, Govett Street and Govett Lane).
	Western campus (being that part of Kensington bounded by, but not including, Day Avenue and Anzac Parade).
University of Sydney	Camperdown campus (being that part of Camperdown bounded by, but not including, Parramatta Road, Missenden Road, Carillon Avenue and City Road).
	Darlington campus (being that part of Chippendale bounded by, but not including, City Road, Golden Grove Road, Abercrombie Street, Lander Street, Shepherd Street and Cleveland Street).
	Carillon campus (being that part of Newtown bounded by, but not including, Carillon Avenue, Missenden Road and Campbell Street).

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Schedule 3 Declared organisations

Graduate School of Management campus (being that part of Macdonaldtown bounded by, but not including, Burren Street and Watkin Street).

Nursing Accommodation site (being that part of Camperdown bounded by, but not including, Mallet Street, Church Street and Hampshire Lane).

Sydney College of the Arts campus (being that part of Rozelle bounded by, but not including, North Circuit and Central Avenue).

Cumberland College campus (being that part of Lidcombe bounded by, but not including, Earl Street and Lidcombe Hospital).

Camden Farms, being the following sites:

- (a) that part of Camden bounded by, but not including, Werombi Road and Grownlow Hill Loop Road,
- (b) that part of Camden bounded by, but not including, Werombi Road, Sickles Creek and Nepean River,
- (c) that part of Camden bounded by, but not including, Nepean River and Cobbity Road (northern section),
- (d) that part of Camden bounded by, but not including, Nepean River and Cobbity Road (southern section),

(e) that part of Camden bounded by, but not including, Mayfarm Road and Mt Hunter Rivulet.

Orange campus (being that part of Orange bounded by, but not including, Leeds Road and Ophir Road).

University of Technology,
Sydney

City Campus (being that part of Ultimo bounded by, but not including, Jones Street, Thomas Street, Harris Street and Broadway).

Haymarket Campus (being that part of Ultimo bounded by, but not including, Ultimo Road, Hay Street, Quay Street and Merino Boulevard).

Blackfriars Campus (being that part of Chippendale bounded by, but not including, Buckland and Blackfriars Streets and Abercrombie Street).

Kuring-gai Campus (being that part of Lindfield bounded by, but not including, Eton Road, Winchester Avenue, Lyle Avenue, Lady Game Drive and Lane Cove National Park).

St Leonards Campus, Dunbar Building (being that part of St Leonards bounded by, but not including, the Pacific Highway, Westbourne Street, Royal North Shore Hospital and North Sydney College of TAFE).

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Schedule 3 Declared organisations

Western Sydney Area Health
Service

Auburn Hospital (being that part of Auburn bounded by, but not including, Hargrave Road, Norval Street, Havington Road and Water Street).

Blacktown Hospital (being that part of Blacktown bounded by, but not including, Bungaribee Road, Blacktown Road, Panorama Parade and Marcel Crescent).

Cumberland Hospital (being that part of Parramatta bounded by, but not including, Fleet Street, New Street, Parramatta Gaol and Toongabbie Creek).

Mt Druit Hospital (being that part of Mt Druit bounded by, but not including, Luxford Road, Railway Street, North Parade and Mount Street).

Lottie Stewart Hospital (being that part of Dundas bounded by, but not including, Stewart Street and Kissing Point Road).

St Joseph's Hospital (being that part of Auburn bounded by, but not including, Normanby Road, Alice Street, Mona Street and Cardigan Street).

Westmead Hospital (being that part of Westmead bounded by, but not including, Darcy Road, Hawkesbury Road and Toongabbie Creek).

Schedule 4 Substances prescribed as drugs

(Clause 127)

ALPRAZOLAM

AMYLOBARBITONE

AZATADINE

BARBITURIC ACID DERIVATIVES not otherwise specified in this Schedule

BENZODIAZEPINE DERIVATIVES not otherwise specified in this Schedule

BROMAZEPAM

BROMPHENIRAMINE

BUCLIZINE

BUPRENORPHINE

BUTOBARBITONE

CHLORAL HYDRATE

CHLORDIAZEPOXIDE

CHLORMETHIAZOLE

CHLORPHENIRAMINE

CHLORPHENTERMINE

CLEMASTINE

CLOBAZAM

CLONAZEPAM

CLORAZEPATE

CODEINE

CYCLIZINE

CYCLOBARBITONE

CYPROHEPTADINE

DEXCHLORPHENIRAMINE

DEXTROPROPOXYPHENE

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Schedule 4 Substances prescribed as drugs

DIAZEPAM
DIETHYLPROPION
DIHYDROCODEINE
DIMENHYDRINATE
DIMETHINDINE
DIPHENHYDRAMINE
DIPHENYLPRYALINE
DOXYLAMINE
EPHEDRINE (excluding pseudoephedrine)
ETHYLMORPHINE
FENFLURAMINE
FLUNITRAZEPAM
FLURAZEPAM
GLUTETHIMIDE
HYDROXYZINE
LORAZEPAM
MAZINDOL
MEBHYDROLIN
MECLOZINE
MEDAZEPAM
MEPROBAMATE
MEPYRAMINE
METHDILAZINE
METHYLPHENOBARBITONE
MIDAZOLAM
NALBUPHINE
NITRAZEPAM
OXAZEPAM

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Substances prescribed as drugs

Schedule 4

PENTAZOCINE
PENTOBARBITONE
PHENIRAMINE
PHENOBARBITONE
PHENTERMINE
PHENYLTOLOXAMINE
PIZOTIFEN
PRAZEPAM
PROMETHAZINE
PROPYLHEXEDRINE
QUINALBARBITONE
SECBUTOBARBITONE
TEMAZEPAM
THENYLDIAMINE
TRIAZOLAM
TRIMEPRAZINE
TRIPROLIDINE

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Schedule 5 Fees and other charges

Schedule 5 Fees and other charges

(Clause 155 (2))

Fee of charge category	Provision prescribing fee or charge	Amount payable (\$)
1. Tow-away charge under section 76 (5) of the Act	clause 155 (2)	126

Dictionary

(Clauses 3 (1) and 9)

Part 1 Definitions used in Regulation

ADR (3rd Ed) means a Rule that is one of the *Australian Design Rules for Motor Vehicles and Trailers* (Third Edition) as endorsed by the Australian Transport Advisory Council and as in force for the time being.

area of operations means:

- (a) in relation to a council—the council's local government area, and
- (b) in relation to a declared organisation—the area of operations specified in relation to that organisation in Column 2 of Schedule 3.

articulated vehicle means a motor vehicle having at its rear a portion, on wheels, that is pivoted to, and a part of which (not being a pole, draw-bar or similar device or an accessory of it) is superimposed on, the forward portion of the vehicle.

Australian Road Rules—see clause 5.

Authority guidelines means guidelines in force under clause 113.

axle means that part of a vehicle consisting of 1 or more shafts, spindles or bearings in the same transverse vertical plane or between 2 parallel transverse vertical planes not more than 1 metre apart, by means of which, in conjunction with wheels mounted on such shafts, spindles or bearings, the whole or portion of the weight of the vehicle and its loading is continuously transmitted to the road surface.

axle group means a single axle, a tandem axle group or a tri-axle group.

bus means a motor vehicle built mainly to carry people that seats over 12 persons (including the driver).

bus lane has the same meaning as it has in rule 154 of the *Australian Road Rules*.

carriageway means the portion of a road improved or designed for use by, or used by, the main body of moving vehicles and does not include any shoulder of a road, breakdown lane or other lateral part of the road not so improved, designed or used.

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Dictionary

centreline of an axle or axle group means a transverse line through the centre of the axle or axle group and that:

- (a) in the case of a single axle comprising more than one axle or a tandem axle group, not being a twin steer axle group:
 - (i) if both axles are fitted with an equal number of tyres, is a line located midway between those axles, or
 - (ii) if one axle is fitted with twice the number of tyres than the other axle, is a line one third of the distance between the axles away from the axle fitted with the greater number of tyres toward the axle fitted with the lesser number of tyres, or
- (b) in the case of a twin steer axle group, is a line located midway between the 2 axles in the group, or
- (c) in the case of a tri-axle group, is a line located midway between the extreme axles.

controlled parking hours, in relation to a pay parking space, means the periods (as set out on the relevant traffic signs) during which a vehicle may not be parked in the space unless the relevant parking fee has been paid.

converter dolly means a trailer with one axle group or single axle and a fifth wheel coupling designed to convert a semi-trailer into a dog trailer.

council means the council of a local government area.

coupon parking area means a road that is set aside as a coupon parking area in accordance with clause 107.

coupon parking scheme means a scheme of the kind established in accordance with Division 3 of Part 4.

coupon parking sign means a sign that designates a coupon parking area, as referred to in clause 108.

coupon parking space means a space referred to in clause 109.

declared organisation means an organisation specified in Column 1 of Schedule 3.

disabled person means a person:

- (a) who is unable to walk because of permanent or temporary loss of the use of one or both legs or other permanent medical or physical condition, or

- (b) whose physical condition is detrimentally affected as a result of walking 100 metres, or
- (c) who requires the use of crutches, a walking frame, callipers, scooter, wheelchair or other similar mobility aid.

drawbar of a trailer means that portion of the framework of the trailer provided for the purpose of enabling the trailer to be towed.

emergency vehicle means a vehicle driven by a person who is:

- (a) a police officer acting in the course of his or her duties as a police officer, or
- (b) a member of the Ambulance Service rendering or providing transport for sick or injured persons, or
- (c) a member of a fire brigade or rural fire brigade providing transport in the course of an emergency, or
- (d) a person (or person belonging to a class of persons) approved by the Authority.

goods vehicle means a vehicle constructed principally for the conveyance of goods.

hauling unit means a rigid vehicle or prime mover.

heavy goods vehicle means a goods vehicle that is not a light goods vehicle.

light goods vehicle means a goods vehicle that comprises a station waggon or a motor bike combination.

loading zone sign means a traffic sign of the kind referred to in rule 179 of the *Australian Road Rules*.

loading zone ticket means a ticket issued by or on behalf of the Authority (by means of a loading zone ticket machine) for display in or on a goods vehicle.

loading zone ticket machine means a device designed to issue loading zone tickets, and includes the stand on which such a device is erected.

metered parking area means a road that is set aside as a metered parking area in accordance with clause 98.

metered parking scheme means a scheme of the kind established in accordance with Division 1 of Part 4.

metered parking sign means a sign that designates a metered parking area, as referred to in clause 98.

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metered parking space means a space referred to in clause 100.

mobility parking scheme authority means an authority referred to in clause 125.

money based coupon means a parking coupon that allows a person to park a vehicle in a coupon parking space for a period of time calculated by reference to:

- (a) the amount specified on the coupon as the parking fee that has been pre-paid for parking the vehicle in a coupon parking space, and
- (b) the relevant fee for the space.

motor bike means any motor vehicle that has 2 wheels or, if a sidecar or sidebox is attached to it, has 3 wheels and includes a motor tricycle.

motor car means any motor vehicle (except a motor bike) that is constructed principally for the conveyance of persons.

motor lorry means any motor vehicle (whether or not in combination with any trailer) that is constructed principally for the conveyance of goods or merchandise or for the conveyance of any kind of materials used in any trade, business or industry, or for use in any work other than the conveyance of persons, but does not include a motor bike or a tractor.

motor tricycle means any motor vehicle with 3 wheels and having a GVM of 1 tonne or less.

motor vehicle combination means a hauling unit with one or more trailers attached.

multi-space parking meter means a parking meter that applies to more than one metered parking space.

park has the same meaning as it has in the *Australian Road Rules*.

parking authority means a council or a declared organisation.

parking coupon means a voucher, card or similar article issued by a parking authority (otherwise than by means of a parking ticket machine) for display in or on a vehicle as evidence of the pre-payment of a parking fee.

parking meter means a device designed to indicate, or capable of indicating, whether the fee determined by the parking authority concerned in respect of any vehicle parking in a metered parking space to which the device applies has been paid, and includes the stand on which such a device is erected.

parking permit means a permit issued under clause 124.

parking ticket means a ticket issued by a parking authority (by means of a parking ticket machine) for display in or on a vehicle as evidence of the pre-payment of a parking fee.

parking ticket machine means a device designed to issue parking tickets, and includes the stand on which such a device is erected.

pay parking area means a coupon parking area, a metered parking area or a ticket parking area.

pay parking device means a device referred to in clause 101 (2) (d) or 107 (2) (d).

pay parking scheme means a metered parking scheme, a coupon parking scheme or a ticket parking scheme.

pay parking space means a metered parking space, ticket parking space or coupon parking space.

permissive parking sign means a traffic sign of the kind referred to in rule 204 of the *Australian Road Rules*.

prime mover means a motor vehicle built to tow a semi-trailer.

private hire vehicle has the same meaning as it has in the *Passenger Transport Act 1990*.

public passenger service has the same meaning as it has in the *Passenger Transport Act 1990*.

public utility service vehicle means a vehicle being used by a public authority or statutory body in connection with the supply of water, gas, electricity and the like or to remove garbage.

regular passenger service has the same meaning as it has in the *Passenger Transport Act 1990*.

relevant parking fee, in relation to the parking of a vehicle in a pay parking space, means the fee for parking a vehicle in the space, for the day and time during which the vehicle is parked in the space, as indicated on:

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- (a) the parking meter or ticket machine for the space (in relation to a metered parking space or a ticket parking space), or
- (b) the permissive parking signs or coupon parking signs for the space (in relation to a coupon parking space).

road—see clause 3 (2).

road related area—see clause 3 (2).

road train means a motor vehicle combination comprising:

- (a) a hauling unit with two or more trailers or semi-trailers attached, or
- (b) an articulated vehicle with one or more trailers or semi-trailers attached,

but does not include a motor vehicle combination of more than 53m in length that is carrying or comprises an indivisible load.

road transport legislation has the same meaning as it has in the *Road Transport (General) Act 1999*.

semi-trailer means a trailer (including a pole-type trailer) that has:

- (a) one axle group or single axle towards the rear, and
- (b) a means of attachment to a prime mover that would result in some of the load being imposed on the prime mover.

sidecar means any car, box or other receptacle attached to the side of a motor bike and for the carriage of which a third wheel is provided.

single axle means one axle, or 2 axles the centrelines of which are less than 1 m apart.

special event parking area means a road or part of a road that is set aside as a special event parking area in accordance with clause 122.

special event parking sign means a sign that designates a special event parking area, as referred to in clause 123.

station waggon has the same meaning as it has in the *Road Transport (Vehicle Registration) Regulation 1998*.

tandem axle group means a combination of 2 axles, the centrelines of which are not less than 1 m and not more than 2 m apart.

taxi means a motor vehicle (other than a bus) licensed as a taxi-cab under the *Passenger Transport Act 1990* and includes a private hire vehicle.

the Act means the *Road Transport (Safety and Traffic Management) Act 1999*.

ticket-operated loading zone means a road or part of a road that is set aside as a ticket-operated loading zone in accordance with clause 119.

ticket loading sign means a sign that designates a ticket-operated loading zone, as referred to in clause 120.

ticket parking area means a road or part of a road that is set aside as a ticket parking area in accordance with clause 101.

ticket parking scheme means a scheme of the kind established in accordance with Division 2 of Part 4.

ticket parking sign means a sign that designates a ticket parking area, as referred to in clause 102.

ticket parking space means a space referred to in clause 103.

time based coupon means a parking coupon that allows a person to park a vehicle in a coupon parking space for the period of time specified on the coupon.

tow truck has the same meaning as it has in the *Road Transport (Vehicle Registration) Regulation 1998*.

towing attachment means a device fitted to a vehicle to which the drawbar of a trailer may be attached.

tractor means any motor vehicle constructed principally for the purpose of supplying motive power for machinery or of hauling any vehicle, but that is not capable of carrying any loading (other than tools, spare parts, fuel, water, oil, or other accessories necessary for use in connection with the vehicle) or any part of the weight of a vehicle being drawn or its loading.

traffic sign has the same meaning as it has in the *Australian Road Rules*.

tri-axle group means a combination of 3 axles the centrelines of the extreme axles of which are not less than 2 m and not more than 3.2 m apart.

twin steer axle group means a tandem axle group consisting of 2 single-tyred axles connected to the same steering system, that are fitted to a rigid vehicle or a prime mover.

vehicle, in Part 4, includes a horse.

Part 2 Definitions used in Australian Road Rules

approved bicycle helmet means a bicycle helmet of a type approved by the Authority.

approved child restraint means a child restraint approved by the Authority.

approved motor bike helmet means a protective helmet of a type approved by the Authority.

authorised person means:

- (a) a police officer, or
- (b) a person who is appointed by the Authority as an authorised officer for the purposes of the provision in which the expression is used.

axle group has the same meaning as it has in Part 1 of this Dictionary.

dangerous goods means goods that are dangerous goods within the meaning of the *Dangerous Goods Act 1975* or the *Road and Rail Transport (Dangerous Goods) Act 1997*.

emergency worker means:

- (a) a police officer, or
- (b) a member of the Ambulance Service rendering or providing transport for sick or injured persons, or
- (c) a member of a fire brigade, rural fire brigade or the State Emergency Service providing transport in the course of an emergency, or
- (d) a person (or a person belong to a class of persons) approved by the Authority.

law of this jurisdiction means a law of New South Wales or a law applying as a law of New South Wales.

light rail vehicle has the same meaning as it has in the Act.

mechanical signalling device means a signalling device complying with the requirements of Division 11 of Part 5 and clause 128 of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998* displaying a replica of the human hand, a “semaphore” type direction indicator signal or a direction turn signal light, on the right-hand side or off-side of the vehicle.

oversize vehicle means a vehicle that has a dimension that, including the dimension of any load, exceeds a relevant dimension limit in the *Road Transport (Mass, Loading and Access) Regulation 1996*, the *Road Transport (Vehicle Registration) Regulation 1998* or this Regulation.

placard load has the same meaning as it has in the *Road Transport (Dangerous Goods) (New South Wales) Regulations*.

police officer has the same meaning as it has in the *Interpretation Act 1987*.

portable warning triangle means a portable warning sign that:

- (a) is in the form of an equilateral triangle, and
- (b) has a minimum height of 300mm, and
- (c) has on the front and back, red reflecting sheeting or material, or 9 red reflectors, arranged in a triangular shape causing a red reflection that would be clearly visible to the driver of a vehicle at any time between sunset and sunrise when the upper beam of light from any headlight on the vehicle (complying with the provisions of Schedule 4 to the *Road Transport (Vehicle Registration) Regulation 1998*) is projected directly onto the sign from a distance of 200m, and
- (d) is of a robust and durable construction, capable of being readily erected to stand in an upright position and of remaining unaffected (to any material degree) by any reasonable force of wind or variation in weather conditions.

postal worker means an employee of Australia Post or any other person who is engaged by Australia Post to deliver post.

private hire vehicle has the same meaning as it has in the *Passenger Transport Act 1990*.

public bus means a coach.

Note. In the Dictionary to the Act, **coach** is defined to mean a motor vehicle that is:

- (a) constructed principally to carry persons, and
- (b) equipped to seat more than 8 adult persons, and
- (c) used to convey passengers for hire or reward or in the course of trade or business.

public postbox, for the purposes of rule 199 of the *Australian Road Rules*, means a postbox erected, maintained or used in any road by Australia Post.

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road train has the same meaning as it has in Part 1 of this Dictionary.

semi-trailer has the same meaning as it has in Part 1 of this Dictionary.

taxi means a motor vehicle (other than a bus within the meaning of the *Australian Road Rules*) licensed as a taxi-cab under the *Passenger Transport Act 1990* and includes (except in rule 182 of the *Australian Road Rules*) a private hire vehicle.

this jurisdiction means New South Wales.

vehicle registration authority means:

- (a) the Authority, or
- (b) the corresponding authority of another State or a Territory.

BY AUTHORITY
