



Australian Capital Territory

# Road Transport Legislation (Australian Road Rules) Amendment Regulations 2004 (No 1)

**Subordinate Law SL2004-16**

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The Australian Capital Territory Executive makes the following regulations under the *Road Transport (General) Act 1999* and the *Road Transport (Safety and Traffic Management) Act 1999*.

Dated 17 May 2004.

BILL WOOD  
Minister

SIMON CORBELL  
Minister





Australian Capital Territory

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## Part 1 Preliminary

### 1 Name of regulations

These regulations are the *Road Transport Legislation (Australian Road Rules) Amendment Regulations 2004 (No 1)*.

### 2 Commencement

These regulations commence on a day fixed by the Minister by written notice.

*Note 1* The provisions of regulations providing for the name and commencement automatically commence on the notification day (see Legislation Act, s 75 (1)).

*Note 2* A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

*Note 3* If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see Legislation Act, s 79).

## Part 2 Road Transport (Offences) Regulations 2001

### 3 Legislation amended—pt 2

This part amends the *Road Transport (Offences) Regulations 2001*.

### 4 Regulation 6 (3)

omit

### 5 Regulation 15 heading

*substitute*

### 15 Camera-detected offences—period for service of infringement notices—Act, s 36 (7)



**6 Schedule 1, part 1.2 (Australian Road Rules), items 36 to 39***substitute*

36	57 (1) (a)	not stop at stop line at yellow light	20	228	3 (NS)
37	57 (1) (b)	not stop before traffic lights at yellow light	20	228	3 (NS)
38	57 (1) (c)	not stop before intersection at yellow light	20	228	3 (NS)
39	57 (2) (a)	not stop at stop line at yellow arrow	20	228	3 (NS)
39A	57 (2) (b)	not stop before traffic lights at yellow arrow	20	228	3 (NS)
39B	57 (2) (c)	not stop before intersection at yellow arrow	20	228	3 (NS)
39C	57 (3)	not leave intersection safely after yellow light/arrow	20	228	3 (NS)

**Part 2** Road Transport (Offences) Regulations 2001

Section 7

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**7 Schedule 1, part 1.2, new items 59.1A and 59.1B**

*insert*

59.1A	<ul style="list-style-type: none"><li>by contravening 69 (2A) (a)</li></ul>	not give way to vehicle on road when leaving slip lane	20	228	3 (NS)
59.1B	<ul style="list-style-type: none"><li>by contravening 69 (2A) (b)</li></ul>	not give way to vehicle/pedestrian on slip lane	20	228	3 (NS)

**8 Schedule 1, part 1.2, new items 67A and 67B**

*insert*

67A	74 (1) (d) (i)	leave area—not give way to pedestrian on area	20	127	3 (NS)
67B	74 (1) (d) (ii)	leave area—not give way to vehicle on area	20	127	3 (NS)

**9 Schedule 1, part 1.2, item 75***substitute*

75	77 (1)	driver in left lane/traffic line/bicycle lane not give way to bus	20	127	3 (NS)
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**10 Schedule 1, part 1.2, new item 157A***insert*

157A	128A	enter children's/pedestrian/marked foot crossing when crossing/road beyond blocked	20	127	
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**11 Schedule 1, part 1.2, items 199 and 200***substitute*

199 199.1	163 (1) • by contravening 163 (2)	not stop before driving past rear of stopped tram	20	76	3 (NS)
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**Part 2** Road Transport (Offences) Regulations 2001

Section 11

199.2	<ul style="list-style-type: none"> <li>by contravening 163 (3) (a)</li> </ul>	proceed near stopped tram (tram doors open)	20	76	3 (NS)
199.3	<ul style="list-style-type: none"> <li>by contravening 163 (3) (b)</li> </ul>	proceed near stopped tram (road not clear of pedestrians)	20	76	3 (NS)
199.4	<ul style="list-style-type: none"> <li>by contravening 163 (4)</li> </ul>	pass/overtake stopped tram at prohibited speed	20	76	3 (NS)
200	164 (1)				
200.1	<ul style="list-style-type: none"> <li>by contravening 164 (2)</li> </ul>	not stop before driving past stopping tram	20	76	3 (NS)
200.2	<ul style="list-style-type: none"> <li>by contravening 164 (3) (a)</li> </ul>	proceed near stopping tram (tram doors open)	20	76	3 (NS)
200.3	<ul style="list-style-type: none"> <li>by contravening 164 (3) (b)</li> </ul>	proceed near stopping tram (road not clear of pedestrians)	20	76	3 (NS)
200.4	<ul style="list-style-type: none"> <li>by contravening 164 (4)</li> </ul>	pass/overtake stopping tram at prohibited speed	20	76	3 (NS)

**12 Schedule 1, part 1.2, item 204***omit***13 Schedule 1, part 1.2, new item 217A***insert*

217A	179 (2) (c)	stop in loading zone longer than permitted	20	93	
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**14 Schedule 1, part 1.2, new item 244A***insert*

244A	203A	stop in slip lane	20	152	
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**15 Schedule 1, part 1.2, item 251**

*substitute*

251	210 (1)				
251.1	<ul style="list-style-type: none"><li>by contravening 210 (2) (a)</li></ul>	not park at specified angle	20	68	
251.2	<ul style="list-style-type: none"><li>by contravening 210 (2) (b)</li></ul>	not park rear out at specified angle	20	68	
251.3	<ul style="list-style-type: none"><li>by contravening 210 (2A) (a)</li></ul>	not park at 45° (no angle specified)	20	68	
251.4	<ul style="list-style-type: none"><li>by contravening 210 (2A) (b)</li></ul>	not park rear out at 45°	20	68	
251.5	<ul style="list-style-type: none"><li>by contravening 210 (3) (a)</li></ul>	not park at 90°	20	68	
251.6	<ul style="list-style-type: none"><li>by contravening 210 (3) (b) (i)</li></ul>	not park rear in/front in at 90° as specified	20	68	

251.7	• by contravening 210 (4) (a) (i)	not park rear in at specified angle	20	68	
251.8	• by contravening 210 (4) (a) (ii)	not park rear in at 45° (no angle specified)	20	68	

**16 Schedule 1, part 1.2, item 257**

*substitute*

257	213 (2)	not restrain vehicle properly	20	76	
257A	213 (3)	leave engine on	20	76	
257B	213 (4) (i)	not remove ignition key (no-one in vehicle)	20	76	
257C	213 (4) (ii)	not remove ignition key (only child in vehicle)	20	76	

**17 Schedule 1, part 1.2, items 306 and 307**

*substitute*

306	240 (1) (a)	use wheeled device/toy (dividing line/median strip)	20	49	
307	240 (1) (b)	use wheeled device/toy (speed limit > 60km/h)	20	49	
307A	240 (1) (c)	use wheeled device/toy (multi-lane 1-way road)	20	49	

**18 Schedule 1, part 1.2, item 318**

*substitute*

318	244 (1)	travel on wheeled device/toy towed by vehicle	20	49	
318A	244 (2)	hold onto moving vehicle (wheeled device/toy)	20	49	



318B	244 (3)	travel on wheeled device/toy within 2 metres of rear of moving vehicle	20	49	
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**19 Schedule 1, part 1.2, item 324**

*substitute*

324	248 (1)	bicycle cross on children's/pedestrian crossing	20	49	
324A	248 (2)	bicycle cross on marked foot crossing, no green bicycle crossing light	20	49	

**20 Schedule 1, part 1.2, new items 353A and 353B**

*insert*

353A	268 (4A)	drive with passenger <16 yrs not in vehicle part for passengers or goods	20	76	
353B	268 (4B)	drive with passenger <16 yrs not in vehicle part for goods unless enclosed	20	76	

**Part 2** Road Transport (Offences) Regulations 2001

Section 21

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**21 Schedule 1, part 1.2, item 367**

*substitute*

367	271 (5)	exceed number of passengers on motorbike seat or in sidecar	20	76	
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**22 Schedule 1, part 1.2**

*renumber items and subitems when regulations next republished under Legislation Act*

**23 Schedule 1, part 1.13 (Road Transport (Safety and Traffic Management) Regulations 2000), item 1**

*substitute*

1	12A	contravene ARR 170 (1)—stop in intersection	20	68	
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## Part 3

# Road Transport (Safety and Traffic Management) Regulations 2000

### 24 Legislation amended—pt 3

This part amends the *Road Transport (Safety and Traffic Management) Regulations 2000*.

### 25 Regulation 5

*substitute*

#### 5 What are the *Australian Road Rules*

In these regulations, the *Australian Road Rules* are that part of the publication known as the Australian Road Rules, ISBN 0 7240 8874 1 published by the National Road Transport Commission on 22 October 2003 that consists of the rules approved by the Australian Transport Council under the *National Road Transport Commission Act 1991* (Cwlth).

*Note* The Australian Road Rules are available on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)).

### 26 Division 2.2.1, note 2, table

*omit*

25 (2) 8A

### 27 Division 2.2.1, note 2, table

*insert*

170 (1) 12A

**28 Division 2.2.1, note 2, table**

*omit*

213 16A

*substitute*

213 (5) 16A

**29 Division 2.2.1, note 2, table**

*insert*

236 (6) 22A

**30 Division 2.2.1, note 2, table**

*omit*

248 23A

**31 Regulation 8A**

*omit*

**32 New regulation 12A**

*insert*

**12A ARR r 170 (1)—driver not to stop in intersection unless permitted**

A driver who contravenes the Australian Road Rules, rule 170 (1) commits an offence.

Maximum penalty: 20 penalty units.

**33 Regulation 16A**

*omit*

rule 213 (4) (b)

*substitute*

rule 213 (5)

**34 New regulation 22A**

*insert*

**22A ARR r 236 (6)—hitchhiking, roadside commerce etc permitted**

- (1) For the Australian Road Rules, rule 236 (6)—
- (a) a pedestrian may stand on, or move onto, a road to—
    - (i) solicit contributions, employment or business from an occupant of a vehicle; or
    - (ii) hitchhike; or
    - (iii) display an advertisement; or
    - (iv) sell or offer articles for sale; or
    - (v) wash or clean, or offer to clean, the windscreen of a vehicle; and
  - (b) a person in a vehicle may buy, or offer to buy, an article or service from a person standing on a road.

(2) In this regulation:

**road** includes any shoulder of the road, and any median strip, painted island or traffic island, but does not include any other road-related area.

*Note* **Median strip, painted island** and **traffic island** are defined in the Australian Road Rules, dictionary, **shoulder** is defined in ARR, rule 12, and **road-related area** is defined in the ARR, rule 13.

**35 Regulation 23A**

*omit*

**36 Regulation 29**

*insert*

- (ca) is a postal vehicle that is —
- (i) a motorbike with an engine capacity of not more than 110mL; and
  - (ii) being driven at a speed of not more than 10km/h.

**37 Regulation 29**

*renumber paragraphs when regulations next republished under Legislation Act*

**38 Dictionary, definition of *emergency worker***

*omit*

**39 Dictionary, definition of *postal vehicle*, note**

*omit*

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## Endnotes

**1 Notification**

Notified under the Legislation Act on 24 May 2004.

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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