

NORTHERN TERRITORY OF AUSTRALIA

TRAFFIC REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1988, No. 19\*

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Regulations under the *Traffic Act 1987*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Traffic Act 1987*.

Dated 28 April 1988.

E.E. JOHNSTON  
Administrator

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TRAFFIC REGULATIONS

PART I - PRELIMINARY

1. CITATION

These Regulations may be cited as the Traffic Regulations.

2. COMMENCEMENT

These Regulations shall take effect on the commencement of the *Traffic Act 1987* (other than sections 1 and 2 of that Act).

3. INTERPRETATION

(1) In these Regulations, unless the contrary intention appears -

"articulated vehicle" means a combination of a prime mover and a semi trailer;

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\* Notified in the *Northern Territory Government Gazette* on 11 May 1988.

## *Traffic Regulations*

"Australian Standard" means a standard approved for publication on behalf of the Council of the Standards Association of Australia, being the association of that name incorporated by Royal Charter;

"bicycle lane" means a length of a marked lane on a carriageway defined by a Bicycle Lane sign at the beginning and a Bicycle Lane sign and an End sign at the end;

"bicycle path" means a way, other than a bicycle lane or footway, defined by a Bicycle Path sign at the beginning and a Bicycle Path sign and an End sign at the end;

"bicycle way" means a bicycle lane, bicycle path or a footway for use by person's riding bicycles either exclusively or jointly with pedestrians;

"built-up area" means a public street on which there is provision for lighting by means of street lamps;

"bus" means a motor omnibus within the meaning of the *Motor Vehicles Act*;

"bus lane" means a length of carriageway defined by a Bus Lane sign at the beginning and a Bus Lane sign and an End sign at the end;

"bus stop" means that part of a public street between -

(a) a traffic sign bearing an arrow and the words "BUS STOP" erected on or near to the kerb of the street and another such traffic sign on the same side of the street nearest in the direction indicated by that arrow; or

(b) markings on the pavement of the public street which are adjacent to -

(i) a traffic sign bearing the words "BUS STOP", "BUSES ONLY" or "BUSES EXCEPTED"; or

(ii) the words "BUS STOP" marked on that pavement;

"centre", in relation to a carriageway, means a line or series of lines, marks or other indications placed at or near the middle of the carriageway or, in the absence of any such line, lines, marks or other indications, the middle of the main travelled portion of the carriageway;



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"children's crossing" means a marked crossing on a carriageway near which is displayed -

- (a) a Children Crossing sign or a flag bearing a Children Crossing sign; or
- (b) a Children Crossing sign or a flag bearing a Children Crossing sign and a pole bearing a Stop banner sign which is turned or held across or partly across a carriageway;

"clearance lamp" means a lamp which, when lighted, provides an indication of the width of a motor vehicle, together with its load and equipment, to a person looking at the vehicle from the front or the rear;

"clearway" means a length of carriageway defined by a Clearway No Standing sign at the beginning and an End Clearway sign at the end, and along which the standing of vehicles is prohibited by the operation of No Standing signs or Clearway signs;

"combination vehicle" means a motor vehicle with one or more trailers attached;

"dead-end" means the closed end of a cul-de-sac;

"dipping device" means a device by which a driver of a motor vehicle, while retaining a normal driving position, can cause the main beam of light from a headlamp of that vehicle to be dipped;

"fog lamp" means an additional or alternative headlamp which projects a yellow light;

"give way line" means a broken line, greater than 300 mm in width, marked on a carriageway transverse to the direction of travel of vehicles on that carriageway which is not part of a marked crosswalk, lane line, pavement edge line or separation line;

"goods" includes animals;

"goods vehicle" means a motor vehicle constructed primarily for the carriage of goods;

"hours of darkness" means -

- (a) the period between sunset on one day and sunrise on the next succeeding day; or
- (b) any other time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m;

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"laned carriageway" means a two-way carriageway marked into 3 or more lanes or a one-way carriageway marked into 2 or more lanes;

"level crossing" means that part of a carriageway which crosses a railway line and at which is displaying a Railway Crossing Position sign with or without any other sign;

"loading zone" means a portion of a carriageway between 2 consecutive loading zone signs having arrows pointing generally towards each other;

"Loading Zone sign" means a sign in the form of a No Parking sign bearing an arrow on which the words "LOADING ZONE" and "GOODS VEHICLES ONLY" have been added to, or substituted for, the words "NO PARKING";

"long vehicle" means a vehicle, or a vehicle towing another vehicle, the total length of which exceeds 7.5 m but does not include a road train;

"marked crosswalk" means a portion of a carriageway between 2 parallel broken lines marked across or partly across the carriageway and, where the lines are marked partly across the carriageway, includes the portion of the carriageway between the prolongations of the lines;

"marked lane" means a lane on a laned carriageway marked by a lane line or a separation line;

"no parking area" means a portion of a carriageway -

- (a) between 2 consecutive No Parking signs having arrows pointing generally towards each other; or
- (b) between a No Parking sign and a dead-end or an area in which standing is prohibited by these Regulations which dead-end or area lies in the general direction indicated by an arrow on the sign;

"no standing area" means a portion of a carriageway -

- (a) between No Standing signs with arrows pointing generally towards each other;
- (b) between a No Standing sign and a dead-end or an area in which standing is prohibited by these Regulations which dead-end or area lies in the general direction indicated by an arrow on the sign; or
- (c) the boundary of which is marked, within 1 m of that boundary, with a double longitudinal line consisting of 2 yellow lines;

## *Traffic Regulations*

"No Standing sign" means a sign in the form of a No Parking sign in which the words "NO STANDING" have been substituted for "NO PARKING";

"one-way carriageway" means a carriageway on which vehicles are permitted to travel in one direction only;

"overtake" means to overtake or attempt to overtake a vehicle travelling in the same direction;

"park", in relation to a vehicle, means to permit the vehicle (whether unattended or not) to remain stationary otherwise than when necessary -

- (a) to avoid conflict with pedestrians or other vehicles;
- (b) to comply with the directions of a member of the Police Force or a traffic control device; or
- (c) while actually engaged in taking up or setting down persons or goods;

"parking area" means a portion of a carriageway -

- (a) between 2 consecutive parking signs having arrows pointing generally towards each other;
- (b) extending from a Parking sign in the general direction indicated by an arrow on the sign until a No Parking sign, No Standing sign, a dead end or an area in which the parking or standing of a vehicle is prohibited by these Regulations is reached; or
- (c) where parking bays are marked on the carriageway in such a way as to indicate that angle parking is required, the area enclosed by such parking bays;

"parking infringement" means a contravention of Part XI;

"parking infringement notice" means a notice under regulation 65;

"Parking sign" means a 2 Hour Parking sign and a sign in the form of a 2 Hour Parking sign on which a time other than 2 hours has been substituted as the time during which parking is permitted by the sign;

"pass" means to go past or attempt to go past another vehicle travelling in the opposite direction;

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"pavement edge line" means a line marked on a carriageway to indicate the separation of the road shoulder or breakdown lane and the portion of the carriageway improved, designed or ordinarily used for vehicular traffic;

"pedestrian crossing" means a portion of a carriageway defined by a regular pattern of alternating black and white stripes approximately 3.5 m long by 600 mm wide marked across the carriageway and near to which is erected a Pedestrian Crossing sign to face a driver on the carriageway approaching the sign;

"Pedestrian Prohibition sign" means a sign comprising a black symbolic walking pedestrian on a white background with a red circular surround and a red diagonal bar across the centre of the sign;

"prime mover" means a rigid motor vehicle designed to haul a semi trailer;

"retro-reflective" means, in relation to material, a material which complies with the description and specifications in Australian Standard 1906 "Retro-Reflective Materials and Devices for Road Traffic Control Purposes";

"road train" means a vehicle combination comprising -

- (a) a rigid vehicle hauling not more than 3 trailers; or
- (b) an articulated vehicle hauling not more than 2 trailers,

the total length of which is greater than 17.5 m;

"roundabout" means an intersection laid out for movement of traffic around a central island having a Roundabout sign erected on each carriageway entering the intersection;

"segregated footway" means a footway or path divided in the centre by a continuous white line and on which footway or path signs are placed to indicate that persons riding bicycles must use one side and pedestrians must use the other side of the footway or path and which footway or path is defined by a Segregated Footway sign at the beginning and a Segregated Footway sign and an End sign at the end;

"semi trailer" means a trailer having an axle group towards the rear and a means of attachment to a prime mover whereby some of the trailer is superimposed on the prime mover at the front of the trailer;

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"Speed Restriction sign" means a Speed Restriction sign or a sign in the form of a Speed Restriction sign on which the numerals 60 have been substituted by other numerals;

"speed zone" means a length of carriageway defined by a Speed Restriction sign at the beginning and a Speed De-restriction sign, Speed Restriction sign, dead-end or terminating carriageway (if the speed zone is along a terminating carriageway) at the end;

"stand", in relation to a vehicle, means -

- (a) to stop that vehicle; or
- (b) to permit that vehicle (whether unattended or not) to remain stationary, including for the time needed to pick up or set down persons or goods,

otherwise than when necessary -

- (c) to avoid conflict with pedestrians or other vehicles; or
- (d) to comply with the directions of a member of the Police Force or a traffic control device;

"stop line" means an unbroken line, greater than 300 mm in width, marked on a carriageway transverse to the direction of travel of vehicles on the carriageway which is not part of a marked crosswalk, lane line, pavement edge line or separation line;

"tank vehicle" means a vehicle designed to carry solid, liquid or gaseous substances, in bulk, in an integrally closed container;

"taxi rank" means an area of a public street or public place which is marked off by a part of the kerb of the public street that is between a traffic sign bearing an arrow and the words "TAXI RANK" erected on or near to that kerb and another such traffic sign on the same side of the public street nearest in the direction indicated by that arrow;

"terminating carriageway" means a carriageway which at an intersection with another carriageway does not continue through or beyond the other carriageway;

"train" means a railway locomotive or railway rolling stock;

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"transit lane" means a lane on a carriageway defined by a Transit Lane sign at the beginning, and a Transit Lane sign and an End sign at the end, of the lane;

"two-way carriageway" means a carriageway other than a one-way carriageway;

"U-turn" means a turn which causes a vehicle facing or travelling in one direction to face or travel in the opposite or substantially the opposite direction;

"unprotected bicycle lane" means a bicycle lane on a carriageway which is not separated by a physical barrier from that portion of the carriageway improved, designed or ordinarily used by motor vehicles;

(2) A reference in subregulation (1) to a portion of a carriageway between 2 signs or between a sign and a dead-end or an area extending on both sides of a sign shall be taken to refer to the space marked on the adjacent carriageway or, in the absence of any markings, shall, where the sign or signs are erected at or near -

- (a) the boundary of a carriageway and are not inscribed with the words "angle parking", be limited to the area of the carriageway within 3 m of the boundary;
- (b) the boundary of a carriageway and are inscribed with the words "angle parking", be limited to the area of the carriageway within 6 m of the boundary; or
- (c) the centre of a carriageway, be limited to the area extending 3 m on each side of the centre of the carriageway.

(3) For the purposes of the application of the definitions of "no parking area", "no standing area" and "parking area", an arrow inscribed on a sign erected at an angle to the boundary of a carriageway shall be deemed to be pointing in the direction in which it would point if the sign were turned through an angle of less than 90° until parallel to the boundary with the sign facing away from the boundary.

(4) An abbreviation specified in the first column of the following table and inscribed in a sign erected under the Act has the meaning specified opposite to it in the second column of that table:

## *Traffic Regulations*

Abbreviation			Meaning
Mon.	..	..	Monday
Tue.	..	..	Tuesday
Wed.	..	..	Wednesday
Thur.	..	..	Thursday
Fri.	..	..	Friday
Sat.	..	..	Saturday
Sun.	..	..	Sunday
min.	..	..	minutes
a.m.	..	..	the time o'clock between midnight and noon
p.m.	..	..	the time o'clock between noon and midnight

(5) A reference in these Regulations to a sign or banner by name is a reference, where the sign or banner is not otherwise prescribed in these Regulations, to the sign or banner shown in the column headed "Sign" of section 2.4 "Index of Regulatory Signs" and section 3.4 "Index of Warning Signs" of Part I "General Introduction and Index of Signs" of Australian Standard 1742.1 "Manual of Uniform Traffic Control Devices" opposite the name specified in the column headed "Name".

### PART II - APPLICATION OF REGULATIONS

#### 4. OBEDIENCE TO MEMBERS OF POLICE FORCE

Notwithstanding any other provision in these Regulations, a person on a public street or public place shall, at all times, obey -

- (a) the signal, whether given by hand, a signalling device or a combination of both; or
- (b) the reasonable oral instructions,  
of a member of the Police Force.

#### 5. CERTAIN VEHICLES EXEMPT FROM REGULATIONS

(1) These Regulations, other than regulations 4, 35, 95, 96 and 139 and Part XII, do not apply to a driver of a vehicle -

- (a) while engaged at a site of work comprising -

## Traffic Regulations

- (i) road construction or maintenance;
  - (ii) road cleaning on a carriageway, footway or reservation;
  - (iii) the erection or maintenance of a traffic control device;
  - (iv) the installation or maintenance of a public utility; or
  - (v) the watering or cutting of, or the application of herbicides, pesticides or fertilizers to, trees, plants or grass on or beside a public street or public place;
- (b) while engaged in the enforcement of the provisions of the Act, these Regulations or the *Motor Vehicles Act*; or
- (c) which is a tow truck, while engaged in attaching or manoeuvring to attach towing apparatus to another vehicle.
- (2) Notwithstanding subregulation (1), a driver referred to in that subregulation shall comply with a direction given by or on behalf of a competent authority.

### 6. EMERGENCY VEHICLES EXEMPT FROM REGULATIONS

Notwithstanding these Regulations, the driver of an emergency vehicle may, when it is expedient and safe to do so -

- (a) proceed past a traffic control signal displaying a red or yellow circle or a red or yellow arrow;
- (b) proceed contrary to the direction or instruction of a traffic control device;
- (c) drive in any direction or on any part of a public street;
- (d) overtake or pass another vehicle on either side of that vehicle;
- (e) where a driver would otherwise be obliged to give way, continue without giving way;
- (f) turn or stop the vehicle without indicating an intention to do so;
- (g) exceed a prescribed speed limit;
- (h) stand or park the vehicle at a place or during a time not otherwise permitted;
- (j) not stop or render assistance after an accident as otherwise required by regulation 138;



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- (k) leave the vehicle unattended otherwise than in accordance with regulation 125; and
- (m) drive on a prescribed beach within the meaning of regulation 139.

### 7. POLICE AND OTHER PERSONS EXEMPT FROM CERTAIN REGULATIONS

(1) A member of the Police Force, in the performance of the member's duties -

- (a) may exceed a prescribed speed limit;
- (b) may leave a vehicle unattended otherwise than in accordance with regulation 125;
- (c) may drive on a prescribed beach within the meaning of regulation 139; and
- (d) for the purposes of regulating traffic, may stand or park a vehicle at a place or during a time not otherwise permitted.

(2) An officer of a competent authority may, while performing duties in respect of the enforcement of these Regulations in relation to the parking or standing of vehicles, stand or park a vehicle in contravention of regulation 55(1).

## PART III - TRAFFIC CONTROL DEVICES

### 8. TRAFFIC CONTROL DEVICES

(1) Unless otherwise prescribed in these Regulations, a traffic control device shall comply with Australian Standard 1742 "Manual of Uniform Traffic Control Devices".

(2) A traffic control signal shall, in addition to subregulation (1), comply with Australian Standard 2144 "Traffic Signal Lanterns".

### 9. LIMITS ON OPERATION OF SIGNS

(1) A sign associated with a no parking area, a no standing area, a parking area or a loading zone, or of a kind referred to in regulations 13, 28, 29 and 30 -

- (a) is limited in operation and effect to the days, the periods of the day, the classes of persons or vehicles and the circumstances, to the extent; and
- (b) permits an activity, where the activity is permitted by the sign, only during the period,

if any, shown on the sign.

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(2) A clearway is limited in operation and effect to the days and the periods of the day, to the extent, if any, shown on the Clearway No Standing sign and Clearway signs associated with the clearway.

### 10. INSCRIPTIONS ON SIGNS TO BE OPERATIVE

Where an inscription of a kind referred to in these Regulations is made on a sign of a type referred to in these Regulations, the inscription shall operate and take effect as an inscription duly made for the purposes of these Regulations.

### 11. OPERATION OF SIGNS ON PUBLIC HOLIDAYS

Where a sign of a kind referred to in these Regulations indicates that an instruction shall apply on a particular day of the week, the instruction shall not apply on a day observed as a public holiday in the locality in which the sign is erected, unless the sign specifically indicates the instruction applies notwithstanding the public holiday.

## PART IV - OBEDIENCE TO TRAFFIC CONTROL SIGNALS AND SIGNS

### 12. OBEDIENCE TO TRAFFIC CONTROL SIGNALS

(1) A person on a public street shall not, unless directed by a member of the Police Force, contravene or fail to comply with an instruction of a traffic control signal applicable to that person.

(2) For the purposes of subregulation (1), where a traffic control signal displays a light of a description specified in Column 1 of Table A the light, while it is displayed, is an instruction as is specified in Column 2 of that table opposite to the description of that light.

TABLE A

Column 1	Column 2
Description of light	Instruction applicable
Red circle	a driver facing the traffic control signal shall not, subject to these Regulations, proceed beyond a stop line, if any, associated with the traffic control signal or, in the absence of a stop line, proceed beyond any part of the traffic control signal.
Arrow in red, whether vertical, horizontal or at an angle between	a driver facing the traffic control signal shall not proceed in the direction indicated by the red arrow beyond a stop

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TABLE A - continued

Column 1	Column 2
Description of light	Instruction applicable
vertical and horizontal, alone or in conjunction with any other display	line, if any, associated with the traffic control signal or, in the absence of a stop line, enter the intersection at or near which the traffic control signal is erected.
Yellow circle	<p>(a) a driver facing the traffic control signal shall not proceed beyond a stop line, if any, associated with the traffic control signal or, in the absence of a stop line, proceed beyond any part of the traffic control signal;</p> <p>(b) a pedestrian or person on a bicycle facing the traffic control signal shall not enter a carriageway at or near which the traffic control signal is erected; or</p> <p>(c) where the traffic control signal is erected at or near an intersection, a person on the intersection shall leave the intersection as soon as it is safe to do so.</p>
Yellow intermittent flashes	a driver facing the traffic control signal shall approach and pass the traffic control signal with caution and shall permit any pedestrian on a marked crosswalk associated with the traffic control signal to leave the marked crosswalk.
Arrow in yellow, whether vertical, horizontal or at an angle between vertical and horizontal, alone or in conjunction with any other display	a driver facing the traffic control signal shall not proceed in a direction indicated by the yellow arrow beyond a stop line, if any, associated with the traffic control signal or, in the absence of a stop line, enter an intersection at or near which the traffic control signal is erected.
Green circle	<p>a driver facing the traffic control signal may, subject to these Regulations;</p> <p>(a) proceed straight ahead; or</p>

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TABLE A - continued

Column 1	Column 2
Description of light	Instruction applicable
	(b) turn right or left (notwithstanding a traffic control signal is displaying a red circle in relation to the carriageway the driver is about to enter), provided in making or after making the turn the driver does not cross a stop line associated with the traffic control signal until it displays a green circle.
Arrow in green, whether vertical, horizontal or at an angle between vertical and horizontal, alone or in conjunction with any other display	a driver facing the traffic control signal may proceed in the direction indicated by the arrow.

(3) Notwithstanding an instruction to the contrary in Table A, where a Turn Left At Any Time With Care sign is erected facing a driver on a public street, the driver may, where it is safe to do so and on giving way to any other vehicle on the public street, turn left.

(4) For the purposes of subregulation (1), a display by a traffic control signal of -

- (a) a red symbolic standing pedestrian or a red circle (not accompanied by a symbol in green similar to that described in paragraph (b)) is an instruction to a pedestrian or a person on a bicycle facing that traffic control signal, not to enter a carriageway at or near which the signal is erected;
- (b) a green symbolic walking pedestrian or a green circle (not accompanied by a symbol described in paragraph (a)) is an instruction to a pedestrian facing that traffic control signal that the pedestrian may proceed across the carriageway at or near which the signal is erected; and
- (c) an intermittent flashing red symbolic standing pedestrian is an instruction to a pedestrian or a person on a bicycle facing that traffic control signal not to enter a carriageway at or

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near which the signal is erected or, where a pedestrian is on the carriageway at or near which the sign is erected, to continue to cross the carriageway by the shortest practicable route.

### 13. OBEDIENCE TO SIGNS AND MARKINGS

(1) Where a No Right Turn sign, No Left Turn sign, No Turns sign, No U Turn sign or an All Traffic Turn sign is facing a driver, the driver shall not turn in contravention of the instruction on the sign.

(2) Where a One Way sign is facing a driver entering a carriageway, the driver shall enter and drive along the carriageway only in the direction indicated by the arrow on the sign.

(3) Where a No Entry sign is facing a driver on a carriageway, the driver shall not proceed on the carriageway beyond the sign.

(4) Where a No Exit sign is facing a driver, the driver shall not proceed beyond the sign.

(5) A driver entering an intersection from a marked lane which has -

- (a) over it a sign or a signal displaying an arrow or arrows;
- (b) by the side of or over it a Left Lane Must Turn Left sign or a Right Lane Must Turn Right sign; or
- (c) marked on the surface of it -
  - (i) an arrow or arrows;
  - (ii) the words "RIGHT TURN ONLY" or "LEFT TURN ONLY" with or without an arrow or arrows; or
  - (iii) the word "ONLY" and an arrow,

shall not proceed in a direction other than that which is indicated by the sign, signal or marking.

(6) Where a No Overtaking Or Passing sign is facing a driver approaching a bridge, culvert or a narrow section of a carriageway, the driver shall not -

- (a) proceed past that sign while a vehicle travelling in the opposite direction to that in which the driver is travelling is between that sign and the far end of the bridge, culvert or narrow section of the carriageway; or

## *Traffic Regulations*

(b) while the driver is between that sign and the far end of the bridge, culvert or narrow section of the carriageway, overtake or pass a vehicle.

(7) Where a No Overtaking On Bridge sign is facing a driver approaching a bridge, the driver shall not overtake a vehicle while that driver is between the sign and the far end of the bridge.

(8) Where a Bridge Load Limit ... t Gross sign is facing a driver approaching a bridge, the driver shall not drive on that bridge if the mass of the vehicle being driven and any load being carried on it, together with the mass of a trailer, if any, attached to it and any load carried on that trailer is greater than the tonnes gross mass indicated on that sign.

(9) Where a Gross Load Limit ... t sign is facing a driver, the driver shall not drive between that sign and an End Load Limit sign if the mass of the vehicle being driven and any load being carried on it, together with the mass of a trailer, if any, attached to it and any load carried on that trailer, exceeds the tonnes gross mass indicated on that sign.

(10) Where a Keep Left sign is facing a driver, the driver shall not drive past that sign other than to the left of it.

(11) Where a Keep Right sign is facing a driver, the driver shall not drive past that sign other than to the right of it.

(12) Where a Stop sign is facing a driver approaching an intersection, the driver shall -

(a) stop before reaching and as near as practicable to the stop line associated with that sign or, in the absence of a stop line, at the point nearest the intersecting carriageways where the driver has a clear view of other vehicles approaching that intersection; and

(b) on reaching and after passing that sign, give way to any vehicle which is approaching or is on that intersection, except where that vehicle is -

(i) approaching the intersection from the opposite direction;

(ii) facing or has passed a Stop sign or a Give Way sign; and

(iii) about to make a right hand turn at that intersection.

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(13) Where a Stop banner sign is displayed by hand to face a driver, the driver shall stop before reaching that banner and not proceed except in accordance with the direction of the person displaying the banner.

(14) Where a Stop sign is displayed at a place other than an intersection, to face a driver approaching a public street, the driver -

- (a) shall stop before reaching and as near as practicable to the stop line associated with the sign or, in the absence of a stop line, at the point nearest the point of entry onto the street where the driver has a clear view of any vehicles or pedestrians approaching the driver on that street; and
- (b) may proceed but shall give way to -
  - (i) vehicles travelling along or turning from;  
or
  - (ii) pedestrians on,

the public street.

(15) Where a stop line is marked on a carriageway and such line is not marked at or near a traffic control signal (whether operating or not), a children's crossing, a pedestrian crossing, a Stop sign or a level crossing, a driver approaching the stop line shall -

- (a) where the driver is approaching or has entered an intersection -
  - (i) stop before reaching and as near as practicable to the stop line; and
  - (ii) on reaching and after passing that line, give way to any vehicle which is travelling on or turning from or into the intersecting carriageway, except where that vehicle -
    - (A) has approached the intersection from the opposite direction;
    - (B) is facing or has passed a Stop sign or a Give Way sign erected, or a stop line or a give way line placed, at the intersection; and
    - (C) is about to make a right-hand turn at the intersection; or
- (b) where the driver is approaching a public street or another carriageway other than at an intersection -

## *Traffic Regulations*

- (i) stop before reaching and as near as practicable to the stop line; and
  - (ii) may then proceed but shall give way to -
    - (A) vehicles travelling along or turning from the intersecting street or carriageway; and
    - (B) pedestrians on the street or carriageway.
- (16) Where a Give Way sign is facing a driver -
- (a) approaching or entering an intersection, the driver shall, on reaching or after passing the sign, give way to any vehicle which is approaching or is on the intersection, except where that vehicle -
    - (i) has approached the intersection from the opposite direction;
    - (ii) is facing or has passed a Stop sign or a Give Way sign erected, or a stop line or give way line placed, at the intersection; and
    - (iii) is about to make a right hand turn at the intersection;
  - (b) approaching a bridge, culvert or narrow section of a carriageway, the driver shall not pass the sign while a vehicle travelling in the opposite direction to that in which the driver is travelling is between the sign and the far end of the bridge, culvert or narrow section of the carriageway; or
  - (c) approaching a public street at a place other than an intersection, the driver shall give way to -
    - (i) vehicles travelling along or turning from; or
    - (ii) pedestrians on,  
the public street.
- (17) Where a No U Turn sign is facing a driver, the driver shall not make a U turn at the intersection at or near which the sign is erected.
- (18) Where a give way line is marked on a carriageway a driver approaching the give way line -



## *Traffic Regulations*

(a) shall, where the driver is approaching or has entered an intersection, on reaching and after passing the line, give way to any vehicle which is travelling on or turning from or into the intersecting carriageway, except where that vehicle -

(i) has approached the intersection from the opposite direction;

(ii) is facing or has passed a Stop sign or a Give Way sign erected, or a stop line or give way line placed, at the intersection; and

(iii) is about to make a right-hand turn at the intersection; or

(b) where the driver is approaching a public street or another carriageway other than at an intersection, may proceed but shall give way to -

(i) vehicles travelling along or turning from the intersecting carriageway; and

(ii) pedestrians on the street.

(19) Where a Stop Here On Red Signal sign is displayed facing a driver on or near a traffic control signal, the driver shall not, while that traffic control signal is displaying, so as to be facing the driver, a red circle or a red arrow, proceed beyond a stop line associated with the sign or, in the absence of a stop line, beyond the sign.

(20) Where an All Traffic Turn sign is facing a driver approaching an intersection, the driver shall, on entering the intersection, proceed only in the direction indicated by that sign.

(21) Where a Low Clearance ... m sign is facing a driver, the driver shall not drive or attempt to drive beneath the bridge or structure to which the sign is attached, a vehicle the height of which, together with that of any load being carried on it, is equal to or greater than the height indicated on that sign.

(22) Where a Bus Prohibition sign is facing a driver of a bus, the driver shall not drive the bus past that sign.

(23) Where a Truck Prohibition sign is facing a driver, the driver shall not drive past that sign where the vehicle being driven exceeds -

(a) the gross vehicle mass or length specified on the sign; or

## *Traffic Regulations*

- (b) where there is no mass or length specified on the sign, 4.5 t.

(24) Where a Bicycle Prohibition sign is facing a person riding a bicycle, the person shall not ride the bicycle past that sign.

(25) Where a Pedestrian Prohibition sign is facing a pedestrian, the pedestrian shall not proceed past that sign.

(26) Where a sign bearing the words "AUTHORIZED VEHICLES ONLY" is facing a driver, the driver shall not drive past that sign unless authorized to do so by the competent authority.

(27) Where a sign bearing the words "NO MOTOR VEHICLES" is facing a driver of a motor vehicle, the driver shall not drive the motor vehicle past that sign.

### 14. APPLICATION TO ADJACENT ONE-WAY TRAFFIC CARRIAGEWAYS

(1) For the purposes of regulation 12, but subject to this regulation -

- (a) where there are 2 adjacent one-way traffic carriageways provided respectively for vehicles travelling in opposite directions - those 2 carriageways and any areas of carriageway connecting them shall be taken to be one public street; and

- (b) a vehicle travelling on a public street (whether or not it is a public street referred to in paragraph (a)) shall be taken to remain in the same public street while the motor vehicle is within an area of carriageway -

- (i) which is common to that public street and another public street; or

- (ii) bordered by traffic islands which are in, or related to, the intersection of that public street with another public street.

(2) Where -

- (a) a public street (in this subregulation referred to as "the first-mentioned public street") is divided by an area of land or by a traffic island into separate carriageways for vehicles travelling in opposite directions;

- (b) another public street or each carriageway into which another public street is divided by an area of land or a traffic island intersects or joins both the carriageways into which the first-mentioned public street is divided; and

## *Traffic Regulations*

- (c) the carriageways of the public street that are between the carriageways, within the intersection, of the first-mentioned public street are divided by an area of land or a traffic island,

then -

- (d) each intersection of the carriageways of the first-mentioned public street with each carriageway of the other public street shall be deemed to be the intersection of one public street with another public street; and
- (e) each of the carriageways of the other public street referred to in paragraph (c) shall be deemed to be a public street.

### PART V - DRIVING ON LEFT AND OVERTAKING

#### 15. KEEPING AS FAR LEFT AS PRACTICABLE

(1) Subject to these Regulations, a driver on a carriageway shall keep as close as practicable to the left boundary of that portion of the carriageway improved, designed or ordinarily used for vehicular traffic travelling in the same direction as that in which the driver is travelling.

(2) Subregulation (1) does not apply where there are 2 or more lanes marked on a carriageway available exclusively for vehicles travelling in the same direction.

#### 16. OVERTAKING

(1) Subject to subregulations (2) and (3), a driver, when overtaking a moving vehicle, shall overtake -

- (a) to the right of; and
- (b) at a safe distance from,

that vehicle.

(2) A driver may, where there are 2 or more lanes marked on a carriageway available exclusively for vehicles travelling in the same direction, when -

- (a) travelling in one of those lanes; and
- (b) it is safe for the driver to do so,

overtake to the left of a vehicle travelling in another of those lanes.

(3) Where a driver overtakes another vehicle which is turning or is indicating an intention to turn right the driver shall do so to the left of that vehicle.

## *Traffic Regulations*

(4) A driver shall not, after overtaking a vehicle, cross in front of that vehicle until the driver's vehicle is safely clear of the vehicle.

(5) A driver overtaking a vehicle on a two-way carriageway shall not, where the carriageway is divided into -

- (a) less than 3 lanes - drive to the right of the centre of the carriageway unless the right hand side of the carriageway is free of on-coming vehicles far enough ahead of the vehicle to permit it to be overtaken in safety; or
- (b) 3 lanes - drive in the centre lane unless that lane is free of on-coming vehicles far enough ahead of the vehicle to permit it to be overtaken in safety.

(6) Subject to subregulation (7), a driver shall not overtake a motor vehicle immediately before or on an intersection.

(7) Subregulation (6) does not apply to a driver overtaking a motor vehicle where -

- (a) the intersection is a roundabout;
- (b) a laned carriageway makes available more than one lane for vehicles travelling in the same direction as that in which the driver is travelling;
- (c) the intersecting carriageways are controlled by -
  - (i) a Stop sign;
  - (ii) a Give Way sign; or
  - (iii) a Roundabout sign;
- (d) a traffic control signal is erected at the intersection and the driver is proceeding in accordance with an instruction of that signal; or
- (e) a vehicle is turning or is about to turn at the intersection.

(8) Subject to subregulation (9), a driver shall not overtake a motor vehicle immediately before or on a level crossing.

(9) Subregulation (8) does not apply to a driver overtaking a motor vehicle where -

## *Traffic Regulations*

- (a) the level crossing is equipped with gates, booms or other barriers which may close the crossing to vehicles;
- (b) a laned carriageway makes available more than one lane for vehicles travelling in the same direction as that in which the driver is travelling; or
- (c) a traffic control signal is erected at or near the crossing and the driver is proceeding in accordance with an instruction of that signal.

### 17. OVERTAKING OF LONG VEHICLE, &c.

A driver shall not, unless it is safe to do so, overtake -

- (a) a long vehicle; or
- (b) a road train,

bearing a sign of a type described in regulation 22(5), where the driver of that vehicle or road train is turning or is signalling an intention to turn that vehicle or road train.

### 18. USE OF CENTRE AND RIGHT LANES OF 3 LANE CARRIAGEWAY

A driver shall not, on a two-way carriageway which is divided into 3 lanes, drive in -

- (a) the centre lane, other than -
  - (i) to overtake another vehicle in accordance with regulation 16(5)(b);
  - (ii) prior to making a right turn;
  - (iii) when that lane is allocated exclusively to vehicles travelling in the same direction as that in which the driver is travelling; or
  - (iv) where there is one continuous line and one broken or dotted line marked on the right hand side of the centre lane; or
- (b) the extreme right hand lane.

### 19. PASSING VEHICLES

Subject to regulation 44, a driver passing a vehicle shall keep to the driver's left of that vehicle.

## *Traffic Regulations*

### 20. GIVING WAY TO OVERTAKING VEHICLE

Subject to these Regulations, a driver whose vehicle is or is about to be overtaken by another vehicle shall -

- (a) on the driver of that other vehicle indicating an intention to overtake, move as close as practicable to the left boundary of that portion of the carriageway improved, designed or ordinarily used for vehicular traffic; and
- (b) not increase speed until overtaken by that other vehicle.

### 21. DRIVERS NOT TO OBSTRUCT TRAFFIC

A driver shall not, without reasonable excuse, proof of which shall be on the driver, drive at a speed or in manner which obstructs, hinders or prevents the free passage of other vehicles or pedestrians.

### 22. DRIVING IN LANES ON CARRIAGEWAYS

- (1) Subject to this regulation, a driver shall -

- (a) drive as nearly as practicable entirely within a single marked lane or a single line of traffic;
- (b) not drive from a single marked lane or a single line of traffic until the driver can do so with safety; or
- (c) not, while driving a motor vehicle in a single marked lane -

- (i) drive abreast of; or

- (ii) overtake,

another motor vehicle being driven in that lane.

(2) Subject to subregulation (3), a driver in a marked lane, a boundary of which is a single unbroken line (not being a separation line or a pavement edge line), shall not drive so that any part of the vehicle being driven is on or over that line.

(3) Notwithstanding subregulation (2), a driver may drive across a line referred to in that subregulation -

- (a) immediately before entering or after leaving a driveway to a place (other than a public place) off a public street; or
- (b) to avoid a stationary vehicle or other obstacle obstructing the free passage of the driver's vehicle along the marked lane,

where it is safe and reasonable to do so.

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(4) Notwithstanding this regulation, a driver of a long vehicle or a road train which -

- (a) bears a sign described in subregulation (5); and
- (b) has affixed to the left hand side a rear vision mirror which provides a clear reflected view of any vehicle travelling behind the vehicle or road train,

may, where it is safe and reasonable to do so, drive with that vehicle or road train partly in adjoining lanes when preparing, and having signalled an intention, to turn.

(5) For the purpose of subregulation (4), a sign shall have a minimum area of 0.125 m<sup>2</sup> and display the words "DO NOT OVERTAKE TURNING VEHICLE" in block letters not less than 50 mm in height, in black, on a yellow retro-reflective background.

### 23. DRIVING THROUGH ROUNDABOUTS

A driver on a roundabout shall drive to the left of the central traffic island.

### 24. KEEPING LEFT OF DOUBLE LINES

(1) Subject to subregulation (2), where a carriageway is marked with double longitudinal lines comprising -

- (a) 2 continuous lines (not being yellow lines); or
- (b) a continuous line on the left of a broken or dotted line,

a driver shall not drive a vehicle with any part of it on or over those lines.

(2) Notwithstanding subregulation (1), a driver may cross a double longitudinal line referred to in that subregulation -

- (a) immediately before entering or after leaving a driveway to a place (other than a public place) off a public street; or
- (b) to avoid a stationary vehicle or obstacle obstructing the free passage of the driver's vehicle along the carriageway,

where it is safe and reasonable to do so.

### 25. LONG VEHICLES, &c., FOLLOWING TOO CLOSELY

(1) Subject to subregulation (2), a driver of a long vehicle or road train on a carriageway shall keep that vehicle or road train at a distance of not less than, where the maximum speed permitted by these Regulations is -

## *Traffic Regulations*

(a) 60 km/h - 60 m;

(b) not limited or is greater than 60 km/h - 200 m,

from the rear of any long vehicle or road train which is travelling ahead of the driver on that carriageway.

(2) Subregulation (1) does not apply to a driver of a long vehicle or a road train -

(a) overtaking or passing another long vehicle or road train;

(b) in a built up area; or

(c) on a laned carriageway which is available exclusively for vehicles travelling in the same direction.

### 26. DRIVING ON DIVIDED ROAD

Subject to these Regulations, a driver shall not, where a public street is divided into carriageways by a reservation, drive on a carriageway which is to the right of a reservation, which is in the centre or to the right hand side of the public street, unless a Two Way sign is facing the driver entering the carriageway.

### 27. APPROACHING CREST OR CURVE

Subject to these Regulations, a driver on a two-way carriageway shall not, when approaching the crest of a gradient or when approaching or on a curve on that carriageway, permit any part of the vehicle being driven to travel on, over or to the right of the centre of the carriageway unless the driver can see ahead for a distance sufficient to enable that driver to do so with safety or without interfering with the progress of a vehicle travelling in the opposite direction to that in which the driver is travelling.

### 28. TRANSIT LANES

(1) Subject to subregulation (2), a vehicle, other than a vehicle -

(a) carrying 3 or more persons including the driver;

(b) licensed to carry passengers for hire or reward; or

(c) approved by the Registrar,

shall not be driven in a transit lane.

(2) Subregulation (1) does not apply to a driver turning a vehicle -



## *Traffic Regulations*

- (a) to the left where the transit lane is the lane nearest to the left hand boundary of the carriageway; or
- (b) to the right where the transit lane is the lane nearest to the right hand boundary of the carriageway which is available, in accordance with these Regulations, for traffic proceeding in the direction in which the driver is travelling,

and such use is reasonably necessary.

### 29. BUS LANES

(1) Subject to subregulation (2), a vehicle, other than a vehicle -

- (a) licensed by the Registrar under the *Motor Vehicles Act* as a motor omnibus; or
- (b) approved by the Registrar,

shall not be driven in a bus lane.

(2) Subregulation (1) does not apply to a driver turning a vehicle -

- (a) to the left where the bus lane is the lane nearest to the left hand boundary of the carriageway; or
- (b) to the right where the bus lane is the lane nearest to the right hand boundary of the carriageway which is available, in accordance with these Regulations, for traffic proceeding in the direction in which the driver is travelling,

and such use is reasonably necessary.

### 30. BICYCLE LANES

(1) Subject to subregulation (2), a vehicle, other than a bicycle, shall not be driven in a bicycle lane.

(2) Subregulation (1) does not apply to a driver -

- (a) entering a carriageway or turning or intending to turn from a carriageway in accordance with these Regulations;
- (b) intending to park or leave a vehicle standing where permitted by these Regulations;
- (c) driving a vehicle from a parking area or the boundary of a carriageway; or

## *Traffic Regulations*

### (d) driving a vehicle -

(i) licensed by the Registrar under the *Motor Vehicles Act* as a motor omnibus; or

(ii) approved by the Registrar,

who intends to stop the vehicle to take up or set down passengers,

and such use is reasonably necessary.

## PART VI - GIVING WAY

### 31. MEANING OF "GIVE WAY"

(1) For the purposes of these Regulations, where a driver is required under these Regulations to give way to a vehicle or person, the driver shall, in circumstances where if the driver proceeded there would be a reasonable possibility of the driver's vehicle colliding with that vehicle or person or of creating a dangerous situation, slow down or stop and remain stationary for such time as is necessary so as to allow the vehicle or person to continue without risk of collision, or to avoid creating a dangerous situation.

(2) A driver who has given way to a vehicle or person in accordance with these Regulations shall not proceed where there is a reasonable possibility of the driver's vehicle colliding with another vehicle or person.

### 32. GIVING WAY AT INTERSECTIONS

(1) A driver approaching or entering an intersection shall exercise special care and where appropriate shall drive at a reduced speed.

(2) Subject to this regulation and regulation 33, a driver approaching or entering an intersection from -

(a) a terminating carriageway, shall give way to a vehicle which is approaching or has entered the intersection from another carriageway; or

(b) a carriageway, other than a terminating carriageway, shall give way to a vehicle on the driver's right which is approaching or has entered that intersection from another carriageway which is not a terminating carriageway.

(3) Subregulation (2) does not apply to a driver -

(a) proceeding in accordance with an instruction given by a traffic control signal; or

## *Traffic Regulations*

- (b) where a vehicle is on the driver's right at the intersection and the vehicle is facing or has passed a Stop sign or a Give Way sign,

erected at or near the intersection.

(4) It is a defence to a prosecution for an offence against subregulation (2) for a defendant to prove that the defendant could not, by the exercise of special care as required by subregulation (1), have become aware of the approach of the other vehicle.

### 33. GIVING WAY DURING TURNS

(1) Subject to subregulation (4) and regulations 13(12), (15)(a), (16)(a), (18) and 23, a driver intending to turn or who is turning to the right at an intersection shall give way to a vehicle approaching or which has entered the intersection from the opposite direction to that in which the driver is travelling.

(2) Subject to subregulation (4), a driver turning at an intersection shall, while making that turn, give way to pedestrians on the intersection.

(3) Subject to subregulation (4), a driver making a U turn on a public street shall give way to other vehicles and pedestrians on the street.

(4) Subregulations (1), (2) and (3) do not apply to a driver turning at a roundabout.

### 34. MOVEMENTS INTO OR OUT OF PARKED POSITION

(1) A driver entering or leaving a parking area, or proceeding to or leaving the boundary of a carriageway, shall give way to other vehicles and pedestrians.

(2) A driver shall not reverse out of a parking area established across the centre of a carriageway.

### 35. ACTION ON APPROACH OF EMERGENCY VEHICLE

A driver shall -

- (a) give way; and
- (b) make every reasonable effort to give a clear and uninterrupted passage,

to an emergency vehicle.

### 36. ENTERING OR LEAVING PUBLIC STREET OR PLACE

(1) A driver entering a public street or public place from a place adjoining that street or place shall give way to -

## *Traffic Regulations*

(a) vehicles, except where the driver is proceeding pursuant to an instruction of a traffic control signal; and

(b) pedestrians,

on that street or place.

(2) A driver leaving a public street to enter a place adjoining that street shall give way to -

(a) vehicles travelling in the opposite direction to that in which the driver is travelling; and

(b) pedestrians,

on that street.

### 37. NO ENTRY TO BLOCKED INTERSECTION

A driver shall not enter or attempt to cross an intersection, including an intersection at which a traffic control signal is displaying an instruction to proceed, where that intersection or a carriageway in that intersection is blocked by another vehicle.

### 38. ROUNDABOUTS

A driver shall, before entering a roundabout, give way to a vehicle within that roundabout.

## PART VII - PEDESTRIANS

### 39. PEDESTRIAN CROSSING

(1) A driver approaching a pedestrian crossing shall drive at such speed as to be able, where necessary, to stop before reaching that crossing.

(2) A driver shall give way to a person on a pedestrian crossing.

(3) A driver shall not overtake a vehicle which has -

(a) reduced speed; or

(b) stopped,

at a pedestrian crossing.

### 40. CHILDREN'S CROSSINGS

(1) A driver approaching a children's crossing shall drive at such speed as to be able, where necessary, to stop before reaching that crossing.

## *Traffic Regulations*

(2) A driver shall stop before reaching a children's crossing and shall not cross over or allow any part of the vehicle being driven to enter on that crossing, where -

(a) a person is, or is apparently about to enter, on the crossing; or

(b) a Stop banner sign is displayed facing the driver.

(3) A driver shall not overtake a vehicle which has -

(a) reduced speed; or

(b) stopped,

at a children's crossing.

### 41. DUTIES OF PEDESTRIANS

(1) A pedestrian shall -

(a) on a footway, marked crosswalk or pedestrian crossing - keep as close as practicable to the left side of that footway, crosswalk or crossing;

(b) when crossing a carriageway at an intersection - keep left of pedestrians crossing in the opposite direction to that in which the pedestrian is proceeding;

(c) when crossing a carriageway - cross, where practicable, by the shortest and most direct route;

(d) after alighting from a vehicle onto a carriageway - proceed, as soon as practicable, to the nearest footway, if any, by the shortest and most direct route;

(e) on a bicycle path - give way to persons on bicycles on the path; or

(f) on segregated footway - keep to that part of the footway for use by pedestrians.

(2) A person shall not -

(a) enter a carriageway where due to the proximity of a vehicle to that person on the carriageway, the entry of the person onto the carriageway may endanger that person's safety or that of another person;

(b) stand on a carriageway while waiting to board a vehicle;

## *Traffic Regulations*

(c) proceed from a footway towards a vehicle for the purpose of boarding that vehicle until it has stopped; or

(d) alight from or board a moving vehicle.

(3) Subregulation (1)(b) or (c) do not apply to an intersection or a part of a public street controlled by a traffic control signal where that signal provides a period of time during which only pedestrians may use the carriageway.

### 42. PEDESTRIANS ON CARRIAGEWAYS

(1) This regulation does not apply to or in relation to a carriageway from which vehicles are, by these Regulations, for the time being excluded.

(2) A pedestrian shall not proceed along a carriageway where a footway or bicycle way, in a fit condition for use, exists on the public street of which that carriageway is a part.

(3) A pedestrian on a carriageway shall -

(a) where it is practicable, proceed on that carriageway or the side of it used by vehicles travelling in the opposite direction to that in which the pedestrian is proceeding; and

(b) shall keep as close as practicable to the boundary of that carriageway on the pedestrian's right.

(4) Except in a procession or parade authorized under regulation 134, a pedestrian shall not proceed along a carriageway abreast of more than one other pedestrian.

(5) A pedestrian shall not cross a carriageway within 20 m of -

(a) a marked cross-walk which is adjacent to a traffic-control signal which is operating;

(b) a pedestrian crossing; or

(c) a children's crossing.

## PART VIII - TURNING, STARTING AND STOPPING

### 43. LEFT TURNS

(1) Subject to subregulation (3), a driver about to make a left turn at an intersection shall drive so that when the driver's vehicle reaches the intersection it is -

### *Traffic Regulations*

- (a) to the left of a vehicle travelling in the same direction as that in which the driver is travelling and as near as practicable to the left boundary of the carriageway; or
  - (b) where there are marked lanes on the carriageway in which the driver is travelling -
    - (i) in the lane nearest to the left boundary of that carriageway; or
    - (ii) in a lane which has a sign alongside or over it, or markings on its surface, indicating that a left turn must or may be made.
- (2) Where, under subregulation (1)(b), a left turn may be made from more than one lane, a driver -
- (a) in a lane nearer or nearest to the left boundary of the carriageway, shall cause the driver's vehicle to remain to the left of a vehicle turning left from a lane to the right of that from which the driver entered the intersection; and
  - (b) in any other lane, shall cause the driver's vehicle to remain to the right of a vehicle turning left from a lane to the left of that from which the driver entered the intersection.
- (3) A driver of a vehicle referred to in regulation 22(4) may make a left turn at an intersection otherwise than in accordance with subregulation (1) or regulation 13(5), where -
- (a) the vehicle is on a laned carriageway;
  - (b) the vehicle is in the lane adjacent to the lane nearest to the left boundary of the carriageway or is partly in that lane and partly in another lane;
  - (c) the driver would be entitled to turn the vehicle to the left if it was in the lane nearest to the left boundary of the carriageway;
  - (d) it is not practicable in the circumstances for the left turn to be negotiated from the lane nearest to the left boundary of the carriageway;
  - (e) the driver signals, in accordance with these Regulations, an intention to turn left; and
  - (f) the driver takes adequate precautions to ensure that the vehicle does not collide with pedestrians or other vehicles or things on or near the intersection.

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### 44. RIGHT TURNS

(1) Subject to this regulation, a driver about to make a right turn at an intersection, shall, when travelling on -

- (a) a two-way carriageway - approach and enter the intersection so that the driver's vehicle is to the left of, parallel and as near as practicable to the centre of; and
- (b) a one-way carriageway - approach and enter the intersection so that the driver's vehicle is parallel to and as near as practicable to the right boundary of,

that carriageway.

(2) Subject to this regulation, a driver making a right turn shall make that turn so, wherever practicable, the driver's vehicle passes to the right of the centre of the intersection and where the carriageway being entered is -

- (a) a two-way carriageway which is -
  - (i) a laned carriageway - enter, where practicable, into the lane furthest from the left boundary of that carriageway which is available under these Regulations for a vehicle travelling in the direction in which the driver intends to travel; or
  - (ii) not a laned carriageway - enter to the left and as near as practicable to the centre of the carriageway; or
- (b) a one-way carriageway - enter as near as practicable to the right boundary of that carriageway.

(3) Where a driver is turning right at an intersection and another driver is turning right from the opposite direction at that intersection, subject to regulations 13(10) and 24(1) and to subregulation (7), each driver shall pass to the right of the other driver's vehicle.

(4) Notwithstanding subregulation (2), where, under these Regulations, a right turn may be made from more than one lane on a carriageway, a driver making such a right turn shall cause the driver's vehicle to remain to the left of another vehicle turning right from a lane to the right of that from which the driver entered the intersection.



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(5) A driver of a vehicle referred to in regulation 22(4) may make a right turn at an intersection otherwise than in accordance with subregulation (1)(b) or regulation 13(5) where -

- (a) the vehicle is on a laned carriageway;
- (b) the vehicle is in the lane adjacent to the lane nearest to the right boundary of the carriageway or is partly in that lane and partly in another lane;
- (c) the driver would be entitled to turn the vehicle to the right if it was in the lane nearest to the right boundary of the carriageway;
- (d) it is not practicable in the circumstances for the right turn to be negotiated from the lane nearest to the right boundary of the carriageway;
- (e) the driver signals, in accordance with these Regulations, an intention to turn right; and
- (f) the driver takes adequate precautions to ensure that the vehicle does not collide with pedestrians or other vehicles or things on or near the intersection.

(6) Notwithstanding subregulation (2)(a)(i), a driver referred to in that subregulation may turn right other than into the lane furthest from the left boundary of the carriageway where the driver takes adequate precautions to ensure that the driver's vehicle will not collide with pedestrians or other vehicles or things on or near the intersection.

(7) Where a marker, mark or sign is placed or displayed on or near an intersection requiring a driver to turn right in a manner indicated by that marker, mark or sign, a driver turning right at that intersection shall, notwithstanding this regulation, turn in accordance with the manner indicated.

(8) Notwithstanding this regulation, but subject to subregulation (9), a person riding a bicycle who is or is about to make a right turn at an intersection may make that turn so that the person -

- (a) approaches that intersection parallel and as near as practicable to the left boundary of the carriageway or bicycleway which the person is leaving;
- (b) enters that intersection and proceeds in a straight line until the person's bicycle is as near as practicable to the left boundary of the carriageway the person is about to enter; and

## *Traffic Regulations*

- (c) turns the person's bicycle to the right and after giving way to any vehicle on the person's right or left leaves the intersection in accordance with this regulation.

(9) A person riding a bicycle who is making a right turn in accordance with subregulation (8) shall not proceed to leave the intersection where a traffic control signal is operating until that signal displays a green circle in relation to the carriageway the person is about to enter.

### 45. DRIVER TO SIGNAL INTENTION TO TURN OR STOP

- (1) A driver shall not -
  - (a) turn or diverge right or left;
  - (b) stop suddenly;
  - (c) make a U-turn; or
  - (d) proceed to cross from one marked lane to another,

unless that driver signals an intention to do so in such time as to give reasonable warning to other drivers and pedestrians.

(2) A signal shall give reasonable warning, if given continuously, for the purposes of -

- (a) subregulation (1)(a), (c) or (d), while a vehicle is travelling 30 m immediately before commencing to turn or diverge and during any period when it is standing before commencing to turn or diverge; or
- (b) subregulation (1)(b), while the brakes of a vehicle are applied while it is stopping or slowing down.

(3) A signal required by this regulation to be given may be given, in the case of a signal of intention to -

- (a) stop or suddenly decrease speed - by means of a stop lamp; or
- (b) turn or diverge right or left or make a U-turn - by means of a semaphore signalling device or by a direction turn signal lamp,

which complies with Part IV of the *Traffic Act 1949 - 1987* as continued in force by section 55(2) of the Act.

## *Traffic Regulations*

(4) Where a vehicle is not fitted with a lamp or device referred to in subregulation (3), or the lamp or device is faulty, a signal referred to in that subregulation may be given by means of the hand and arm or a hand-shaped signalling device.

(5) Subject to subregulation (6), where a driver gives a signal by hand and arm, the driver shall, with the palm of the driver's hand facing forward, signal an intention to -

- (a) turn or diverge right or make a U-turn - by fully extending the driver's right arm beyond the right side of the driver's vehicle with the driver's arm, hand and fingers horizontal and approximately at right angles to the centre line of the vehicle; or
- (b) turn left, stop or decrease speed - by extending the driver's right arm beyond the right side of the driver's vehicle with the driver's upper arm horizontal and the driver's forearm and fingers pointing vertically upwards.

(6) Notwithstanding subregulation (5), a person on a motor cycle or bicycle may give a signal permitted by that subregulation to be given by hand by the use of the left hand.

### 46. USE OF SIGNALLING DEVICE

Subject to regulation 76(2)(c), a driver shall not permit a semaphore signalling device, or direction turn signal lamp, referred to in regulation 45(3)(b) to -

- (a) operate other than to signal the driver's intention to turn or diverge; or
- (b) remain in operation after completing a turn or divergence in relation to which the device was put into operation.

### 47. U-TURNS

A driver shall not make a U-turn -

- (a) where in making the turn there is a possibility of -
  - (i) colliding with another vehicle or a pedestrian; or
  - (ii) interfering with the free movement of other traffic; or
- (b) in an intersection at which a traffic control signal is operating unless authorized by a U-Turn Permitted sign erected at the intersection to face the driver.

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### 48. BRAKING AND STOPPING OF WHEELS

A driver shall not -

- (a) retard the progress of the driver's vehicle by means of a method whereby an instrument or device comes into contact with the surface of the road; or
- (b) leave a thing used to prevent the driver's vehicle from moving while stationary to remain on a public street or public place after the driver's vehicle has moved from that street or place where the thing was used.

### PART IX - LEVEL CROSSINGS

### 49. STOPPING AT LEVEL CROSSING

(1) Subject to subregulation (3), a driver approaching a level crossing shall stop on the approach side and clear of the nearest rail of the railway line, where -

- (a) directed or instructed by a railway employee;
- (b) a train approaching the crossing -
  - (i) is able to be seen by the driver; or
  - (ii) emits an audible signal,

and there is danger of a collision between the driver's vehicle and that train;

- (c) a train is on or entering the crossing;
- (d) a Stop sign is erected facing the driver at or near the crossing;
- (e) twin alternating red lights are flashing, a wigwag signal is moving, or a warning bell is ringing, at or near the crossing;
- (f) the vehicle being driven is a bus;
- (g) the vehicle being driven is carrying explosives or a radioactive, flammable, corrosive or poisonous substance (other than as fuel for use by that vehicle); or
- (h) the vehicle being driven is a tank vehicle used for the transportation of goods referred to in paragraph (g), whether carrying those goods or not.

(2) A driver stopped at a level crossing in accordance with subregulation (1) shall not drive onto or across that crossing after stopping -

## *Traffic Regulations*

- (a) in accordance with subregulation (1)(a) - until directed or instructed by a railway employee;
- (b) in accordance with subregulation (1)(e) - until the twin alternating red lights cease to flash, the wig-wag signal ceases to move or the warning bell ceases to ring, as the case may be, or unless directed or instructed by a railway employee; or
- (c) unless it is safe to do so.

(3) Subregulation (1)(f), (g) and (h) does not apply at a level crossing equipped with alternating red lights or a wig-wag signal, or with gates, booms or other barriers for closing that crossing to traffic.

(4) A person shall not -

- (a) drive a vehicle through, around or under a gate, boom or barrier at a level crossing; or
- (b) enter a level crossing while a gate, boom or barrier at that crossing is closed or is being opened or closed.

(5) A driver shall not enter or attempt to cross a level crossing where that crossing or the carriageway beyond that crossing is blocked by other vehicles.

### PART X - SPEED RESTRICTIONS

#### 50. SPEED LIMITS

(1) Subject to this regulation, a driver shall not drive -

- (a) in a built-up area, or in a municipality within the meaning of the *Local Government Act*, at a speed faster than 60 km/h;
- (b) in a speed zone at a speed faster than the speed in km/h indicated by numerals on a Speed Restriction sign at the beginning of the zone;
- (c) in a control area at a speed faster than the speed in km/h indicated by numerals on a Speed Restriction sign at an entrance to the area from a public street;
- (d) in a public place at a speed faster than 25 km/h or such other speed as is indicated by a Speed Restriction sign at an entrance to the public place; or
- (e) at a speed faster than that specified under regulation 51.

## *Traffic Regulations*

(2) Notwithstanding subregulation (1), a person shall not ride a bicycle -

- (a) on a footway at a speed faster than 20 km/h; or
- (b) on a bicycle way, which is not a footway, at a speed faster than 40 km/h.

(3) Notwithstanding subregulation (1)(a), a driver may drive a vehicle in a built-up area or a municipality at a speed faster than 60 km/h where permitted to do so by a speed de-restriction sign or a sign referred to in subregulation (1)(b) or (c).

(4) Nothing in subregulation (1) shall be construed as permitting a driver driving at a speed which -

- (a) constitutes driving carelessly, recklessly or at a speed or in a manner which is dangerous to the public; or
- (b) exceeds a maximum speed applicable to a vehicle fixed by or under any other Act.

### 51. MAXIMUM SPEEDS FOR CERTAIN VEHICLES

The Registrar may, by notice in the *Gazette*, specify, in relation to a vehicle or class of vehicles, a maximum speed which is less than that otherwise permitted under these Regulations at which the vehicle or class of vehicles may be driven.

## PART XI - STANDING AND PARKING VEHICLES

### *Division 1 - Standing and Parking Vehicles*

### 52. VEHICLES NOT TO BE LEFT IN CERTAIN AREAS

(1) Subject to subregulation (2), a person shall not -

- (a) stand a vehicle in a no standing area;
- (b) park a vehicle in a no parking area;
- (c) stand or park a vehicle in a parking area other than in a manner indicated by an inscription on a sign erected in that area;
- (d) stand or park a vehicle in a parking area in contravention of a limitation in respect of a day or a period of a day, or a class of persons or vehicles indicated by an inscription on a sign erected in and associated with that area; or
- (e) unless expressly permitted by a competent authority, stand a vehicle other than -

## *Traffic Regulations*

- (i) a goods vehicle, in a loading zone;
- (ii) a bus, in a bus stop; or
- (iii) a taxi, in a taxi rank.

(2) Notwithstanding subregulation (1), a person may park a vehicle in a no parking area or stand a vehicle in a no standing area -

- (a) during a time when parking or standing is not prohibited in that area by reason of an inscription to that effect on a sign erected in that area; or
- (b) where the inscription on a sign erected in that area exempts that person or the person's vehicle from a restriction in relation to the standing or parking of a vehicle applying in that area.

### 53. METHOD OF PARKING VEHICLES

(1) Subject to this regulation, a person who stands or parks a vehicle on a carriageway shall leave that vehicle standing or parked -

- (a) in the case of a public street on which vehicles are permitted to travel -
  - (i) in both directions - as near as practicable and parallel to the left boundary of the carriageway on that street and facing the direction in which vehicles are permitted to travel on the carriageway; or
  - (ii) in one direction only - as near as practicable to either boundary of that street and parallel to the boundary of the carriageway;
- (b) except in a parking area where angle parking is required - with a space not less than one metre between it and another vehicle;
- (c) with a space of not less than 3 m between the side of it facing the carriageway and the boundary of the carriageway opposite that side;
- (d) in a manner that does not cause obstruction to other vehicles on the carriageway; and
- (e) where parking bays are marked on the carriageway, entirely within a parking bay.

(2) Subregulation (1)(a) does not apply to a person standing or parking a vehicle in a parking area.

## *Traffic Regulations*

(3) Subregulation (1)(b) does not apply to a person standing or parking a motor cycle in a parking area set aside for motor cycles.

### 54. METHOD OF PARKING IN PARKING AREAS

(1) A person shall not stand or park a vehicle in a parking area unless the whole of that vehicle is within the area.

(2) Subject to this regulation, a person shall not stand or park a vehicle in a parking area situated -

(a) adjacent to the boundary of a carriageway unless, in the case of a street on which vehicles are permitted to travel -

(i) in both directions - the vehicle is left standing or parked with its left side parallel and as near as practicable to the left boundary of the carriageway; or

(ii) in one direction only - the vehicle is left standing or parked parallel and as near as practicable to either boundary of the carriageway; or

(b) at or near the centre of a carriageway unless it is left standing or parked approximately at right angles to the centre of the carriageway.

(3) Notwithstanding subregulation (2), where a sign at a parking area indicates or a mark on a carriageway indicates that vehicles are to be left standing or parked parallel to the centre of the carriageway, a person shall stand or park a vehicle parallel to the centre of that carriageway.

(4) Notwithstanding subregulation (2), where a sign at a parking area is inscribed with the words "ANGLE PARKING", or where bays are marked on a carriageway indicating that angle parking is required, a person shall stand or park a vehicle -

(a) at an angle of approximately 45° to the centre of the carriageway unless an inscription on the sign or mark indicates some angle other than 45°, in which case, a person shall stand or park a vehicle at the angle indicated; and

(b) with the front of the vehicle facing towards and not overhanging the curb of the carriageway.

(5) Subregulations (2), (3) and (4) do not apply to a person standing or parking a motor cycle in a parking area.



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(6) A person parking a motor cycle in a parking area adjacent to the boundary of a carriageway shall leave it parked with one wheel as near as practicable to the boundary.

### 55. PROHIBITED PARKING AND STANDING PLACES

(1) Subject to this regulation, a person shall not stand or park a vehicle if any part of it is -

- (a) between -
  - (i) another vehicle left standing or parked and the centre of a carriageway; or
  - (ii) a boundary of a carriageway and a double longitudinal centre line consisting of 2 continuous lines or a continuous line and a broken or dotted line;
- (b) in front of -
  - (i) a right-of-way, passage or private driveway or so close thereto so as to obstruct other vehicles from having reasonable access to or from that right-of-way, passage or private driveway; or
  - (ii) a footway constructed across a reservation;
- (c) alongside or adjacent to -
  - (i) an excavation in or obstruction on a carriageway where to do so will obstruct traffic;
  - (ii) the side of an unprotected bicycle lane; or
  - (iii) the boundary of a carriageway which is marked, within 1 m of that boundary, with a double longitudinal line consisting of 2 yellow lines.
- (d) on or within 9 m of a part of a carriageway bounded on one or both sides by a traffic island;
- (e) on -
  - (i) a footway, marked cross-walk or pedestrian crossing;
  - (ii) a bridge or other elevated structure, or within a tunnel or underpass except where expressly permitted;
  - (iii) an intersection;

## *Traffic Regulations*

- (iv) a portion of a carriageway which is marked with the words "KEEP CLEAR";
- (v) a reservation;
- (vi) a bicycle way;
- (vii) a transit lane, bus lane or bicycle lane; or
- (viii) a clearway;
- (f) within one metre of a fire hydrant or fire plug or a sign or mark indicating the existence of such a hydrant or plug;
- (g) within 9 m -
  - (i) of the prolongation of the nearer boundary of a public street which is greater than 6 m in width intersecting the public street in which the vehicle is left standing except where expressly permitted by the competent authority;
  - (ii) on the departure side of a bus stop except where expressly permitted by the competent authority or the vehicle is a bus stopped to take up or set down passengers;
  - (iii) on the approach side of a pedestrian crossing;
  - (iv) on the departure side of a pedestrian crossing established on a two-way carriageway; or
  - (v) on the departure side of a children's crossing established on a two-way carriageway; or
- (h) within 18 m -
  - (i) of the nearest rail at a level crossing;
  - (ii) on the approach side of a traffic control signal controlling traffic except where expressly permitted by the competent authority;
  - (iii) on the approach side of a bus stop unless expressly permitted by the competent authority or the vehicle is a bus stopped to take up or set down passengers; or
  - (iv) on the approach side of a children's crossing.

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(2) Subregulation (1)(e)(iii) and (g)(i) does not apply to a person standing or parking a vehicle adjacent to a boundary of a carriageway opposite a terminating carriageway.

(3) Subregulation (1), other than paragraph (e)(iv), does not apply to a person standing or parking a vehicle in a parking area or parking a bicycle in a bicycle rack.

(4) Subregulation (1) (c)(ii) and (e)(vi) and (vii) does not apply to -

(a) a bus; or

(b) a vehicle approved by the Registrar,  
setting down or picking up passengers at a bus stop.

### 56. RESTRICTION ON PARKING OF LONG VEHICLES AND ROAD TRAINS

A person shall not stand or park a long vehicle, road train, or a trailer used in connection with a long vehicle or road train, on a carriageway -

(a) in a built-up area, for longer than one hour;

(b) other than at a time or place permitted, and in accordance with the conditions, if any, imposed by the competent authority;

(c) outside a built-up area, other than on the shoulder or that part of the carriageway not ordinarily used by vehicular traffic; or

(d) where the long vehicle, road train or trailer is standing or parked on the carriageway because it is disabled, for longer than is reasonably necessary to arrange for its removal.

### 57. PARKING NEAR CREST OR CURVE

A person shall not stand or park a vehicle on or near a crest or curve of a public street with any part of the vehicle on a carriageway unless -

(a) a driver approaching the rear of the vehicle has a clear view of the vehicle from a distance of -

(i) 50 m within; or

(ii) 100 m outside,  
a built-up area; and

(b) where the carriageway is a two-way carriageway, there is a space of not less than 3 m between the driver's side of the vehicle and the centre of the carriageway.

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### *Division 2 - Removal of Vehicles and Abandoned Vehicles*

#### 58. REMOVAL OF PARKED VEHICLES

- (1) Where a vehicle is standing or parked -
  - (a) at a place where it is prohibited by these Regulations to be left standing or parked; or
  - (b) in such a manner or position as to cause danger, obstruction or inconvenience to other vehicles,

a member of the Police Force or an officer of the competent authority may move the vehicle, or cause it to be moved, to the nearest convenient place which is not so prohibited or where the vehicle may be left without causing or being likely to cause a danger, obstruction or inconvenience.

(2) For the purposes of subregulation (1), a member of the Police Force or an officer of the competent authority may -

- (a) where, after reasonable inquiry of persons in the immediate vicinity of the vehicle, the driver cannot be found; or
- (b) the driver does not comply with a request of the member or officer to move the vehicle,

enter the vehicle for the purpose of moving it in accordance with this regulation, and the member or officer is not liable for any damage occasioned by the member or officer entering or moving the vehicle.

#### 59. ABANDONED MOTOR VEHICLES AND TRAILERS

(1) Where a motor vehicle or trailer is abandoned an officer of the competent authority of the place where the motor vehicle or trailer is abandoned may move the vehicle or cause it to be moved.

(2) For the purposes of subregulation (1), a motor vehicle or trailer is abandoned where it is -

- (a) registered under the *Motor Vehicles Act* or under an Act of the Commonwealth, a State or another Territory of the Commonwealth relating to the registration of motor vehicles and is left -
  - (i) in a no standing area, or a parking area where the time a vehicle may remain parked is limited, for more than 24 hours; or
  - (ii) in a parking area where parking is not limited, for not less than 7 days; or

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- (b) left in a public street and it is not registered under the *Motor Vehicles Act* or under an Act of the Commonwealth or of a State or another Territory of the Commonwealth relating to the registration of motor vehicles.

(3) For the purposes of subregulation (1), an officer of the competent authority may, where -

- (a) after reasonable enquiry of persons in the immediate vicinity of the motor vehicle or trailer, the driver or owner cannot be found; or
- (b) the driver or owner does not comply with a request of the officer to move the motor vehicle or trailer,

enter the motor vehicle or trailer for the purpose of moving it in accordance with this subregulation, and the officer is not liable for any damage occasioned by the officer entering or moving the motor vehicle or trailer.

(4) Where a motor vehicle or trailer is moved under subregulation (1), the officer of the competent authority who moved the vehicle or trailer or caused it to be moved shall, within 7 days after it is moved, inform or cause to be informed the owner or registered owner, by delivering a notice to the owner or registered owner personally or by posting it to the owner's last known place of residence or business or postal address or to the registered owner's recorded place of residence or business or postal address -

- (a) that the motor vehicle has been moved and the address to which it has been moved;
- (b) that the vehicle is to be collected within 14 days of receipt of the notice;
- (c) the charges, if any, to be paid before the vehicle will be returned; and
- (d) that failure to collect the vehicle shall result in its sale and the costs incurred in the removal, storage and sale shall be deducted from the proceeds of the sale.

(5) Where the owner or last registered owner of a motor vehicle or trailer cannot be ascertained or found for the purposes of serving a notice under subregulation (4) the competent authority shall cause notice of the removal of the vehicle or trailer to be published in -

- (a) 2 advertisements appearing in successive weeks in a newspaper circulating in the Territory; or
- (b) such other manner as it determines,

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having regard to the likely or presumed whereabouts of the owner or last registered owner.

(6) This regulation applies notwithstanding that a motor vehicle or trailer is left unattended by a person other than the owner.

### 60. COST OF MOVING AND STORING VEHICLES

Where a vehicle is moved under regulation 58 or 59, the reasonable cost of that removal and, where applicable, the cost of storing the vehicle may be recovered from the owner of the vehicle before the owner is entitled to have the vehicle returned.

### 61. VEHICLES MAY BE SOLD OR DISPOSED OF

(1) Where the owner of an abandoned motor vehicle or abandoned trailer fails, within 28 days after -

- (a) service of a notice under regulation 59(4); or
- (b) the date of publication of the second of the notices referred to in regulation 59(5),

whichever is the later, to pay to the competent authority all expenses incurred by it in connection with the removal, custody and maintenance of the motor vehicle or trailer and of service or advertisement of the notice under that regulation, and to take possession of the motor vehicle or trailer, the competent authority may, subject to subregulation (2), sell the motor vehicle or trailer by public auction.

(2) Where an abandoned motor vehicle or abandoned trailer -

- (a) is immobile and cannot be repaired at a cost which does not exceed its value; or
- (b) in the opinion of the competent authority, has a value of less than \$200,

a competent authority may dispose of the motor vehicle or trailer in such manner as it thinks fit.

### 62. DISPOSAL OF PROCEEDS OF SALE

(1) All money received in relation to the sale or disposal of a motor vehicle or trailer under regulation 61 shall be applied in payment of -

- (a) costs incurred by the competent authority in the sale or disposal of the motor vehicle or trailer;

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- (b) the costs of removal, custody and maintenance of the motor vehicle or trailer and of service of a notice under regulation 59(4) or of advertising under regulation 59(5); and
- (c) subject to subregulation (2), the residue, if any, on demand, to the owner of the motor vehicle or trailer immediately before its sale or disposal under regulation 61,

in that order.

(2) Where, after the expiration of 6 months after the sale or disposal of a motor vehicle or trailer under regulation 61, any money remains in the possession of the competent authority in respect of that sale or disposal and is unclaimed by the owner of the motor vehicle or trailer or any person claiming through the owner, such money shall become the property of the competent authority.

(3) A sale or disposal under regulation 61 shall be valid as against all persons.

### 63. CLAIM AGAINST OWNER

The owner of a motor vehicle or trailer moved under regulation 59 is liable to a competent authority for the reasonable expenses incurred by the competent authority in the removal, custody, maintenance, sale or attempted sale, or the disposal of the motor vehicle or trailer under these Regulations, and the competent authority may recover, as a debt due and payable to it, so much of those expenses as are not satisfied by any proceeds from the sale or disposal of the motor vehicle or trailer under regulation 61.

## *Division 3 - Parking Infringements*

### 64. OWNER ONUS

(1) Subject to this regulation, where a parking infringement occurs, the owner of the vehicle at the time of the infringement shall be deemed to have committed the infringement, whether or not the owner in fact committed the infringement.

(2) Nothing in this regulation affects the liability of an actual offender other than the owner of the vehicle, but -

- (a) the owner and the actual offender shall not be liable for the same parking infringement; and

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- (b) where a penalty has been imposed on a person in relation to a parking infringement, another person shall not be charged with the same parking infringement and a further penalty shall not be imposed on or recovered from another person in relation to the same parking infringement.
- (3) The owner of a vehicle shall not be deemed to have committed a parking infringement if -
  - (a) the vehicle was, at the time of the alleged parking infringement, stolen or illegally taken or used; or
  - (b) within 14 days after the date of a parking infringement notice or service of a summons in relation to a parking infringement, the owner, or if the owner is a body corporate, the director, manager or secretary of the body corporate, delivers to a place specified in the notice in accordance with regulation 65(3)(e) or in the summons a statutory declaration made by the person, stating that -
    - (i) some other person was in control of the motor vehicle at the time when the offence was committed and the name and address of, and any other information known to the owner which may assist in identifying or locating, that other person;
    - (ii) the motor vehicle was sold before the offence was committed and that the sale was made on the date specified in the statutory declaration to a person whose name and address are as set out in the statutory declaration and, if the sale was made through an agent, that the name and address of the agent are as set out in the statutory declaration; or
    - (iii) at the time when the offence was committed the owner was unable to exercise any control over the motor vehicle because it had been stolen from the owner or was being used unlawfully without the owner's consent.
- (4) Where a parking infringement notice, or a summons, has been served on the owner of a vehicle in relation to an alleged parking infringement, the owner, or if the owner is a body corporate, the director, manager or secretary of the body corporate, may, within 14 days after the date of the notice or service of the summons, deliver to a place specified in the notice in accordance with regulation 65(3)(e), or in the summons, a statutory declaration made by the person or by some person having knowledge of the facts, stating -



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- (a) that it is made for the purposes of this regulation;
- (b) that the owner was not the driver of the vehicle at the time of the alleged parking infringement, or if the owner is a body corporate, that the vehicle was not, to the person's knowledge from the facts set out in the statutory declaration, being used for the purposes of the body corporate at the time;
- (c) that the owner has not been able to ascertain who was the driver of the vehicle at the time; and
- (d) the nature of the inquiries made for the purpose of ascertaining the name and address of, or of identifying or locating, the person who was the driver of the vehicle at the time.

(5) At the hearing of a prosecution for a parking infringement against the owner of a vehicle, the court shall dismiss the charge if it is satisfied (whether on a statement contained in a statutory declaration or otherwise) that -

- (a) the owner was not the driver of the vehicle at the time of the alleged parking infringement, or if the owner is a body corporate, the vehicle was not being used for the purposes of the body corporate; and
- (b) the inquiries made for the purposes of ascertaining the name and address of, or of identifying or locating the person who was, the driver of the vehicle at the time were reasonable in the circumstances of the case and were carried out with due diligence.

(6) Where a person is named in a statutory declaration under subregulation (3) as being the driver of a vehicle at the time of an alleged parking infringement -

- (a) the person shall not be found guilty of the parking infringement unless a copy of the statutory declaration is affixed to the summons for the parking infringement at the time when it is served on that person;
- (b) the statutory declaration is admissible in evidence in a prosecution against the person in relation to the parking infringement; and
- (c) the statutory declaration is evidence that the person was the driver of the vehicle at the time.

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### 65. PARKING INFRINGEMENT NOTICES

(1) Where a member of the Police Force or an officer of a competent authority has reason to believe that a parking infringement has been committed in relation to a vehicle, the member or officer may serve or cause to be served a parking notice in accordance with this regulation.

(2) A parking infringement notice may be served -

(a) by serving the notice personally on the person who appears to have committed the parking infringement or on a person who is or appears to be the driver of the vehicle;

(b) by securely placing or affixing the notice on the vehicle in a conspicuous position;

(c) by serving the notice on the owner of the vehicle personally or by leaving it at the owner's last-known place of residence or business with some other person apparently resident or employed there and who has apparently attained the age of 16 years;

(d) by serving the notice on the owner of the vehicle by post addressed to the owner -

(i) at the owner's last-known postal address, residential address or place of business; or

(ii) in the case of the owner of a vehicle registered under a law of a State or of another Territory of the Commonwealth - at the last known address of the owner in the record of registration of the vehicle; or

(e) where the owner of a vehicle has made a statutory declaration in accordance with regulation 64 - by serving the notice personally on, or by post addressed to, the person whose name is specified in the statutory declaration as being the driver of the vehicle at the time of the alleged parking infringement or by leaving it at that person's last-known place of residence or business with a person apparently resident or employed there and who has apparently attained the age of 16 years.

(3) A parking infringement notice shall -

(a) clearly specify the date, time and place of the alleged parking infringement;

## *Traffic Regulations*

- (b) if it is served by placing or affixing the notice on a vehicle - be addressed to "the owner" of the vehicle without further description of the owner, and in any other case, clearly show on its face the full name, or surname and initials, and the address of the person on whom it is served;
- (c) clearly indicate the nature of the parking infringement;
- (d) contain an indication to the person on whom it is served that, if the person does not wish the matter to be dealt with by a court, the person may make a signed statement to that effect in the manner specified in the notice and pay the penalty specified in subregulation (7) within 14 days after the date of the notice; and
- (e) clearly specify the place at which, and the manner in which, the penalty so specified may be paid,

and may contain such other particulars, if any, as a competent authority considers necessary.

(4) Where a parking infringement notice has been served and, before the expiration of the specified period of 14 days or, where a competent authority so allows, at any time before the service of a summons in relation to the parking infringement, the specified penalty is paid in accordance with the notice and a statement, signed by the person on whom the notice was served or by the owner of the vehicle, to the effect that that person or owner does not wish the matter to be dealt with by a court is received by the competent authority -

- (a) the liability of a person in relation to the parking infringement shall be deemed to be discharged;
  - (b) no further proceedings shall be taken in relation to the parking infringement; and
  - (c) no person shall be regarded as having been convicted for the parking infringement.
- (5) Nothing in this regulation -
- (a) prevents the service of more than one parking infringement notice in relation to the same parking infringement, but it is sufficient for the application of subregulation (4) to a person on whom more than one such notice has been served for that person to pay the specified penalty and to make the statement referred to in that subregulation in accordance with a notice so served on that person;

## *Traffic Regulations*

(b) prejudices or affects (except as provided by subregulation (4)) the institution or prosecution of proceedings in relation to a parking infringement or limits the amount of the fine that may be imposed by a court in relation to a parking infringement; or

(c) shall be construed as requiring the serving of a parking infringement notice or as affecting the liability of a person to be prosecuted in a court in relation to an alleged parking infringement in relation to which a parking infringement notice has not been served.

(6) Where a specified penalty is paid in relation to a parking infringement by cheque, payment shall be deemed not to be made unless the cheque is cleared on presentation.

(7) For the purposes of this regulation, the specified penalty for a parking infringement is -

(a) standing where prohibited - \$40;

(b) parking where prohibited - \$30; and

(c) other parking infringements - \$10.

### 66. EVIDENCE OF REGISTRATION OF VEHICLE

In a prosecution for a parking infringement, a document -

(a) issued by the Registrar or by an officer having duties in connection with the registration of vehicles in a State or in another Territory of the Commonwealth, and bearing that person's written, stamped or printed signature and stating that, during a specified period or on a specified date, a specified person was the person whose name was registered as the owner of a specified vehicle is evidence of the matters stated in the document; and

(b) purporting to be a document referred to in paragraph (a) and purporting to be signed by the Registrar or an officer referred to in that paragraph, is admissible as evidence as such a document without proof of the signature of the person by whom it purports to have been issued or of the fact that that person was the Registrar or the officer.

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### PART XII - LIGHTING, WARNING SIGNS, EQUIPMENT, &c.

#### 67. LIGHTS ON MOVING MOTOR VEHICLES

A person shall not drive a motor vehicle during the hours of darkness unless that vehicle is equipped with lamps and reflectors as required by Part IV of the *Traffic Act 1949 - 1987* as continued in force by section 55(2) of the Act, the lamps are alight and the lamps and reflectors are clean and clearly visible at a distance of 200 m.

#### 68. DIPPING OF HEADLAMPS

(1) Subject to subregulation (3) and to regulation 135(2), a driver of a motor vehicle equipped with a dipping device shall dip the light projected by the headlamps of that vehicle when it is -

(a) within 200 m of the rear of a vehicle travelling in the same direction as that in which the driver is travelling; or

(b) approached by a vehicle travelling in the opposite direction to that in which the driver is travelling -

(i) when that other vehicle is not more than 200 m from the driver's vehicle; or

(ii) immediately the light projected by the headlamps of that other vehicle is dipped,

whichever is the sooner,

and shall cause that light to remain dipped until the driver has overtaken or passed that other vehicle.

(2) A person shall not drive a motor vehicle on a public street during the hours of darkness if that vehicle is not equipped with a dipping device unless the headlamps of that vehicle are adjusted so as to project a light as if those lamps were dipped.

(3) Except in accordance with regulation 135(2), a driver of a motor vehicle shall cause the light projected by the headlamps on that vehicle, when in use other than during the hours of darkness, to remain dipped.

#### 69. LIGHTS ON STATIONARY VEHICLES

(1) Except where -

(a) expressly provided by these Regulations;

(b) a vehicle is taking up or setting down passengers; or

(c) a vehicle is compelled to remain standing by the exigencies of traffic,

## *Traffic Regulations*

a person shall not, during the hours of darkness, permit a vehicle to stand on a public street with a lamp of a power greater than 7 W alight and showing to the front of that vehicle.

(2) Subject to subregulation (3), a person shall not permit a motor vehicle or a trailer to stand on or partly on a carriageway during the hours of darkness unless there is affixed to that vehicle or trailer -

- (a) 2 lamps (one on each side of the vehicle or trailer) showing a clear white light to the front and clearly visible at a distance of 200 m;
- (b) rear lamps;
- (c) number-plate lamps;
- (d) front and rear clearance lamps; and
- (e) reflectors,

as required by Part IV of the *Traffic Act 1949 - 1987* as continued in force by section 55(2) of the Act, the lamps are alight and the lamps and reflectors are clean and clearly visible at a distance of 200 m.

(3) Subregulation (2)(a), (b), (c) and (d) does not apply -

- (a) where street lighting in the vicinity of the motor vehicle or trailer renders the vehicle or trailer clearly visible at a distance of 200 m; or
- (b) to a motor cycle, not connected to a side-car, standing so that at least one wheel is as near as practicable to the boundary of the carriageway.

### 70. PORTABLE WARNING SIGNS FOR DISABLED LONG VEHICLES OR ROAD TRAINS

(1) A person shall not drive or cause or permit to be driven a long vehicle or a road train unless that vehicle or road train is equipped with 3 portable warning signs in good order of a type complying with the specification for portable warning signs contained in Australian Standard E38 "Portable Warning Signs for Motor Vehicles".

(2) Subject to this regulation, where a disabled long vehicle or disabled road train is stationary on a carriageway -

- (a) within 100 m of -
  - (i) a curve;

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- (ii) a crest; or
- (iii) an obstruction,

which could prevent the driver of a vehicle approaching the long vehicle or road train from seeing that vehicle or road train; or

(b) during the hours of darkness -

- (i) where street lighting in the vicinity of that vehicle or road train does not render it clearly visible at a distance of 200 m; and
- (ii) that vehicle or road train is not exhibiting the lighted lamps required by these Regulations to be exhibited by that vehicle when stationary,

the driver or person in charge of the vehicle or road train shall place and leave on the carriageway, during the time the vehicle or road train is stationary, the portable warning signs of the type referred to in subregulation (1).

(3) Of the portable warning signs placed on a carriageway in accordance with subregulation (2), one shall be placed in front, one shall be placed to the rear, and one at the side nearest the centre of the carriageway, of the long vehicle or a road train.

(4) Portable warning signs placed on a carriageway in accordance with this regulation shall be placed to give reasonable warning to an approaching driver on the carriageway and, wherever practicable, so that at least one of the signs is clearly visible at a distance of 200 m.

(5) A portable warning sign placed in front or to the rear of a vehicle in accordance with subregulation (3) shall, where the vehicle is outside a built-up area, be placed not less than 50 m and not more than 150 m from that vehicle and as close as practicable to the left boundary of that portion of the carriageway improved, designed or ordinarily used for vehicular traffic.

(6) Nothing in this regulation affects a duty imposed under these Regulations to display a lighted lamp on a stationary vehicle.

### 71. LIGHTS AND OTHER EQUIPMENT ON BICYCLES

(1) A person shall not ride a bicycle during the hours of darkness unless the bicycle is equipped with lamps and reflectors as required by Part IV of the *Traffic Act 1949 - 1987* as continued in force by section 55(2)

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of the Act, the lamps are alight and the lamps and reflectors are clean and clearly visible at a distance of 200 m.

(2) A person shall not ride a bicycle on a public street unless the bicycle is equipped with an effective -

(a) brake; and

(b) bell or other audible warning device.

### 72. LIGHTS ON ANIMAL-DRAWN VEHICLES

A person shall not drive an animal-drawn vehicle, or permit an animal drawn vehicle to be, on a public street or public place during the hours of darkness unless the vehicle is equipped with lamps and reflectors as required by Part IV of the *Traffic Act 1949 - 1987* as continued in force by section 55(2) of the Act, the lamps are alight and the lamps and reflectors are clean and clearly visible at a distance of 200 m.

### 73. FOG LAMPS

(1) In fog, mist or other abnormal atmospheric condition restricting visibility, the display of light from a fog lamp is sufficient compliance with an obligation under regulation 67 to have a lamp alight and clearly visible.

(2) A person shall not drive a motor vehicle (other than a motorcycle) displaying light from a single fog lamp unless there is affixed to the front of the vehicle, at the same height as the that of the fog lamp, 2 clearance or parking lamps of a power not greater than 7 W and the lamps are alight.

(3) A person shall not drive a motor vehicle displaying light from a fog lamp where another lamp of a power greater than 7 W and capable of showing a white light to the front of the vehicle is alight.

### 74. LIGHTS ON TOWED MOTOR VEHICLES

A person shall not during the hours of darkness drive a motor vehicle towing another motor vehicle unless the vehicle being towed has -

(a) attached to it a lamp -

(i) of a power not greater than 7 W and the lamp is alight;

(ii) which shows a clear red light visible under normal atmospheric conditions at a distance of 200 m; and

(iii) which is placed -



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(A) not more than one metre above the ground in the centre or to the right side; and

(B) on, and facing away from, the rear, of that vehicle; and

(b) where the motor vehicle is being towed in accordance with regulation 133, attached to the front of it a lamp which shows a bright white light in such a manner as to render clearly visible the flag or cloth displayed in accordance with that regulation.

### 75. SPOT LAMPS

A person shall not light a spot lamp, work lamp or search lamp connected or affixed to a vehicle where the light from that lamp may affect the vision of, or cause danger or annoyance to, the driver of another vehicle.

### 76. FLASHING WARNING LIGHTS

(1) Subject to subregulation (2), a person shall not drive or stand a vehicle on which is mounted a lamp displaying intermittent flashes.

(2) Subregulation (1) and regulation 69(1) do not apply to -

(a) an emergency vehicle on which is mounted a lamp displaying intermittent red or blue flashes;

(b) a vehicle on which is mounted a lamp displaying intermittent yellow flashes and the vehicle is -

(i) a tow truck at the scene of an accident or engaged in attaching or manoeuvring to attach towing apparatus to a disabled vehicle;

(ii) a vehicle in respect of which an exemption under section 59 of the *Motor Vehicles Act* is in force;

(iii) a vehicle escorting a vehicle referred to in subparagraph (ii);

(iv) a vehicle engaged at a site of work comprising -

(A) road construction or road maintenance;

(B) cleaning on a carriageway, footway or reservation;

(C) erection or maintenance of traffic control devices;

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- (D) installation or maintenance of public utilities; or
- (E) the watering or cutting of, or the application of herbicides, pesticides or fertilizers to, trees, plants or grass on or beside a public street or public place;
- (v) a vehicle used in the enforcement of the load or dimensional requirements of the *Motor Vehicles Act*;
- (vi) a vehicle taking part in a procession or parade for which a permit under these Regulations has been granted; or
- (vii) a vehicle approved by the Registrar while being used in the manner and for the purpose approved by the Registrar; or
- (c) a vehicle displaying flashing lights from both sides of the front and rear of the vehicle by means of a direction turn signal device where the vehicle, another vehicle or a person is in a hazardous situation on a public street.

### 77. FALLEN OR UNSHIPED LOADS

Where a load or part of a load being transported on a vehicle falls onto a public street, the driver shall, during such period as the load or any part of it remains on the public street -

- (a) take whatever action is necessary to give reasonable warning to a driver approaching from either direction on the public street; and
- (b) where the vehicle is a long vehicle or road train, place and leave on the public street 3 portable warning signs referred to in regulation 70(1) in such positions as to give reasonable warning to a driver approaching from either direction on the public street and so that, if practicable, at least one sign is visible to such a driver at a distance of 200 m.

### 78. CERTAIN VEHICLES NOT TO DISPLAY TURN SIGN

A person shall not drive a -

- (a) motor vehicle; or
- (b) a motor vehicle to which a trailer is attached,

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which bears a sign referred to in regulation 22(5) displaying the words "DO NOT OVERTAKE TURNING VEHICLE" or a sign containing words having a similar effect, if the length of the vehicle, or the combined length of the vehicle and trailer, is less than 7.5 m.

### PART XIII - BICYCLES, TOY VEHICLES AND ANIMALS

#### 79. RIDING OF BICYCLES

(1) A person shall not ride a bicycle other than astride a permanent and regular seat attached to the bicycle.

(2) A person shall not use a bicycle to carry more persons than it is designed or equipped to carry.

(3) A person shall not ride a bicycle without having at least one hand on the handle-bars.

(4) Subject to subregulation (8), a person shall not ride a bicycle within 2 m of the rear of a motor vehicle for a distance longer than 200 m.

(5) A person shall not ride a bicycle while carrying an article or thing if any part of the article or thing extends past the front or rear wheel of the bicycle.

(6) A person shall not drive a motor vehicle while a person riding a bicycle is attached to that vehicle.

(7) A person riding a bicycle or toy vehicle shall not hold on or attach himself or herself to a vehicle or to another bicycle while that vehicle or other bicycle is in motion.

(8) Subregulation (4) does not apply to or in relation to a person participating in a bicycle race or bicycle trial in respect of which a permit under regulation 81 has been granted.

(9) A person riding a bicycle -

(a) on a footway - shall give way to a pedestrian on the footway; or

(b) on a segregated footway - shall keep to that part of the footway designated for use by persons riding bicycles.

(10) Subject to subregulation (11), a person shall not ride a bicycle within 10 m of an entrance to a shop at a time when that shop is open for the sale of goods to the public.

(11) Nothing in subregulation (10) prohibits the riding of a bicycle on a carriageway or a bicycle path.

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### 80. RIDING BICYCLES ABREAST

(1) Subject to subregulation (2), a person shall not ride a bicycle abreast of another bicycle.

(2) Subregulation (1) does not apply to a person riding a bicycle -

- (a) on a bicycle way, riding abreast of another bicycle;
- (b) overtaking or passing another person riding a bicycle; or
- (c) while taking part in a bicycle race or bicycle trial in respect of which a permit under regulation 81 has been granted.

(3) For the purposes of this regulation, a bicycle shall be abreast of another bicycle if any part of it is by the side of any part of the other bicycle.

### 81. BICYCLE RACES AND TRIALS

(1) A person shall not take part in a bicycle race or bicycle trial on a public street unless a permit to conduct the race or trial has been granted under this regulation.

(2) A person may apply to the Director for a permit to hold a bicycle race or bicycle trial on a public street.

(3) A person who applies for a permit under subregulation (2), shall -

- (a) give public notice of the application, by such means as the Director requires, not less than 7 days prior to the date of the bicycle race or bicycle trial; and
- (b) obtain the consent, in writing, of -
  - (i) the competent authority of a public street on which the bicycle race or bicycle trial is to be held; and
  - (ii) the Commissioner.

(4) The Director may grant a permit on being satisfied that -

- (a) subregulation (3) has been complied with; and
- (b) persons on or in the vicinity of a public street where the bicycle race or bicycle trial is to be held will not be endangered or unduly inconvenienced by the bicycle race or bicycle trial.

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(5) Where the Director grants a permit under this regulation, the Director may -

- (a) impose such conditions relating to the holding of the bicycle race or bicycle trial as the Director thinks fit; and
- (b) exempt a person taking part in the bicycle race or bicycle trial from such of the requirements of these Regulations as are specified in the permit.

(6) A person granted a permit under this regulation shall -

- (a) attend the bicycle race or bicycle trial in respect of which the permit is granted; and
- (b) on demand by a member of the Police Force -
  - (i) produce the permit; and
  - (ii) provide the member with the person's name and address.

(7) A person taking part in a bicycle race or bicycle trial for which a permit has been granted under this regulation is not guilty of an offence against these Regulations where the taking part in the race or trial is in accordance with the conditions or exemptions, if any, imposed or given under subregulation (5).

(8) A person shall comply with the conditions of a permit granted under this regulation.

### 82. LEADING ANIMALS

(1) Subject to this regulation, a person shall not, while riding in a vehicle, lead more than 2 animals.

(2) A person shall not while riding or being carried on a bicycle lead any animal.

(3) A driver of, or a person riding in, a motor vehicle on a public street shall not lead any animal.

(4) A driver of an animal drawn vehicle shall not -

- (a) ride on the vehicle unless the animal is guided by proper reins;
- (b) be so far from, or so situated in relation to, the vehicle when it is in motion that the person cannot properly guide or control the animal;
- (c) leave the vehicle unattended unless one of the wheels is prevented from turning by a securely fastened chain or strap; or

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(d) ride on the shafts of the vehicle.

### 83. ANIMALS ON CLEARWAYS

A person shall not -

(a) drive an animal drawn vehicle; or

(b) ride, lead or be in control of an animal,

on a clearway during the hours when standing in the clearway is prohibited.

### 84. RIDING HORSES ABREAST

(1) Subject to subregulation (2), a person shall not ride a horse on a public street abreast of another horse.

(2) Subregulation (1) does not apply to a person riding a horse -

(a) overtaking or passing a person riding another horse; or

(b) who is a member of -

(i) the Police Force and is on duty; or

(ii) the Australian Defence Forces while in uniform.

(3) For the purpose of subregulation (1), a horse is abreast of another if any part of it is by the side of any part of the other horse.

### 85. ANIMALS ON PUBLIC STREETS

A person shall not on a public street cause or permit animals to -

(a) assemble;

(b) stand; or

(c) be drafted,

so as to obstruct vehicles or pedestrians on that street.

## PART XIV - TRAFFIC INFRINGEMENTS

### 86. DEFINITIONS

In this Part, unless the contrary intention appears -

"offence" means an offence against a law of the Territory which offence is one of a kind specified in short form in Column 1 of Schedule 1;

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"offender" means a person who a member of the Police Force reasonably believes has committed an offence;

"traffic infringement notice" means a traffic infringement notice issued under this Part.

### 87. SERVICE OF TRAFFIC INFRINGEMENT NOTICE

A member of the Police Force may serve on an offender a traffic infringement notice by -

- (a) personally handing it to the offender;
- (b) posting it to the offender at the offender's last known postal address or place of residence or business, or to the offender's last postal address or place of residence or business as specified in a register maintained under the *Motor Vehicles Act*; or
- (c) leaving it for the offender at the offender's last known place of residence or business with some other person apparently resident or employed there and apparently not less than 16 years of age.

### 88. PARTICULARS TO BE SHOWN ON TRAFFIC INFRINGEMENT NOTICE

(1) A traffic infringement notice shall have clearly shown on it -

- (a) the date, time and place of the offence;
- (b) the nature of the offence or offences and the penalty or penalties payable;
- (c) the place or places at which a penalty may be paid;
- (d) the date of the traffic infringement notice and a statement that the penalty or penalties may be paid within 28 days after that date;
- (e) a summary of the provisions relating to the withdrawal of a traffic infringement notice;
- (f) a statement to the effect that, if the appropriate amount specified in the traffic infringement notice as the penalty for the offence is tendered at the place referred to in the notice, the matter will not be brought before the court unless -
  - (i) a notice is given by a member of the Police Force that the notice has been withdrawn; or

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(ii) the tender is made after the period specified in the notice as the time for payment of the penalty has expired; and

(g) such other particulars and instructions as the Commissioner may approve.

(2) It is sufficient compliance with subregulation (1)(b) if the member of the Police Force giving the traffic infringement notice makes a mark on that notice against the particular offence and against the penalty applicable to that offence to clearly indicate the offence and the corresponding penalty.

### 89. WITHDRAWAL OF NOTICE

(1) A traffic infringement notice may be withdrawn, at any time within 28 days after the service of the notice, by addressing to the offender a notice of withdrawal -

(a) signed by the member of the Police Force who served the notice or a member of the Police Force authorized for that purpose by the Commissioner; and

(b) stating that the traffic infringement notice is withdrawn and any money paid as a consequence of the service of the notice will be refunded.

(2) A notice of withdrawal under subregulation (1) may be served on the offender by -

(a) personally handing it to the offender;

(b) posting it to the offender at the offender's last known postal address or place of residence or business, or to the offender's last postal address or place of residence or business as specified in a register maintained under the *Motor Vehicles Act*; or

(c) leaving it for the offender at the offender's last known place of residence or business with some other person apparently resident or employed there and apparently not less than 16 years of age.

(3) In a prosecution against an offender, the production of a certificate signed by a member of the Police Force stating that -

(a) the member is a member of the Police Force and is authorized by the Commissioner to sign notices of withdrawal; and

(b) on a specified date the member signed a notice of withdrawal of a specified traffic infringement notice,



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is evidence of the matters stated in the certificate.

### 90. PENALTY FOR OFFENCE

The penalty payable for the purposes of this Part for an offence is the amount set out in Column 2 of Schedule 1 in relation to the offence described in Column 1 opposite the amount.

### 91. PAYMENT BEFORE EXPIRY DATE OF TRAFFIC INFRINGEMENT NOTICE

(1) Subject to regulation 92, where, before the expiration of the period specified in a traffic infringement notice for the payment of a penalty, the amount of the penalty shown on the notice is paid at a place specified in the notice the offender shall be deemed to have expiated the offence by payment of the penalty and no further proceedings shall be taken in relation to the offence, unless the notice is, in accordance with regulation 89, withdrawn.

(2) Where a person tenders a cheque in payment of a penalty under this regulation at, or sends it by post to, a place specified in a traffic infringement notice where the penalty may be paid, payment shall be deemed not to be made unless the cheque is honoured on presentation.

### 92. GENERAL

(1) Nothing in this Part -

- (a) prevents the service of more than one traffic infringement notice in relation to the same offence but it is sufficient for the application of regulation 91 to a person on whom more than one such notice has been served for that person to pay the amount of the penalty in accordance with any one notice so served on that person;
- (b) prejudices or affects (except as provided by regulation 91) the institution or prosecution of proceedings, or limits the amount of the fine that may be imposed by a court, in relation to an offence; or
- (c) shall be construed as requiring the serving of a traffic infringement notice or as affecting the liability of a person to be prosecuted in a court in relation to an offence in respect of which a traffic infringement notice has not been served.

(2) For the purposes of this Part, where an offence arises out of the driving of a motor vehicle and -

- (a) the offender produces a licence at the time of the offence, the address appearing on the licence produced by the offender; or

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- (b) the offender fails to produce a licence at the time of the offence, the address given by the offender pursuant to a request made under regulation 93,

shall be deemed to be the offender's last-known postal address or place of residence or business.

(3) For the purposes of this Part, where an offence does not arise out of the driving of a motor vehicle, the owner of the motor vehicle concerned in the offence shall be deemed to be the offender.

(4) In a case where subregulation (3) applies, the last-known postal address or place of residence or business of an offender shall be deemed to be the latest address of the offender in the record of registration of the motor vehicle of the offender.

(5) In a prosecution against an offender, a document -

- (a) issued by the Registrar or by an officer having duties in connection with the registration of motor vehicles in a State or another Territory of the Commonwealth and bearing the person's written, stamped or printed signature stating -

- (i) that, during a specified period or on a specified date, a specified person was the person whose name was registered as the owner of a specified motor vehicle; and

- (ii) the address of that specified person in the record of registration of that motor vehicle during that specified period or on that date,

is evidence of the matters stated in the document; and

- (b) purporting to be a document referred to in paragraph (a) and purporting to be signed by the Registrar or an officer referred to in that paragraph, is admissible as evidence as such a document without proof of the signature of the person by whom it purports to have been issued or of the fact that that person was the Registrar or the officer.

### 93. MEMBER OF POLICE FORCE MAY REQUIRE INFORMATION

(1) Where a member of the Police Force has reason to believe that a driver has committed an offence against the Act or these Regulations the member may, if the driver fails to produce the driver's licence when requested to do so, require the driver -

- (a) to state -

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- (i) the driver's name and address;
  - (ii) whether the driver is the holder of a licence; and
  - (iii) if the driver is the holder of a licence, whether the licence is provisional by virtue of section 10A of the *Motor Vehicles Act* or a learner's licence;
- (b) to provide such other information as the member considers necessary to determine the identity of the driver; or
  - (c) to provide a specimen of the driver's signature.
- (2) A driver -
    - (a) shall not refuse or fail to comply with a request made by a member of the Police Force under subregulation (1); or
    - (b) make a false statement in response to a request under subregulation (1).

### 94. TAMPERING WITH TRAFFIC INFRINGEMENT DETECTION DEVICE

(1) A person shall not without lawful authority tamper or interfere with or damage a traffic infringement detection device or the operation of such a device.

(2) On the conviction of a person for an offence against subregulation (1), an apparatus or thing used in the commission of the offence may be forfeited to the Territory.

## PART XV - CARELESS AND DISORDERLY DRIVING

### 95. CARELESS DRIVING OR RIDING

A person shall not -

- (a) walk; or
- (b) drive a vehicle,

on a public street or public place without due care or attention or without reasonable consideration for other persons using the street or public place.

### 96. DRIVING IN DISORDERLY MANNER

A person shall not drive or ride a vehicle on a public street or public place -

- (a) in a disorderly manner; or
- (b) so as to cause undue noise.

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### PART XVI - SAFETY OF PERSONS IN OR ON MOTOR VEHICLES

#### 97. INTERPRETATION

(1) In this Part, unless the contrary intention appears -

"appropriately adjusted", in relation to a seat belt, means a seat belt is fastened in such a manner that the protection from injury afforded by the seat belt is adequate;

"approved helmet" means a helmet which complies with -

- (a) Australian Standard 1698 "Protective Helmets for Vehicle Users"; or
- (b) such other standard or code approved by the Registrar for the purposes of this regulation;

"child restraint" means a device for restraining a child travelling in a motor vehicle which is -

(a) marked with -

- (i) the letters and numbers "AS1754"; or
- (ii) the certification trade mark registered in Part C of the Register under the *Trade Marks Act 1955* of the Commonwealth in respect of child restraints and Australian Standard 1754 "Child Restraints for Passenger Cars and Derivatives" as applicable on 1 August 1979,

and which is, within the meaning of Australian Standard 1754 as applicable on 1 August 1979, suitable for use by a child of the age, size and mass of that child; or

- (b) approved under regulation 100 and which is suitable for use by a child of the age, size and mass of that child;

"seat belt" means a seat belt of any kind, whether or not it complies with an Australian Design Rule referred to in section 106B or 106C of the *Motor Vehicles Act*.

(2) For the purposes of this Part, a seat belt fitted in accordance with the requirements of the *Motor Vehicles Act* in a motor vehicle shall be taken to be suitable for use by a child who has attained the age of 12 months.

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### 98. RESPONSIBILITY OF DRIVER

A driver of a motor vehicle shall not permit a person to travel in or on the motor vehicle or a vehicle being towed by that motor vehicle in contravention of this Part.

### 99. POSITIONS OF DRIVERS AND PASSENGERS

(1) Subject to this regulation, a driver of a motor vehicle (other than a motorcycle) shall not permit any part of his or her body or limbs to -

- (a) be on or in contact with an external step, mudguard or footboard or the roof, bonnet or boot;
- (b) extend or protrude beyond or through an external door, window or other opening; or
- (c) extend or protrude beyond or hang over the side, front, rear or any other external portion,

of the vehicle while it is being driven.

(2) Subject to this regulation, a person travelling as a passenger in a motor vehicle (other than a motorcycle) shall not permit any part of his or her body or limbs to -

- (a) be on or in contact with an external step, mudguard or footboard, or the roof, bonnet or boot;
- (b) extend or protrude beyond or through an external door, window or other opening of the vehicle; or
- (c) extend or protrude beyond or hang over the side, front, rear or any other external portion,

of the vehicle while it is being driven.

(3) Nothing in subregulation (1) prevents a driver of a motor vehicle giving a signal authorized or prescribed by these Regulations.

(4) A person is exempted from the application of subregulation (1) or (2) when driving or travelling as a passenger in a vehicle approved by the Registrar for the purposes of this regulation, and while complying with the directions, if any, given, for the purposes of this regulation, by the Registrar.

(5) A person shall not drive a motor vehicle unless the person is positioned in the vehicle so as to have -

- (a) full control over the vehicle;
- (b) a full and uninterrupted view ahead of and to each side of the vehicle; and

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- (c) a clear reflected view by means of a rear vision mirror of any vehicle wishing to overtake the vehicle.

(6) Subject to subregulation (7), a person shall not travel in a motor vehicle unless the person is seated.

(7) Subregulation (6) does not apply to a passenger standing in a bus licensed by the Registrar under the *Motor Vehicles Act* to carry more passengers than there are seats in the bus.

(8) A person shall not travel in a space in a motor vehicle designed primarily for the carriage of goods, unless -

- (a) the space is -

- (i) enclosed; or

- (ii) surrounded by sides not less than 300 mm in height above the floor of that space; and

- (b) all seats in the vehicle are occupied.

### 100. APPROVAL OF CHILD RESTRAINTS

The Registrar may, by notice in the *Gazette*, approve a child restraint or class of child restraints for use in motor vehicles.

### 101. DRIVER OF MOTOR VEHICLE

Subject to regulation 105, a driver of a motor vehicle, the driver's seat of which is fitted with a seat belt, shall not drive the vehicle forward unless the driver has the seat belt -

- (a) securely fastened; and

- (b) appropriately adjusted.

### 102. ADULT PASSENGERS IN MOTOR VEHICLES

(1) In this regulation, "passenger" means a person travelling in a motor vehicle who has attained the age of 14 years.

(2) Subject to regulation 105, a passenger shall not, while a motor vehicle is being driven, occupy a seat in the vehicle which is -

- (a) fitted with a seat belt, unless the passenger has the seat belt -

- (i) securely fastened; and

- (ii) appropriately adjusted; or

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- (b) not fitted with a seat belt, if there is another seat in the vehicle which is fitted with a seat belt and not occupied.

### 103. CHILDREN AND YOUNG PERSONS IN MOTOR VEHICLES

(1) Subject to regulation 105, a person shall not drive a motor vehicle with a young person occupying a seat in the vehicle which is -

- (a) fitted with a seat belt, unless the seat belt is -
  - (i) securely fastened around the young person; and
  - (ii) appropriately adjusted; or
- (b) not fitted with a seat belt, if there is another seat in the vehicle which is fitted with a seat belt and not occupied.

(2) Subject to regulation 105, a person shall not drive a motor vehicle with a child occupying a seat in the vehicle which is -

- (a) fitted with a seat belt suitable for use by the child, unless the seat belt is -
  - (i) securely fastened around the child; and
  - (ii) appropriately adjusted;
- (b) fitted with a child restraint suitable for use by the child, unless the child is restrained by the child restraint; or
- (c) not fitted with a seat belt or child restraint, if there is another seat in the vehicle which is fitted with a seat belt, or child restraint, suitable for use by the child and which is not occupied.

### 104. NUMBER OF PERSONS IN FRONT SEATING POSITIONS

Where a motor vehicle has front and rear seating positions and is required under the *Motor Vehicles Act* to be fitted with seat belts, the number of passengers, children or young persons occupying the front seating positions of the motor vehicle while that motor vehicle is being driven on a public street or public place shall not exceed the number of seat belts or child restraints available for use by passengers, children or young persons, as the case may be, in the front seating positions of that motor vehicle.

## *Traffic Regulations*

### 105. DEFENCES

(1) It is a defence to a prosecution for an offence against regulation 98 or 101 where a defendant proves that -

- (a) the Registrar has certified in writing that it is impracticable, by reason of the physical characteristics of the defendant, for the defendant to drive with safety a motor vehicle, or a motor vehicle of a kind specified in the certificate, if the defendant is wearing a seat belt;
- (b) where the certificate is given in relation to motor vehicles of the kind or kinds specified in the certificate - the motor vehicle in which the offence is alleged to have been committed is a motor vehicle of a kind specified in the certificate; and
- (c) at the time at which the offence is alleged to have been committed, that certificate had not been revoked or, if that certificate was expressed to have effect for a specified period, that period had not expired.

(2) It is a defence to a prosecution for an offence against regulation 101 or 102 where -

- (a) subject to subregulation (3), the Registrar has issued to a defendant a certificate in writing that, in the opinion of the Registrar, it is undesirable -

- (i) on medical grounds; or

- (ii) by reason of the physical characteristics of the defendant,

for the defendant to wear a seat belt, being a certificate that was effective at the time at which the offence is alleged to have been committed; or

- (b) if, at the time at which the offence is alleged to have been committed, the motor vehicle in which the offence is alleged to have been committed had been in a State or another Territory of the Commonwealth, the defendant, by reason of being the holder of a certificate or other document issued under or for the purposes of a law of that State or other Territory that corresponds generally with this Part, would not have been guilty of an offence against that law.



## *Traffic Regulations*

(3) A certificate is effective for the purposes of subregulation (2)(a) -

- (a) if it is expressed to have effect for a period specified in it - until the expiration of that period; or
- (b) in any other case - until it is revoked.

(4) Subregulations (1) and (2) apply to and in relation to a prosecution for an offence against regulation 98 as if a reference to a defendant were a reference to the person in relation to whom the offence is alleged to have been committed.

(5) Subregulation (2) applies to and in relation to a prosecution for an offence against regulation 103(1) or (2) as if -

- (a) a reference to a defendant were a reference to the child or young person in relation to whom the offence is alleged to have been committed; and
- (b) in the case of a prosecution for an offence against regulation 103(2), a reference to a seat belt were a reference to a seat belt or child restraint.

(6) Where a motor vehicle referred to in regulation 103 is a public hire car or a private hire car, it is a defence to a prosecution for an offence against that regulation that, in addition to the defendant, there was a passenger in the motor vehicle who -

- (a) was a parent of; or
- (b) had, or appeared to have, responsibility for the care and control of,

the child or young person in respect of whom the offence is alleged to have been committed.

(7) A passenger referred to in subregulation (6) is liable for an offence against regulation 103 as if the passenger were the driver of the motor vehicle.

### 106. DRIVERS AND PASSENGERS ON MOTOR CYCLES AND IN SIDE CARS

(1) Subject to this regulation, a person shall not drive a motor cycle carrying another person unless that other person is seated -

- (a) in a side-car attached to the motor cycle; or
- (b) on a pillion seat astride the motor cycle, facing forward and using footrests provided for use by a person seated on that seat.

## *Traffic Regulations*

(2) Subject to this regulation, a person shall not travel as a passenger on a motor cycle unless seated -

- (a) in a side-car attached to the motor cycle; or
- (b) on a pillion seat astride the motor cycle, facing forward and using footrests provided for use by a person seated on that seat.

(3) A person shall not -

- (a) drive; or
- (b) travel as a passenger on,

a motor cycle carrying more than one person on a pillion seat.

(4) A person shall not drive a motor cycle to which is attached a side-car or travel as a passenger in a side-car attached to a motor cycle if -

- (a) more than 2 persons, who have attained the age of 12 years, are travelling in the side-car; or
- (b) a person travelling in the side-car is not seated.

(5) A person shall not drive a motor cycle with a person seated on a pillion seat unless that first-mentioned person has held, for a period of not less than 12 months, a licence, whether granted in the Territory or elsewhere, permitting that person to drive a motor cycle of the class being driven.

(6) Subject to subregulation (7), a person shall not drive a motor cycle -

- (a) without having at least one hand on the handle-bars; or
- (b) with the person's feet resting on the cycle other than on footrests designed for use by the driver.

(7) Subregulation (6) does not apply to a disabled person licensed to drive a motor cycle where compliance with that subregulation is prevented by the person's physical disability.

### 107. HELMETS FOR MOTOR CYCLISTS

(1) Subject to this regulation, a person shall not drive a motor cycle or travel on a motor cycle or in a side-car attached to a motor cycle anywhere within the Territory -

- (a) unless the person is wearing a helmet; or

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(b) if the helmet the person is wearing -

- (i) is not securely fastened to the person's head;
- (ii) is not of an approved type; or
- (iii) has deteriorated to such an extent that the protection from injury afforded by the helmet is, within the meaning of regulation 108, substantially impaired.

(2) A person shall not drive a motor cycle while wearing a helmet to which is attached an eye protector unless the eye protector is of a type which -

(a) complies with Australian Standard 1609 "Eye Protectors for Motor Cyclists and Racing Car Drivers"; or

(b) is approved by the Registrar.

(3) A child or young person is exempted from the application of subregulation (1) in respect of the wearing of a helmet specified in that subregulation whilst travelling in a side-car attached to a motor cycle where the Registrar is satisfied that there is no suitable approved helmet available for use by the child or young person and the Registrar has, by instrument in writing, exempted the child or young person.

(4) A child or young person exempted, under subregulation (3), from the application of subregulation (1) shall, while travelling in a side-car attached to a motor cycle, comply with the directions, if any, of the Registrar, which directions may relate to -

(a) the wearing of a helmet of a type and standard; or

(b) the wearing or use of protective devices, including seat belts or other restraints,

approved by the Registrar.

(5) A person is exempted from the application of subregulation (1) in respect of the wearing of a helmet while driving or travelling on a motor cycle or in a side-car attached to a motor cycle where the person is or is a member of a class of persons exempted, by instrument in writing, by the Registrar when taking part in -

(a) a procession; or

(b) a procession which is of a class of processions, specified in the instrument.

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(6) For the purposes of subregulation (5), "procession" includes a funeral cortege.

### 108. INSPECTION OF HELMET

(1) For the purposes of regulation 107(1)(b)(iii), a member of the Police Force may request a person referred in that regulation to remove a helmet worn by the person and permit it to be inspected, and the person shall comply with such a request.

(2) For the purposes of regulation 107(1)(b)(iii), the protection from injury afforded by a helmet is substantially impaired where a visual inspection of the helmet shows -

- (a) the shell of the helmet is damaged, cracked or holed, or scored to a depth of 1 mm or deeper for a length of 10 mm or longer;
- (b) the polystyrene lining of the helmet is damaged, missing or not intact;
- (c) the liner (other than a comfort liner) is loose;
- (d) the chin strap or buckle of the helmet is not capable of keeping the helmet securely fastened on the head of the user;
- (e) the helmet has been altered or used in a fashion contrary to the manufacturer's recommendations;
- (f) the shell of the helmet is constructed of plastic and the shell has been painted; or
- (g) the helmet is not an approved helmet.

### 109. FORFEITURE OF HELMET

(1) A helmet used in contravention of regulation 107(1)(b)(ii) or (iii) is, on the offence being proved, forfeited to the Territory.

(2) A helmet forfeited under subregulation (1) may be disposed of as the Registrar thinks fit.

### 110. RIDING IN TRAILERS AND TOWED VEHICLES

Except with the written permission of the Registrar and in accordance with the conditions, if any, imposed by the Registrar, a person shall not -

- (a) drive a vehicle towing a trailer while a person is in or on that trailer;
- (b) ride in or on a trailer while it is being towed by a vehicle; or

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- (c) ride in or on a vehicle being towed by another vehicle unless all the wheels of the vehicle are on the ground.

### 111. OPENING DOORS AND ALIGHTING FROM VEHICLES

- (1) A person shall not -
  - (a) open or leave open a door of; or
  - (b) alight from,

a vehicle on a carriageway so as to endanger that person or other persons or to impede traffic on that carriageway.

- (2) Where a bus is fitted with doors, a person shall not drive it or permit it to be driven unless the doors are closed.

## PART XVII - DRIVING WITH HIGH ALCOHOL-BLOOD CONTENT

### 112. PRESCRIBED BREATH ANALYSIS INSTRUMENT

For the purposes of section 29 of the Act and these Regulations, a device for the carrying out of a breath analysis, which -

- (a) is, or apparently is, of a type known as a breathalyser; and
- (b) was manufactured, or apparently manufactured, under United States Patent Number 2824789,

is a prescribed breath analysis instrument.

### 113. BREATH ANALYSIS

- (1) A person shall not use a prescribed breath analysis instrument for the purposes of the Act unless the person has prepared it for use at that time.

- (2) To prepare a prescribed breath analysis instrument for use at a particular time, a person shall, shortly before that time -

- (a) flush out with air the chamber in which air or breath is collected for testing in the device to be used in the breath analysis;
- (b) pump air into the chamber through a solution of standard alcohol and carry out a test of that air by means of the device as if it were a breath analysis and record the temperature of the solution of standard alcohol and the results of the test expressed as a percentage of alcohol in blood as shown on the device; and
- (c) again flush out the chamber with air.

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(3) A person shall not carry out a breath analysis for the purposes of the Act unless the temperature recorded by the thermometer forming part of the prescribed breath analysis instrument is not below 47°C and not above 53°C.

(4) A person shall not carry out a breath analysis of a sample of a person's breath for the purposes of the Act unless the person is satisfied that that person has not consumed intoxicating liquor within the period of 15 minutes immediately preceding the giving of the sample.

### 114. TESTING INSTRUMENT AFTER USE

(1) A person who has used a prescribed breath analysis instrument for the purposes of the Act shall, within a reasonable time after so using it, carry out the procedures referred to in regulation 113(2)(a) and (b).

(2) It is sufficient compliance with subregulation (1) if the person who has used the instrument prepares it for further use for the purposes of the Act.

### 115. FORMS

For the purposes of section 27 of the Act, a form of certificate set out in Schedule 2 may be used by the person and on the occasion indicated in the following table:

TABLE

Form	When and by whom used
1.	May be used by a person authorized by the Commissioner to use a prescribed breath analysis instrument for the purposes of the Act after that person has completed a breath analysis using that instrument.
2.	May be used by a person authorized by the Commissioner to use a prescribed breath analysis instrument for the purposes of the Act after a person refuses or fails to -  (a) submit to a breath analysis proposed to be carried out by that authorised person using that instrument; or  (b) provide, in accordance with the directions of that authorized person, given for the purpose of carrying out a breath analysis using that instrument, a sample of breath sufficient for the completion of the breath analysis.
3.	May be used by a member of the staff of a hospital after taking a sample of blood.

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4. May be used by a member of the staff of a hospital after a person refuses or fails to -
    - (a) give a sample of blood; or
    - (b) provide, in accordance with the directions of that member of the staff, a sample of blood sufficient for the completion of a blood test to ascertain the concentration of alcohol in the blood of the person required to give the sample.
  5. May be used by an analyst after carrying out a blood test.
  6. May be used by an authorized analyst after preparing a batch of standard alcohol solution.
- 

### 116. CONDUCT OF BREATH ANALYSIS

(1) A person carrying out a breath analysis shall provide an unused mouthpiece for use in providing each sample of a person's breath in each breath analysis.

(2) Within one hour after completing a breath analysis of a sample of a person's breath, the person carrying out the analysis shall sign and deliver to the person who provided the sample a statement showing -

- (a) the result of the analysis expressed as a percentage of alcohol in blood as shown on the prescribed breath analysis instrument; and
- (b) the date and time when the analysis was completed.

(3) For the purposes of this regulation, the number of grams of alcohol in 100 ml of blood shall be deemed to be the percentage of alcohol in that blood.

(4) For the purposes of section 23(10) of the Act, a statement referred to in subregulation (2) is the prescribed statement.

### 117. AUTHORIZED OPERATORS

(1) The Commissioner may, by notice in the *Gazette*, authorize a member of the Police Force who is, in the opinion of the Commissioner -

- (a) trained in the use of a prescribed breath analysis instrument; and
- (b) capable of using that instrument correctly,

to use that instrument for the purpose of the Act.

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(2) A person shall not carry out a breath analysis for the purposes of the Act unless the person -

- (a) is a member of the Police Force;
- (b) uses a prescribed breath analysis instrument;
- (c) is authorized by the Commissioner under subregulation (1) to use the instrument; and
- (d) complies with and does not contravene these Regulations relating to the proper use of the instrument for the purposes of the Act.

### 118. AUTHORIZED ANALYSTS

The Commissioner may, by notice in the *Gazette*, authorize a person to be an analyst for the purposes of the Act.

## PART XVIII - LICENCES TO DRIVE VEHICLES

### 119. PRODUCTION OF LICENCE

(1) Subject to subregulation (2), the driver of a motor vehicle shall, when requested to do so by a member of the Police Force, an inspector or an authorized person -

- (a) produce for inspection the driver's licence or the licence or permit referred to in section 32 of the Act which permits the driver to drive the motor vehicle; and
- (b) state his or her name and address.

(2) A person shall be deemed to have complied with subregulation (1)(a), where -

- (a) the person has a reasonable excuse for not producing the licence or permit referred to in that subregulation at the time when requested to do so under that subregulation; and
- (b) within 2 days of the request being made under that subregulation, the person produces for inspection the licence or permit at a police station nominated by the member of the Police Force, inspector or the authorized officer.

(3) A person who holds a licence, or a licence or permit referred to in section 32 of the Act which permits that person to drive a motor vehicle, shall, if charged with an offence under the Act or these Regulations, produce that licence or permit to the court at the time of the hearing of the charge.



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(4) In this regulation "authorized person" means a person authorized by or under an Act to require a driver of a motor vehicle to produce the driver's licence.

### 120. REQUIREMENTS RELATING TO LEARNER DRIVERS

- (1) A person who is the holder of -
  - (a) a licence and who is sitting beside a person who is -
    - (i) occupying the driver's seat of a motor vehicle (other than a motor cycle); and
    - (ii) the holder of a learner's licence,shall not permit that vehicle to be driven; or
- (b) a learner's licence and who is occupying the driver's seat of a motor vehicle (including a motor cycle) shall not drive the vehicle,

unless there is a sign with sides not less than 150 mm in length bearing a black letter "L" clearly marked on a yellow background displayed conspicuously and so as to be clearly visible from, in the case of -

- (c) a motor vehicle (other than a motor cycle) - the front and rear of the vehicle; or
- (d) a motor cycle - the rear of the cycle.

(2) A person shall not occupy a front seat of a motor vehicle being driven by a person who is the holder of a learner's licence unless that first-mentioned person is -

- (a) subject to subregulation (3), the holder of a licence; or
- (b) examining the person who is the holder of a learner's licence as to that person's competency to obtain a licence.

(3) A person who -

- (a) is the holder of a licence which is provisional by virtue of section 10A of the *Motor Vehicles Act*;
- (b) is the holder of a learner's licence; or
- (c) has not attained the age of 18 years,

shall not sit beside a person who is the holder of a learner's licence while that person is driving a motor vehicle.

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(4) A person who is the holder of a learner's licence shall not drive a motor vehicle unless another person is occupying a front seat of the motor vehicle and that person -

- (a) has attained the age of 18 years and is the holder of a licence which is not provisional by virtue of section 10A of the *Motor Vehicles Act* or not a learner's licence; or
- (b) is examining that first-mentioned person's competency to obtain a licence.

(5) A person shall not drive a motor vehicle on which a sign in accordance with subregulation (1) is displayed at a speed greater than 80 km/h unless permitted to do so by, and while under the direct supervision of, a person conducting a driving course approved by the Registrar.

(6) A person -

- (a) being the holder of a learner's licence, shall not drive a motor vehicle if the vehicle is not of a class which the person is permitted by the licence to drive; or
- (b) shall not drive a motor vehicle while a sign referred to in subregulation (1), or a sign resembling that sign, is displayed on that vehicle unless the person is the holder of a learner's licence.

(7) Where, in accordance with subregulation (1)(a), a person occupies a front seat of a motor vehicle being driven by a person who is the holder of a learner's licence that first-mentioned person shall be deemed to be the driver of the motor vehicle.

### 121. PROVISIONAL LICENCES

(1) A person who is the holder of a licence which is provisional by virtue of section 10A of the *Motor Vehicles Act* shall not drive a motor vehicle -

- (a) at a speed greater than 80 km/h unless permitted to do so by, and while under the direct supervision of, a person conducting a driving course approved by the Registrar; or
- (b) unless a sign -
  - (i) with sides not less than 150 mm in length; and
  - (ii) bearing the letter "P" in red on a white background,

## *Traffic Regulations*

is displayed conspicuously and so as to be clearly visible from, in the case of -

- (A) a motor vehicle (other than a motor cycle) - the front and rear of the vehicle; or
  - (B) a motor cycle - the rear of the cycle.
- (2) Subregulation (1) does not apply to -
- (a) a member of the Police Force driving a motor vehicle the property of the Territory and in control of the Police Force of the Northern Territory in the course of the member's duties;
  - (b) a person driving an ambulance in the course of the person's duties;
  - (c) a person driving a vehicle the property of the Territory and in control of the Fire Service of the Northern Territory in the course of the person's duties; or
  - (d) a member of the Police Force, an ambulance driver or member of a fire brigade driving a motor vehicle in the course of the person's duties during an emergency.

(3) A person shall not drive a motor vehicle while a sign referred to in subregulation (1), or a sign resembling that sign, is being displayed on the vehicle unless that person is the holder of a licence which is provisional by virtue of section 10A of the *Motor Vehicles Act*.

## PART XIX - REGISTRATION

### 122. MINIMUM PENALTY UNDER SECTION 34

For the purposes of section 34(1) of the Act, the minimum penalty prescribed in that subsection does not apply to an offence committed against that subsection where the offence occurs in the same month and year as that indicated on the registration label attached or affixed, under the *Motor Vehicles Act*, to the motor vehicle to which vehicle the offence relates.

### 123. PRODUCTION OF REGISTRATION CERTIFICATE

(1) Subject to subregulation (2), a person driving a motor vehicle shall, when requested to do so by a member of the Police Force or an inspector, produce for inspection by the member or inspector the certificate of registration issued under the *Motor Vehicles Act* for that vehicle.

(2) A person shall be deemed to have complied with subregulation (1), where the person -

## *Traffic Regulations*

- (a) has a reasonable excuse for not producing the certificate of registration at the time when requested to do so under that subregulation; and
- (b) within 5 days of that request being made, produces the certificate at a police station or a place nominated by the member or inspector.

### 124. OFFENCE IN RELATION TO REGISTRATION LABEL OR PLATE

(1) Subject to these Regulations, a person shall not drive a motor vehicle or permit or suffer a motor vehicle to be driven which -

- (a) is required to be registered under the *Motor Vehicle Act* and does not have attached or affixed to it a registration label or number plate as required under that Act, or which carries a label or plate otherwise than in compliance with that Act; or
- (b) has attached or affixed to it a registration label or number plate which -
  - (i) has been altered, mutilated or defaced, or on which any writing, mark or colour is not clearly legible or visible;
  - (ii) was issued in respect of another vehicle or in respect of a registration period which has expired; or
  - (iii) contains an incorrect particular.

(2) A person shall not -

- (a) without lawful authority or excuse, print, manufacture or be in possession of a label or plate which resembles a registration label or number plate and which is calculated or likely to deceive;
- (b) subject to these Regulations, alter or deface a registration label or number plate; or
- (c) buy or sell a label or plate which resembles a registration label or number plate and which is calculated or is likely to deceive.

## PART XX - MISCELLANEOUS

### 125. LEAVING MOTOR VEHICLE UNATTENDED

A driver of a motor vehicle shall not leave it unattended unless the driver has -

- (a) stopped the engine of;
- (b) locked (where possible) the steering of; and

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(c) removed the ignition key from,  
the vehicle.

### 126. DRIVING IN REVERSE

A person shall not drive a motor vehicle in reverse -

- (a) unless the person can do so with safety; or
- (b) for a greater distance than is necessary or reasonable, having regard to the circumstances.

### 127. DRIVING ON FOOTWAY, RESERVATION OR TRAFFIC ISLAND

(1) Subject to subregulation (2), a driver shall not drive -

- (a) on a footway or bicycle way, except to enter or leave, by the shortest practicable route, a parking area or drive way;
- (b) where a public street includes 2 or more separate carriageways divided by reservations, from one carriageway to another, except at a place improved, designed or intended for vehicle traffic; or
- (c) on a traffic island.

(2) Subregulation (1) does not apply to -

- (a) a bicycle on a footway, except where the riding of a bicycle is prohibited by regulation 79(10), or by a competent authority, by notice, displayed on the footway;
- (b) a bicycle on a bicycle way;
- (c) the driving of a motorized wheelchair on a footway or bicycle way where -
  - (i) the mass of the wheelchair, when unladen, does not exceed 250 kg;
  - (ii) the wheelchair is not driven at a speed faster than 7 km/h; and
  - (iii) the person driving the wheelchair takes adequate precautions to avoid a collision with other persons or things, and drives in such a manner as not to cause danger or obstruction to other persons, on the footway or bicycle way; or
- (d) an employee of the Australian Postal Commission driving a motor cycle on a footway or reservation provided -

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- (i) the engine capacity of the motorcycle does not exceed 110 mL;
- (ii) the employee is engaged in the delivery of postal articles;
- (iii) the motorcycle is not driven at a speed faster than 7 km/h;
- (iv) the employee takes adequate precautions to avoid collision with persons or things, and drives in such a manner as not to cause danger or obstruction to persons, on the footway or reservation; and
- (v) the shortest practicable route is taken from the carriageway to the point of delivery and from that point of delivery to the carriageway after the delivery is made.

### 128. DESTRUCTIVE SUBSTANCE, &c., ON PUBLIC STREET

(1) A person shall not throw, drop, place, leave or cause or allow to be thrown, dropped, placed or left on a public street any destructive or injurious substance, or any thing likely to endanger a person, animal or vehicle using that street or to damage the surface of the street or any traffic control device in the street.

(2) A person who throws, drops, places or leaves or who causes or allows to be thrown, dropped, placed or left on a public street any destructive or injurious substance, or any thing likely to endanger a person, animal or vehicle using that street or to damage the surface of the street or any traffic control device in the street, shall, as soon as practicable, remove the substance or thing from the street.

(3) Where a load or part of a load being transported by a vehicle falls onto a public street the driver of the vehicle shall, as soon as practicable, remove or cause to be removed the fallen load from the street.

(4) A person who removes a wrecked or damaged vehicle from a public street shall remove or cause to be removed, as soon as practicable, any destructive or injurious substance or thing which has dropped, fallen, or which has been unloaded from that vehicle, onto the street.

(5) Where a person fails to comply with subregulation (2), (3) or (4), a member of the Police Force or an officer of the competent authority may remove or cause to be removed the destructive or injurious substance or thing or load and the cost of that removal is a debt due and payable by that person to the Territory, when removed by a member of the Police Force, or the competent authority, when removed by an officer of the competent authority, and may be sued for in a court of competent jurisdiction.

## *Traffic Regulations*

### 129. SECURING OF LOADS

A person shall not drive a vehicle carrying a load unless that load is arranged, contained, fastened or covered in such a way so that it or a part of it, or the means of securing it, shall not -

- (a) fall or otherwise escape from the vehicle; or
- (b) flap, sway, extend or overhang the sides or the front or back of that vehicle unless the load is -
  - (i) being carried in accordance with a law prescribing the manner for carrying that load; or
  - (ii) secured in a manner prescribed by the code entitled "The Truck Loading Code" published by the Advisory Committee on Vehicle Performance for the Office of Road Safety of the Commonwealth Department of Transport.

### 130. TRANSPORTING OF ANIMALS

A person shall not drive or tow a vehicle designed or constructed to carry animals in 2 decks, one above the other, with animals in the upper deck unless -

- (a) the lower deck; and
- (b) the upper deck or a pen on that deck (where the deck is divided into pens),

is fully loaded with animals.

### 131. REMOVAL OF DANGEROUS LOADS, &c.

(1) Where a member of the Police Force, an officer or an officer of a competent authority has reason to believe that a vehicle is being driven in contravention of regulation 129 or 130, the member or officer may direct the driver to do one or more of the following:

- (a) to stop the vehicle;
- (b) to remove the load being carried on the vehicle or cause it to be removed;
- (c) to secure the load being carried on the vehicle or cause it to be secured;
- (d) not to drive the vehicle until the load is secured to the satisfaction of the member or officer; or

## *Traffic Regulations*

- (e) to take the vehicle to a place specified by the member or officer and to remain at that place until the load is secured to the satisfaction of the member or officer.

(2) A person given a direction under subregulation (1) who contravenes or fails to comply with that direction is guilty of an offence.

### 132. OBSTRUCTING TRAFFIC

(1) A person shall not enter or remain on a carriageway for the purpose of -

- (a) soliciting contributions, employment, business or a ride from an occupant of a vehicle;
- (b) displaying an advertisement; or
- (c) offering goods for sale.

(2) A person shall not purchase or offer to purchase an article from a person standing on a carriageway.

### 133. TOWED MOTOR VEHICLES

(1) Subject to this regulation, a person shall not drive a motor vehicle which has attached to it, at the rear by means of a rope, chain or other flexible material, another motor vehicle unless -

- (a) the other vehicle is in the control of a person who holds a licence;
- (b) the other vehicle is capable of being controlled by the person referred to in paragraph (a);
- (c) the 2 vehicles are not more than 4 m apart;
- (d) there is attached, as near as practicable to the mid point of the rope, chain or flexible material, a white flag, or a piece of cloth or other material, not less than 300 mm in length when attached to the rope, chain or flexible material; and
- (e) where the vehicle is being towed during the hours of darkness, regulation 74(b) is complied with.

(2) A motor vehicle referred to in subregulation (1) shall not be driven in a built-up area at a speed faster than 40 km/h.

(3) A motor vehicle with defective brakes shall not be towed with all its wheels on the ground except where it is connected to the motor vehicle towing it by means of a device which holds it rigid.



## *Traffic Regulations*

(4) For the purposes of subregulation (3), a motor vehicle has defective brakes if fitted with a braking system which, for the system to function effectively, requires the motor of the vehicle to be operating and the motor of the vehicle is not, or is not capable of being, operated at all times while that vehicle is being towed.

### 134. PARADES AND PROCESSIONS

(1) A person shall not take part in a parade, procession (other than a funeral procession) or any other event (not being an event in respect of which a permit under regulation 81 or 140 is required) which may disrupt traffic on a public street unless a permit has been granted under this regulation in respect of the parade, procession or event.

(2) A person may apply to the Minister for a permit to hold a parade, procession or an event of a kind referred to in subregulation (1) on a public street.

(3) A person who applies for a permit under subregulation (2), shall -

(a) give public notice of the application, by such means as the Minister requires, not less than 7 days prior to the date of the parade, procession or event; and

(b) obtain the consent in writing of -

(i) the competent authority of a public street on which the parade, procession or event is to be held; and

(ii) the Commissioner.

(4) The Minister may grant a permit on being satisfied that -

(a) subregulation (3) has been complied with; and

(b) persons on or in the vicinity of a public street on which the parade, procession or event is to be held will not be endangered or unduly inconvenienced by the parade, procession or event.

(5) Where the Minister grants a permit under this regulation, the Minister may -

(a) impose such conditions relating to the holding of the parade, procession or event as the Minister thinks fit; and

(b) exempt a person taking part in the parade, procession or event from such of the requirements of these Regulations as are specified in the permit.

## *Traffic Regulations*

(6) A person granted a permit under this regulation shall -

- (a) attend the parade, procession or event for which the permit is granted; and
- (b) on demand by a member of the Police Force -
  - (i) produce the permit; and
  - (ii) provide the member with the person's name and address.

(7) A person taking part in a parade, procession or event for which a permit has been granted under this regulation is not guilty of an offence against these Regulations where the taking part in the parade, procession or event is in accordance with the conditions or exemptions, if any, imposed or given under subregulation (5).

(8) A person shall comply with the conditions of a permit granted under this regulation.

### 135. NOISE, USE OF HORNS, HEAD LAMPS, &c.

(1) A person in a vehicle shall not use or cause to be used -

- (a) a horn or other warning device fitted to the vehicle except when necessary as a warning to other drivers or pedestrians; or
- (b) a siren fitted to the vehicle, unless the vehicle is an emergency vehicle.

(2) A driver of a motor vehicle may cause the high beam of light projected by the headlamps of the vehicle to flash as -

- (a) a warning of danger; or
- (b) an indication to the driver of another vehicle of the driver's intention to overtake that other vehicle.

(3) A person shall not drive a motor vehicle if -

- (a) the vehicle does not have affixed to it a silencer in good repair;
- (b) the exhaust emissions from the vehicle do not pass through a silencer; or
- (c) the vehicle causes undue noise or smoke due to -
  - (i) the state of disrepair; or
  - (ii) the construction, condition or adjustment,

## *Traffic Regulations*

of the vehicle or any part of the vehicle.

### 136. DRIVING UNSAFE MOTOR VEHICLE

A person shall not drive a motor vehicle -

- (a) unless the vehicle is fitted with equipment required by or under the *Motor Vehicles Act*;
- (b) unless the equipment referred to in paragraph (a) is in a serviceable condition; or
- (c) if the vehicle is in such condition (together with any equipment fitted, or any trailer attached, to the vehicle) as to be unsafe to drive.

### 137. DRIVING ABREAST

(1) Subject to subregulation (2), a driver shall not drive abreast of another vehicle travelling in the same direction as that in which the driver is travelling.

(2) Subregulation (1) does not apply to -

- (a) 2 persons riding bicycles abreast of each other on a bicycle way;
- (b) a driver of a vehicle abreast of another vehicle on a carriageway divided into more than one lane for vehicles travelling in the same direction; or
- (c) a driver of a vehicle abreast of another vehicle for the purpose of overtaking that vehicle.

### 138. DUTIES OF DRIVER AFTER ACCIDENT

(1) Where injury or damage is caused to a person or property (including a vehicle or animal) by reason of an accident in which a vehicle is involved, the driver shall -

- (a) stop the vehicle for a time sufficient to allow any necessary inquiries to be made by or on behalf of the person injured or whose property has been damaged;
- (b) render such assistance as the driver can at the scene of the accident;
- (c) if so required by -
  - (i) the person who has been injured or whose property has been damaged;
  - (ii) a member of the Police Force or an inspector; or

## *Traffic Regulations*

- (iii) a person who witnessed the accident and who is acting or purports to be acting on behalf of an injured person,

state the driver's name and address and also the name and address of the owner of the vehicle; and

- (d) subject to subregulation (2), report the accident and, at the same time, state the driver's name and address to a member of the Police Force at the nearest practicable police station as soon as practicable after the accident and in any event, not later than 24 hours after the accident.

(2) Subregulation (1)(d) does not apply where a member of the Police Force has already taken the particulars referred to in that subregulation at the scene of the accident.

(3) For the purposes of this regulation "animal" means a horse, cattle, buffalo, camel, sheep, pig or dog.

### 139. DRIVING ON CERTAIN BEACHES PROHIBITED

(1) A person shall not drive a motor vehicle on a prescribed beach below high water mark except -

- (a) on a ramp or jetty;
- (b) for the purpose of launching a boat or taking a boat out of the water; or
- (c) with the written approval of the competent authority of the beach.

(2) For the purposes of subregulation (1), all beaches which lie between the parts of the coast known as Emery Point and Buffalo Creek are prescribed beaches.

### 140. VEHICLE RELIABILITY TRIALS, RACES AND SPEED TESTS

(1) A person shall not take part in a vehicle reliability trial, vehicle race or vehicle speed test unless a permit has been granted under this regulation in respect of the trial, race or test.

(2) A person may apply to the Director for a permit to hold a vehicle reliability trial, vehicle race or vehicle speed test on a public street.

(3) A person who applies for a permit under subregulation (2), shall -

- (a) give public notice of the application, by such means as the Director requires, not less than 7 days prior to the date of the vehicle reliability trial, vehicle race or vehicle speed test; and

## *Traffic Regulations*

(b) obtain the consent, in writing, of -

(i) the competent authority of a public street on which the vehicle reliability trial, vehicle race or vehicle speed test is to be held; and

(ii) the Commissioner.

(4) The Director may grant a permit on being satisfied that -

(a) subregulation (3) has been complied with; and

(b) persons on or in the vicinity of a public street on which the vehicle reliability trial, vehicle race or vehicle speed test is to be held will not be endangered or unduly inconvenienced by the trial, race or test.

(5) Where the Director grants a permit under this regulation, the Director may -

(a) impose such conditions relating to the holding of the vehicle reliability trial, vehicle race or vehicle speed test as the Director thinks fit; and

(b) exempt a person taking part in the vehicle reliability trial, vehicle race or vehicle speed test from such of the requirements of these Regulations as are specified in the permit.

(6) A person granted a permit under this regulation shall -

(a) attend the the vehicle reliability trial, vehicle race or vehicle speed test in respect of which the permit is granted; and

(b) on demand by a member of the Police Force -

(i) produce the permit; and

(ii) provide the member with the person's name and address.

(7) A person taking part in a vehicle reliability trial, vehicle race or vehicle speed test for which a permit has been granted under this regulation is not guilty of an offence against these Regulations where the taking part in the trial, race or test is in accordance with the conditions or exemptions, if any, imposed or given under subregulation (5).

(8) A person shall comply with the conditions of a permit granted under this regulation.

## *Traffic Regulations*

### 141. USE OF AIR CUSHIONED VEHICLE

A person shall not drive an aircushioned vehicle or a hovercraft on a public street or public place without the written approval of the competent authority.

### 142. NAME AND ADDRESS TO BE STATED

A person shall state his or her name and address when required to do so by a member of the Police Force, an inspector or an officer in the execution of the member's, the inspector's or officer's duty under the Act or these Regulations.

### 143. DRIVER OR OWNER OF VEHICLE, &c., TO FURNISH INFORMATION WHEN REQUIRED

(1) Where an offence is alleged to have been committed against the Act or these Regulations in respect of a vehicle, a member of the Police Force, an inspector or officer may require the owner or driver or an agent or employee of the owner, of the vehicle or any passenger in the vehicle to give any information which it is in that person's power to give and which may lead to the identification of the person who was driving the vehicle when the offence is alleged to have been committed.

(2) A person shall not, on being required under subregulation (1) -

- (a) refuse or fail to give any information required to be given by that subregulation; or
- (b) give false or misleading information.

### 144. PRESCRIBED TEST FOR TRAFFIC INFRINGEMENT DETECTION DEVICES

(1) For the purposes of section 44 of the Act, a traffic infringement detection device shall be tested in accordance with the conditions specified in the notice of approval of the device given under section 44(1) of the Act by a person approved under section 44(2) of the Act.

(2) A person who tests a traffic infringement detection device shall, at the conclusion of the test, issue and sign a certificate -

- (a) setting out the results of the test;
- (b) specifying the date on which the test was made; and
- (c) specifying that the traffic infringement detection device is a traffic infringement detection device within the meaning of the Act.

## *Traffic Regulations*

### 145. OFFENCES RELATING TO PARKING

Where under these Regulations, it is an offence to park or stop a vehicle for a period longer than the period indicated in a parking sign or otherwise prescribed under these Regulations, a person shall be guilty of a separate offence for each period indicated or prescribed during which the person's vehicle remains parked or stopped.

### 146. REGULATORY OFFENCES

An offence against or a contravention or failure to comply with these Regulations (other than regulations 93(2)(b), 124(2)(a) and (c) and 143(2)(b)) is a regulatory offence.

### 147. GENERAL PENALTIES

A person who contravenes or fails to comply with a provision of these Regulations is liable on conviction for an offence against the provision to a penalty not exceeding \$2,000 or imprisonment for 6 months.

# *Traffic Regulations*

## SCHEDULE 1

Regulations 86 and 90

### TRAFFIC INFRINGEMENTS

Column 1	Column 2
TRAFFIC INFRINGEMENT	PENALTY
	\$
Drive wrong way in one-way street	60
Overtake incorrectly	50
Fail to give way to right or to emergency vehicle	60
Fail to obey traffic lights	80
Drive without headlights or tail lights	50
Drive with faulty headlights or faulty tail lights	50
Fail to give way to pedestrian at pedestrian or children's crossing	80
Remove, alter or deface defect label, within the meaning of the <i>Motor Vehicles Act</i> , without authority	60
Drive motor vehicle on footpath	30
Fail to wear seat belt	50
Drive motor vehicle with load -	
(a) unsafe;	
(b) insecure; or	
(c) projecting without flag	50
Not wear or fasten securely helmet	50
Fail to keep to left	40
Drive on prescribed beach	30
Not drive in traffic lane	40
Cross unbroken line or double lines	40
Make incorrect turn	50
Fail to give signal or warning	40
Part of body protruding from vehicle	50
Exceed speed limit by up to 15 kilometres per hour	50
Exceed speed limit by more than 15 and up to 30 kilometres per hour	80



# *Traffic Regulations*

Column 1	Column 2
TRAFFIC INFRINGEMENT	PENALTY
	\$
Fail to obey directions of Police Officer	60
Obstruct traffic	30
Leave ignition keys in unattended vehicle	20
Cause emission of undue amount of smoke	30
Number plates not fitted to motor vehicle or trailer	40
Registration label not properly fixed to motor vehicle or trailer	40
Drive noisy motor vehicle	40
Fail to dip headlights	30
Number plate not clearly visible	30
Number plate light not operating	30
Drive with "L" or "P" plates displayed when not required to	10
Drive without "L" or "P" plates displayed when required to display	50
Interfere with traffic sign	40
Fail to obey traffic sign	60
Fail to give way at intersection	60
Fail to cancel operation of signalling device	40
Fail to remove wheel chocks from road	20
Standing or parking in contravention of signs or so as to cause danger, obstruction or inconvenience	40
Fail to light clearance lamps or to have reflectors on stationary vehicles or trailers	30
Fail to display warning signs	40
Fail to fasten load or to correctly fasten load	50
Drive vehicle in condition which may cause danger	30
Fail to ensure child or young person wears restraint or seat belt	50
Carrying passenger on motor cycle not correctly seated	60

*Traffic Regulations*

Column 1	Column 2
TRAFFIC INFRINGEMENT	PENALTY
	\$
Carrying more than one passenger on motor cycle	60
Carrying a passenger on motor cycle when not permitted	60
Fail to have prescribed light alight on bicycle	25

SCHEDULE 2

FORM 1

Regulation 115

Statement No.

NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations*

RESULT OF BREATH ANALYSIS

I, \_\_\_\_\_, a member of the Police  
(name)  
Force authorized by the Commissioner to use for the purposes of the *Traffic Act* a prescribed breath analysis instrument, namely the breathalyzer manufactured under U.S. Patent No. 2824789, completed a breath analysis of a sample of the breath of

\_\_\_\_\_ (name and address)  
on 19 \_\_\_\_\_ at the time stated beneath my signature hereunder.

The result of the analysis expressed as a percentage of alcohol in blood as shown on the breath analysis instrument was \_\_\_\_\_ %.

(signed)

a.m./p.m.  
(time of completion)

*Traffic Regulations*

NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations*

CERTIFICATE ON COMPLETION OF BREATH ANALYSIS

I, the person who signed the above statement, a member of the Police Force authorized by the Commissioner to use for the purposes of the *Traffic Act* a prescribed breath analysis instrument, namely the breathalyzer manufactured under U.S. Patent No. 2824789, certify that the person, not being myself, named in the statement submitted to a breath analysis and, for that purpose, provided a sample of breath; that I carried out the analysis, using a breathalyzer manufactured under U.S. Patent No. 2824789, completing the analysis on the date and at the time specified in the statement and that the result of the analysis was the result specified in the statement and that I signed the statement and delivered the original of the statement to the person who provided the sample.

And I further certify that -

- (a) by the analysis I assessed that there was a concentration of alcohol in the blood of the person providing the sample of the number of grammes of alcohol per 100 mL of blood that is expressed as a percentage in the statement;
- (b) shortly before the analysis I carried out the procedure required by regulation 113(2) of the *Traffic Regulations*, using a solution of standard alcohol supplied by an authorized analyst;
- (c) the temperature recorded by the thermometer forming part of the device, after each occasion on which I flushed out the chamber with air while carrying out that procedure, was not below 47° and not above 53°;
- (d) before carrying out the analysis I satisfied myself that the person who provided the sample had not consumed any intoxicating liquor within the 15 minutes immediately preceding the giving of the sample;
- (e) I provided an unused mouthpiece for use in providing the sample; and

*Traffic Regulations*

- (f) after completing the analysis and before the time stated beneath my signature hereunder I carried out the procedures referred to in regulation 113(2)(a) and (b) of the Traffic Regulations.

Dated

19 .

(signed)

a.m./p.m.  
(time by which regulation 113  
was complied with)

FORM 2

Regulation 115

NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations*

CERTIFICATE ON REFUSAL OR FAILURE TO SUBMIT  
TO BREATH ANALYSIS

I, \_\_\_\_\_, a member of the Police  
(name)  
Force authorized by the Commissioner to use for the purposes of the *Traffic Act* a prescribed breath analysis instrument, namely the breathalyzer manufactured under U.S. Patent No. 2824789, certify that -

(a) on \_\_\_\_\_ 19 at \_\_\_\_\_ a.m./p.m.  
Constable \_\_\_\_\_ of the Police  
Force identified to me

(name and address)  
at \_\_\_\_\_  
(place)

(b) I addressed the person who had been identified to me as follows:

I said "Are you suffering from any illness?".  
The person said "

".

## *Traffic Regulations*

I said "Are you suffering from any physical disability?".

The person said "

".

I said "Are you suffering from any injuries?".

The person said "

".

I said "Are you taking any tablets, drugs, insulin or medicine?".

The person said "

".

(c) I then prepared a breathalyzer manufactured under U.S. Patent No. 2824789 for use -

(i) first by verifying that the mouthpiece for use in providing a sample of breath had not been used before; and

(ii) then by carrying out the procedure required by regulation 113(2) of the Traffic Regulations, using a solution of standard alcohol supplied by an authorized analyst;

(d) by carrying out that procedure, I ascertained that -

(i) the instrument was in good working order; and

(ii) the temperature recorded by the thermometer forming part of the device, after each occasion on which I flushed out the chamber with air during the procedure, was not below 47° and not above 53°;

(e) I then satisfied myself that it was more than 15 minutes since the person who had been identified to me had last consumed any intoxicating liquor;

(f) I then said to the person who had been identified to me "This is a prescribed breath analysis instrument. I am authorized to use it for the purposes of the *Traffic Act*. It is in good working order and is ready for use. I require you to submit to a breath analysis";

*Traffic Regulations*

(g) I then gave the person directions as to how the person was to provide a sample of breath sufficient for the completion of the breath analysis;

(h) The person then said "

".

(j) The person then

(describe the person's actions if the person is charged with failure to take an action).

(signed)

\_\_\_\_\_  
(date)

FORM 3

Regulation 115

(front of form)

Certificate  
No.

Certificate No.

NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations*

CERTIFICATE ON TAKING OF BLOOD SAMPLE

I,

(name and designation)

a member of the staff of

(name of hospital)

certify that on 19 at the time first shown underneath my signature hereunder

(name and address or other description of person from whom sample taken)

[ ] entered the hospital for examination or treatment of injuries that could have been received in a motor vehicle accident

*Traffic Regulations*

☐ was brought to the hospital by a member of the Police Force for a sample of the person's blood to be taken under the *Traffic Act*

And I further certify that -

- (a) at the time second shown underneath my signature hereunder I took a sample of the blood of the person who so entered or was brought to the hospital;
- (b) I then placed
  - ☐ the sample
  - ☐ approximately half the samplein a container and sealed the container; and
- (c) I then further sealed the container with this certificate and placed the container so sealed in

(signed)

a.m./p.m.  
(time when person  
entered hospital)

a.m./p.m.  
(time when person  
gave blood sample)

---

☐ tick boxes applicable

FORM 3

(back of form)

A copy of sections 25 and 26 of the *Traffic Act* shall be printed on the back of Form 3, preceded by the words "Sections 25 and 26 of the *Traffic Act* provide as follows:".

*Traffic Regulations*

FORM 4

Regulation 115

(front of form)

NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations*

CERTIFICATE ON REFUSAL OR FAILURE TO  
GIVE BLOOD SAMPLE

I, \_\_\_\_\_, (name and designation)  
a member of the staff of \_\_\_\_\_ (name of hospital)  
certify that on \_\_\_\_\_ 19\_\_\_\_ at the time first  
shown underneath my signature hereunder

(name and address or other description of person involved)

[ ] entered the hospital for examination or treatment of  
injuries that could have been received in a motor  
vehicle accident

[ ] was brought to the hospital by a member of the Police  
Force for a sample of the person's blood to be taken  
under the *Traffic Act*

And I further certify that -

(a) at the time second shown underneath my signature  
hereunder I indicated to the person who so  
entered or was brought to the hospital that -

(i) I was a member of the staff of the  
hospital;

(ii) I had the power under section 26 of the  
*Traffic Act* to require the person to give  
me a sample of that person's blood; and

(iii) I required the person to give me a sample  
of blood;

(b) I then gave the person directions as to how the  
person was to provide a sample of blood  
sufficient for the completion of a blood test to  
ascertain the concentration of alcohol in the  
person's blood;

(c) the person then said "

".



*Traffic Regulations*

(d) the person

(describe the person's actions if the person  
is charged with failure to take an action).

(signed)

a.m./p.m.  
(time when person  
entered hospital)

a.m./p.m.  
(time when person  
refused or failed to  
give blood sample)

---

[ ] tick boxes applicable

---

FORM 4

(back of form)

A copy of sections 25 and 26 of the *Traffic Act* shall  
be printed on the back of Form 4, preceded by the words  
"Sections 25 and 26 of the *Traffic Act* provide as  
follows:".

There may also be printed on the back of the form an  
indication of the circumstances in which the blood of a  
passenger or pedestrian will not be tested.

---

*Traffic Regulations*

FORM 5

Regulation 115

NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations*

CERTIFICATE ON COMPLETION OF BLOOD TEST

I, \_\_\_\_\_, (name)  
an authorized analyst, certify that -

- (a) I took from  
a container that was sealed with the certificate  
attached hereto;
- (b) I examined the container and it appeared from my  
examination that the container was securely  
sealed and that the container and the certifi-  
cate were in good condition and had not been  
interfered with;
- (c) the container contained blood; and
- (d) I carried out a blood test on the blood to  
ascertain the concentration of alcohol in the  
blood and ascertained that that concentration  
was \_\_\_\_\_ mg of alcohol per 100 mL of blood.

(signed)

\_\_\_\_\_  
(date)

*Traffic Regulations*

FORM 6

Regulation 115

Batch No.

NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations*

BATCH OF STANDARD ALCOHOL SOLUTION

I,

(name)

an authorized analyst, certify that -

- (a) on (date) I placed or  
mixed a quantity of a solution of standard  
alcohol in a container and sealed the container;
- (b) then I affixed to the container a label bearing,  
*inter alia*, the date and the identifying mark  
"Batch No "; and
- (c) then I placed the sealed container in

(signed)

\_\_\_\_\_

