

NORTHERN TERRITORY OF AUSTRALIA

TRAFFIC AMENDMENT REGULATIONS 2020

Subordinate Legislation No. 27 of 2020

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 27 of 2020*

Traffic Amendment Regulations 2020

I, Vicki Susan O'Halloran, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Traffic Act 1987*.

Dated 29 July 2020

V. S. O'Halloran
Administrator

By Her Honour's Command

E. D. Lawler
Minister for Infrastructure, Planning and Logistics

* Notified in the *Northern Territory Government Gazette* on 5 August 2020.

Part 1 Preliminary matters

1 Title

These Regulations may be cited as the *Traffic Amendment Regulations 2020*.

2 Commencement

These Regulations commence on the day on which they are notified in the *Gazette*.

Part 2 Amendment of Traffic Regulations 1999

3 Regulations amended

This Part amends the *Traffic Regulations 1999*.

4 Regulation 15A amended (Prohibition on mobile phone usage)

Regulation 15A

omit

all words from "while the" to "Note"

insert

, unless the vehicle is stationary and in a place other than a marked lane or line of traffic on a road.

Maximum penalty: 20 penalty units or imprisonment for 6 months.

Note for regulation 15A

5 Regulation 39 amended (Interpretation)

(1) Regulation 39(1)

insert

infringement issuing officer means:

- (a) an officer; or
- (b) a police officer; or
- (c) a person authorised under regulation 46A(1)(a).

- (2) Regulation 39(1), definition **offender**, paragraph (a)

omit, insert

- (a) a person who an infringement issuing officer believes on reasonable grounds has committed an offence; or

6 Regulation 41 amended (Service of traffic infringement notice)

- (1) Regulation 41(1)

omit, insert

- (1) If an infringement issuing officer believes on reasonable grounds that an offence has been committed, the officer may:

- (a) serve a traffic infringement notice on the offender; or
(b) arrange for a traffic infringement notice to be served on the offender.

- (2) Regulation 41(2)

omit

all words after "occurred,"

insert

an infringement issuing officer may:

- (a) serve a traffic infringement notice on the person named in the statutory declaration; or
(b) arrange for a traffic infringement notice to be served on the person named in the statutory declaration.

7 Regulation 43 amended (Withdrawal of infringement notice)

- (1) Regulation 43(3)(a) and (b)

omit, insert

- (a) the infringement issuing officer mentioned in regulation 41 who served, or arranged the service of, the traffic infringement notice; or
(b) a police officer authorised for the purpose, or a person authorised under regulation 46A(1)(b), by the Commissioner; or

(2) Regulation 43(4)

omit

(3) Regulation 43(5)

omit

all words after "by the"

insert

person who issued the notice of withdrawal stating any of the following matters is evidence of the matter:

- (a) the person is authorised to issue notices of withdrawal;
- (b) on a specified date the person issued a notice of withdrawal of a specified traffic infringement notice.

8 Regulation 46A inserted

After regulation 46, in Part 3, Division 2

insert

46A Commissioner may authorise public sector employees

- (1) The Commissioner may authorise a public sector employee who is employed in the Police Civil Employment Unit to do any of the following:
 - (a) serve or arrange the service of traffic infringement notices under regulation 41;
 - (b) issue notices of withdrawal under regulation 43.

- (2) In subregulation (1):

Police Civil Employment Unit means the Agency of that name.

9 Regulation 86C inserted

After regulation 86B

insert

86C Modification of rules 299 and 300: when vehicle is not parked

For rules 299 and 300, a vehicle is not parked if it is in a marked lane or line of traffic on a road.

10 Regulation 87A inserted

Before regulation 88, in Part 7

insert

87A Form of traffic control device

- (1) For section 13(2) of the Act:
- (a) a work site traffic control device must be in a form that:
 - (i) is a reasonable likeness of a diagram in the Standard of that kind of device; or
 - (ii) if there is no diagram in the Standard of that kind of device – complies substantially with a description of that kind of device in the Standard and, if the description includes a symbol for which there is a diagram in the Standard, the symbol on the device is a reasonable likeness of the diagram; and
 - (b) a traffic control device that is a traffic-related item under the *Australian Road Rules* must be in a form that complies substantially with the Rules as mentioned in rule 320; and
 - (c) any other type of traffic control device must be in a form that complies substantially with the Rules as mentioned in rule 316.

- (2) In subregulation (1):

Standard means Australian Standard AS 1742.3:2019 – Manual of uniform traffic control devices, Part 3 Traffic control for works on roads.

work site traffic control device means a traffic control device that:

- (a) is a sign, delineation device or other kind of device; and
- (b) provides essential information to warn, instruct and guide road users around, through or past work sites.

11 Schedule 1 amended (Traffic infringement notice offences)

- (1) Schedule 1, heading

omit

39 and 44

*insert*39(1), definition **offence**, 44 and 54A

- (2) Schedule 1, table, item 2, entry for ARR 264(1)

omit, insert

Driver fails to occupy required seat or wear seatbelt	ARR 264	500	3
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- (3) Schedule 1, table, item 4

omit

169

insert

154A, 169, 187(4)

- (4) Schedule 1, table, item 10

omit

38

insert

38(1), 43 and 43A

- (5) Schedule 1, table, item 18, after entry for ARR 72(1), 73(1), 75(1)

insert

Fail to give way when entering road from road-related area or adjacent land	ARR 74(1)	100	
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- (6) Schedule 1, table, item 26, entry for TA 12(1)(b), after "device"
insert
without consent

12 Regulations further amended

The Schedule has effect.

Part 3 Amendment of Schedule 3 to Traffic Regulations 1999 – Australian Road Rules

13 Rules amended

This Part amends Schedule 3 to the Traffic Regulations 1999 – *Australian Road Rules*.

14 Rule 28 amended (Starting a left turn from a multi-lane road)

- (1) Rule 28(1)(c)
omit
driver.
insert
driver; or
- (2) After rule 28(1)(c)
insert
(d) the lane is a bus only lane.
- (3) Rule 28(1), note 1
omit
and **left lane** is defined in subrule (3).
insert
left lane is defined in subrule (3) and **bus only lane** is defined in rule 154A(6).

15 Rule 32 amended (Starting a right turn from a multi-lane road)

(1) Rule 32(1)(c)

omit

driver.

insert

driver; or

(2) After rule 32(1)(c)

insert

(d) the lane is a bus only lane.

(3) Rule 32(1), note 1

omit

and **right lane** is defined in subrule (3)

insert

right lane is defined in subrule (3) and **bus only lane** is defined in rule 154A(6)

16 Rule 38 replaced

Rule 38

repeal, insert

38 Giving way when making a U-turn

(1) A driver making a U-turn must give way to all vehicles and pedestrians.

Offence provision.

Note

For this rule, **give way** means the driver must slow down and, if necessary, stop to avoid a collision – see the definition in the dictionary.

(2) Despite subrule (1), a driver does not have to give way to a driver entering the road from a road-related area or adjacent land.

Note

Adjacent land is defined in the dictionary and **road-related area** is defined in rule 13.

(3) In this rule:

road does not include a road-related area.

Note

A **road-related area** includes any shoulder of a road – see rule 13.

17 Rule 43 replaced

Rule 43

repeal, insert

43 Making a U-turn at certain crossings

A driver must not make a U-turn at any of the following crossings, with or without traffic lights, unless there is a *U-turn permitted sign* at the crossing:

- (a) children's crossing;
- (b) level crossing;
- (c) marked foot crossing;
- (d) pedestrian crossing.

Offence provision.

Note

Children's crossing is defined in rule 80, **level crossing** is defined in rule 120, **pedestrian crossing** is defined in rule 81 and **marked foot crossing** and **traffic lights** are defined in the dictionary.

43A Making a U-turn on a road-related area with traffic lights

A driver must not make a U-turn at a place with traffic lights where a road and road-related area intersect unless there is a *U-turn permitted sign* at the place.

Offence provision.

Notes

1 **Road** includes a road-related area – see rule 11(2).

2 **Traffic lights** is defined in the dictionary and **road-related area** is defined in rule 13.

18 Rule 44 amended (Division does not apply to entering or leaving a roundabout or lane filtering)

- (1) Rule 44, heading

omit

or lane filtering

insert

, lane filtering or repositioning

- (2) Rule 44(b)

omit

151A.

insert

151A; or

- (3) After rule 44(b)

insert

(c) the rider of a motorbike while repositioning the motorbike within the same lane in order to avoid a hazard or reduce the risk of a crash.

19 Rule 74 amended (Giving way when entering a road from a road-related area or adjacent land)

- (1) After rule 74(1)(a)

insert

(ab) a driver making a U-turn on the road; and

- (2) Rule 74(1), note 1

omit

and traffic lights

insert

, traffic lights and U-turn

20 Rule 154 amended (Bus lanes)

- (1) Rule 154(2) (*second reference*), definition **bus lane road marking**, paragraphs (b) and (c)

omit, insert

- (b) the words "bus lane".

- (2) Rule 154(2) (*second reference*)

renumber as subrule (3)

21 Rule 154A inserted

After rule 154

insert

154A Bus only lanes

- (1) A driver (except the driver of a public bus) must not drive in a bus only lane, unless the driver is permitted to drive in the bus only lane under subrule (2).

Offence provision.

Note

Bus and **public bus** are defined in the dictionary and **bus only lane** is defined in subrule (6).

- (2) A driver may drive in a bus only lane if:
- (a) it is necessary for the driver to drive in the bus only lane to avoid an obstruction; and
 - (b) the driver does not obstruct the path of a public bus travelling in the bus only lane; and
 - (c) where the driver is approaching the bus only lane from the same direction as a vehicle in a bus only lane – the driver approaches the bus only lane from the lane nearest to the bus only lane; and
 - (d) the driver gives way to any vehicles driving in the bus only lane.

-
- (3) A driver must not drive across a bus only lane, unless the driver is permitted to drive across the bus only lane under subrule (4).

Offence provision.

- (4) A driver may drive across a bus only lane only if:
- (a) the driver is driving across the bus only lane to:
 - (i) enter or leave a road; or
 - (ii) enter a part of the road of one kind from a part of the road of another kind; and
 - (b) where the driver is approaching the bus only lane from the same direction as a vehicle in a bus only lane – the driver approaches the bus only lane from the lane nearest to the bus only lane; and
 - (c) the driver gives way to any vehicles driving in the bus only lane.

Example for subrule (4)(a)(ii)

Moving to or from a service road, the shoulder of the road or an emergency stopping lane.

- (5) A driver turning at an intersection immediately after a bus only lane must:
- (a) if the driver is approaching the bus only lane from the same direction as a vehicle in a bus only lane – approach the bus only lane from the lane nearest to the bus only lane; and
 - (b) give way to any vehicles driving in the bus only lane.

Offence provision.

- (6) A **bus only lane** is a marked lane or the part of a marked lane:
- (a) beginning at a *bus only lane sign* (whether or not there is also a bus only lane road marking) and ending at the nearest of the following:
 - (i) an *end bus only lane sign*;
 - (ii) a traffic sign that indicates the beginning of a special purpose lane;
 - (iii) a traffic sign that indicates drivers of vehicles may drive in the lane beyond the sign;

- (iv) an intersection with traffic lights or traffic arrows; or
- (b) beginning at a bus only lane road marking (if there is no bus only lane sign) and ending at the next intersection; or
- (c) that is marked with a continuous line starting at the beginning of a bus only lane road marking and ending at an end bus only lane road marking.

Note

Bus only lane road marking, marked lane, special purpose lane and traffic sign are defined in the dictionary.

Bus only lane sign



End bus only lane sign

*Note for diagrams*

There are a number of other permitted versions of each of these signs – see the diagrams in Schedule 3.

22 Rule 174 amended (Stopping at or near bicycle crossing lights (except at an intersection))

- (1) Rule 174, heading

omit, insert

174 Stopping on or near a bicycle crossing (except at an intersection)

- (2) Rule 174(1)

omit

- (3) Rule 174(2)

omit

all words from "within" to "the place"

insert

on a bicycle crossing or within 10 metres before the traffic lights nearest to the driver at the bicycle crossing

(4) Rule 174(4)

insert

bicycle crossing means an area of road:

- (a) with bicycle crossing lights facing bicycle riders crossing the road; and
- (b) with traffic lights facing traffic travelling on the road; and
- (c) that is not at an intersection.

(5) Rule 174(4), note

omit, insert

Note

Bicycle crossing lights, intersection and traffic lights are defined in the dictionary, **road-related area** is defined in rule 13 and **shoulder** is defined in rule 12.

23 Rule 187 amended (Stopping in a bicycle lane, bus lane, tram lane, tramway, transit lane, truck lane or on tram tracks)

(1) Rule 187, heading, after "**bus lane**,"

insert

bus only lane,

(2) After rule 187(3)

insert

(4) A driver must not stop in a bus only lane unless the driver:

- (a) is driving a public bus and is dropping off, or picking up, passengers; and
- (b) is permitted to drive in the bus only lane under the *Australian Road Rules* or another law of this jurisdiction.

Offence provision.

(3) Rule 187, note 1, after "154,"

insert

bus only lane is defined in rule 154A,

24 Rules 203B and 203C inserted

After rule 203A, in Part 12, Division 6

insert

203B Stopping in a parking area for electric-powered vehicles

- (1) A driver of a vehicle that is not an electric-powered vehicle must not stop in a parking area for electric-powered vehicles.

Offence provision.

- (2) A parking area for electric-powered vehicles is a length or area of a road:
- (a) to which a *permissive parking sign* displaying an electric-powered vehicle symbol applies; or
 - (b) to which an *electric-powered vehicle parking sign* applies; or
 - (c) indicated by a road marking that consists of, or includes, an electric-powered vehicle symbol.

Note

Road marking is defined in the dictionary.

- (3) An **electric-powered vehicle** is a vehicle that:
- (a) is powered by one or more electric motors or traction motors, regardless of whether the vehicle is also powered by another form of propulsion; and
 - (b) can be recharged from an external source of electricity.

Electric-powered vehicle symbol



203C Stopping in a parking area for the charging of electric-powered vehicles

- (1) A driver must not stop in a parking area for the charging of electric-powered vehicles unless:
- (a) the driver's vehicle is an electric-powered vehicle; and

- (b) the electric-powered vehicle is plugged in to an external source of electricity.

Offence provision.

Note

Electric-powered vehicle is defined in rule 203B.

- (2) A parking area for the charging of an electric-powered vehicle is a length or area of a road:
- (a) to which a *permissive parking sign* displaying an electric-powered vehicle charging symbol applies; or
 - (b) to which an *electric-powered vehicle charging parking sign* applies; or
 - (c) indicated by a road marking that consists of, or includes, an electric-powered vehicle charging symbol.

Note

Road marking is defined in the dictionary.

Electric-powered vehicle charging symbol



25 Rule 207 amended (Parking where fees are payable)

- (1) Rule 207(1)

omit

by buying a ticket or putting money into a parking meter

- (2) Rule 207(2)(b)

omit, insert

- (b) obey the instructions (if any):
- (i) on or with the sign or a meter, ticket or ticket-vending machine; and

- (ii) in a mobile application or other electronic method used for the payment of fees under this rule, being an application or method indicated on or with the sign or a meter, ticket or ticket-vending machine.

26 Rule 261 amended (Stopping for a yellow bicycle crossing light)

Rule 261(1), note

omit, insert

Note

Bicycle, bicycle crossing lights and intersection are defined in the dictionary and **rider** is defined in rule 15.

27 Rule 264 replaced

Rule 264

repeal, insert

264 Wearing of seatbelts by drivers

The driver of a motor vehicle that is moving, or is stationary but not parked:

- (a) must occupy a driver's seating position that is fitted with an approved seatbelt; and
- (b) must not occupy the same seating position as another passenger (whether or not the other passenger is exempt from wearing a seatbelt under rule 267); and
- (c) must wear the seatbelt fitted to the driver's seating position properly adjusted and fastened, unless the driver is reversing the vehicle or exempt from wearing a seatbelt under rule 267.

Offence provision.

Notes

- 1 **Driver** is defined in rule 16, and **approved seatbelt, motor vehicle and park** are defined in the dictionary.
- 2 Rule 267 provides exemptions from wearing seatbelts.

28 Rule 271 amended (Riding on motor bikes)

- (1) Rule 271(1A)(b)(iii)

omit

so.

insert

so; or

- (2) After rule 271(1A)(b)

insert

- (c) remove both feet from the footrests or footboard designed for the rider's use if the motor bike is moving at less than 10 kilometres per hour and:

- (i) the rider is manoeuvring the motor bike in order to park the motor bike; or
- (ii) the motor bike is decelerating to come to a stop; or
- (iii) the motor bike is accelerating from being stopped.

29 Rule 299 amended (Television receivers and visual display units in motor vehicles)

After rule 299(3)

insert

- (4) For the purpose of this rule, a vehicle may be parked even though:
- (a) the key to the vehicle is located in the vehicle's ignition lock; or
 - (b) the engine of the vehicle is running.

Note

The application of this rule is modified by regulation 86C of the Traffic Regulations 1999.

30 Rule 300 amended (Use of mobile phones)

After rule 300(3)

insert

- (3A) For the purpose of this rule, a vehicle may be parked even though:
- (a) the key to the vehicle is located in the vehicle's ignition lock; or
 - (b) the engine of the vehicle is running.

Note

The application of this rule is modified by regulation 86C of the Traffic Regulations 1999.

31 Rule 300A inserted

After rule 300, in Part 18, Division 1

insert

300A Interfering with or interrupting funeral procession

A driver must not interfere with, or interrupt, the free passage along any length of road of:

- (a) any funeral procession; or
- (b) any vehicle or person apparently forming part of a funeral procession.

Offence provision.

32 Rule 347 amended (Meaning of abbreviations and symbols)

Rule 347(1), note

omit

traffic related





insert

traffic-related

33 Schedule 2 amended (Standard or commonly used traffic signs)

Schedule 2

insert (in alphabetical order)

<p>Bus only lane sign (rule 154A)</p> 	<p>Electric-powered vehicle charging symbol (rule 203C)</p> 
<p>Electric-powered vehicle symbol (rule 203B)</p> 	<p>End bus only lane sign (rule 154A)</p> 



34 Schedule 3 amended (Other permitted traffic signs)

- (1) Schedule 3, entries relating to rule 154



omit

- (2) Schedule 3

insert (in alphabetical order)

<p>Bus lane sign (rule 154)</p> 	<p>Bus lane sign (rule 154)</p> 
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<p>Bus lane sign (rule 154)</p> 	<p>Bus lane sign (rule 154)</p> 
<p>Bus lane sign (rule 154)</p> 	<p>Bus only lane sign (rule 154A)</p> 
<p>Bus only lane sign (rule 154A)</p> 	<p>Bus only lane sign (rule 154A)</p> 
<p>End bus lane sign (rule 154)</p> 	<p>End bus only lane sign (rule 154A)</p> 

<p>End bus only lane sign (rule 154A)</p> 	<p>End bus only lane sign (rule 154A)</p> 
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35 Dictionary to Rules amended

Dictionary to Rules

insert

bus only lane, see rule 154A.

bus only lane road marking means a road marking consisting of the words 'bus only'.

Note

Road marking is defined in this dictionary.

electric-powered vehicle, see rule 203B.

end bus only lane road marking means a road marking consisting of the words 'end bus only'.

Note

Road marking is defined in this dictionary.

Part 4 Repeal of Regulations

36 Repeal of Regulations

These Regulations are repealed on the day after they commence.

Schedule Regulations further amended

regulation 12

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part I, heading	whole heading	Part 1 Preliminary matters
regulation 3(1), definition emergency vehicle , paragraph (e)	authorized	authorised
regulations 7(2), 9(8), definition authorised person , 10(1), 11, definition provisional driver , paragraph (a), 19(3), 25(1), 27(6), 31(2) and (3)(a), 37(6)(b), 38(8)(b), 47(1) and (2), 59(1) and (2)(a), 64(1), (3) and (4), 81C(1)(a) and 81CA(a) and Schedule 2, Form 2	member of the Police Force	police officer
regulations 7(2) and 10(1)	the member	the officer
regulation 10(2)	member	police officer
regulation 25(1)	member or (<i>all references</i>)	
regulations 27(6), 37(6)(b)(ii) and 38(8)(b)(iii)	the member	the officer
regulations 47(1) and 64(2)(b), (3)(a) and (4)	member or	
Part 3, Division 1, heading, at the end		matters
regulation 81C(1)(f)	authorized	authorised

Provision	Amendment	
regulation 90A	<i>omit</i>	<i>insert</i>
	member of the police force	police officer
Schedule 2, heading, at the end		Forms
