

Queensland



Subordinate Legislation 1996 No. 230

*Traffic Act 1949*

**TRAFFIC AMENDMENT REGULATION (No. 2)  
1996**

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**SCHEDULE . . . . . 47****MINOR AMENDMENTS**

**Short title**

1. This regulation may be cited as the *Traffic Amendment Regulation (No. 2) 1996*.

**Commencement**

2. This regulation commences on 2 September 1996.

**Regulation amended**

3. This regulation amends the *Traffic Regulation 1962*.

**Amendment of s 4 (Definitions)**

4.(1) Section 4, definitions “**alternative headlamp**”, “**Australian Standard**”, “**dipping device**”, “**endorsement**”, “**forward control passenger vehicle**”, “**motor vehicle chassis**”, “**pedestrian crossing**”, “**stop**”, “**stopping**”, “**stand**”, or “**standing**”, and “**stop line**”—

*omit.*

(2) Section 4—

*insert—*

“**AS**” means Australian Standard published by Standards Australia.

“**crosswalk**” see section 4C.

“**dipping device**” means a device used to change the height and direction of the beam of light from a vehicle’s headlamp so that, on flat ground, the light from the top of the brightest part of the beam is not more than 1 m above the ground at 22 m in front of the vehicle.

“**marked**”, for a lane, means marked by an official traffic sign.

“**motor vehicle chassis**”, for a vehicle whose frame and body are a unit, includes the cab and cowl and a part of the body that is a structural support.

**“pedestrian crossing”** means—

- (a) a zebra crossing depicted in the MUTCD; or
- (b) the part of a carriageway between 2 official traffic signs with ‘children crossing’ on them.

**“slip lane”** means a lane specially constructed or marked at or near an intersection to allow vehicles to turn left or right from a carriageway onto another carriageway without entering the main part of the intersection.

**“stop line”** means an unbroken line across or partly across a carriageway at a school crossing, stop sign or traffic light.

**“T-intersection”** means an intersection where 2 roads join and 1 of the roads ends.

**“tow”** a vehicle includes attach a vehicle behind another vehicle.’.

(3) Section 4, definition **“aggregate trailer mass”**, ‘hauling’—

*omit, insert—*

‘towing’.

(4) Section 4, definition **“building line”**, plan—

*relocate* to schedule 8.

(5) Section 4, definition **“building line”** from ‘ **“building line”** to **Plan showing “building line”** ’—

*omit, insert—*

‘ **“building line”** see section 4B.’.

### **Insertion of new ss 4B–4D**

5. After section 4A—

*insert—*

#### **‘Meaning of “building line”**

**4B.(1)** Each of the following is a **“building line”** for this regulation—

- (a) if there is an apparent boundary between a road and land beside it—the apparent boundary;

(b) if there is no apparent boundary—the edge of the carriageway.

*Examples of paragraph (a)—*

1. The edge of a building, fence or other similar structure at or near the edge of a road.

2. If there is no structure at or near the edge of the road, the edge (farthest from the carriageway) of the footway.

‘(2) A plan giving an example of the location of building lines is in schedule 8.

### ‘Meaning of “crosswalk”

‘4C.(1) In this regulation—

“crosswalk” means the part of a carriageway between 2 parallel broken lines across the carriageway at traffic lights.

‘(2) If a crosswalk occupies most or all of a T-intersection that has a third broken line marked across the carriageway ending at the intersection, the crosswalk continues to that line.

### ‘Compliance with Australian Standards

‘4D. If this regulation requires a person to fit or use a thing complying with an Australian Standard, the person is taken to comply with the requirement if the thing fitted or used complied with a relevant Australian Standard when it was manufactured.’.

### Omission of s 12 (Parties to offences)

6. Section 12—

*omit.*

### Replacement of s 19 (Obedience to traffic control light signals)

7. Section 19—

*omit, insert—*



**‘Meaning of “cyclist” for part**

**‘19.** In this part—

**“cyclist”** means a bicycle, tricycle or power-assisted cycle rider.

**‘Traffic lights showing red—driver compliance**

**‘19A.** A driver<sup>1</sup> facing a traffic light showing—

- (a) a red circle—must not drive past the stop line for the traffic light or, if there is no stop line, the traffic light; or
- (b) a red arrow—must not drive in the direction the arrow indicates past the stop line for the traffic light or, if there is no stop line, the traffic light; or
- (c) a red ‘X’ above a marked lane—must not drive in the lane with the ‘X’ above it.<sup>2</sup>

Maximum penalty—20 penalty units.

**‘Traffic lights showing red—pedestrian and cyclist compliance on footway**

**‘19B.(1)** This section applies to a pedestrian or cyclist on a footway.

**‘(2)** A pedestrian or cyclist facing a traffic light showing any of the following red symbols must not enter the carriageway to which the symbol relates—

- (a) ‘dont walk’;
- (b) a standing pedestrian;
- (c) a circle.

Maximum penalty—20 penalty units.

**‘(3)** Subsection (2)(a) and (b) apply whether or not the symbol is flashing.

---

<sup>1</sup> ‘Drive’ includes ride. See section 9 of the Act (Definitions).

<sup>2</sup> An example of where there is a red ‘X’ above a marked lane is on the Houghton Highway (joining Brighton and Clontarf).

‘(4) However, a red circle does not prevent a pedestrian or cyclist entering a carriageway if another traffic light the person is facing is showing the following, in green—

- (a) for a pedestrian—‘walk’, or a walking pedestrian;
- (b) for a cyclist—‘walk’, a walking pedestrian or a bicycle symbol.

‘(5) A cyclist facing a traffic light showing a red bicycle symbol must not ride past the traffic light.

Maximum penalty—20 penalty units.

‘(6) Subsection (5) does not apply if the cyclist is so close to the traffic light when it changes from green to red that the cyclist can not safely stop before the traffic light.

#### **‘Traffic lights showing yellow—driver compliance**

‘19C.(1) A driver facing a traffic light showing—

- (a) a steady yellow circle—must not drive past the stop line for the traffic light or, if there is no stop line, the traffic light; or
- (b) a steady yellow arrow—must not drive, in the direction the arrow indicates, past the stop line for the traffic light or, if there is no stop line, the traffic light.

Maximum penalty—20 penalty units.

‘(2) Subsection (1) does not apply if the driver is so close to the traffic light when it changes from green to yellow that the driver can not safely stop before the stop line or traffic light.

‘(3) A driver facing a traffic light showing—

- (a) a flashing yellow circle—may drive past the traffic light; or
- (b) a flashing yellow arrow—may drive past the traffic light in the direction the arrow indicates.

‘(4) A traffic light showing a flashing yellow circle or arrow is a warning to a driver to use caution in the vicinity of the traffic light.

**‘Traffic lights showing yellow—pedestrian and cyclist compliance on footway**

‘**19D.(1)** This section applies to a pedestrian or cyclist on a footway.

‘**(2)** A pedestrian or cyclist facing a traffic light showing a steady yellow circle or arrow must not enter the carriageway to which the symbol relates.

Maximum penalty—20 penalty units.

‘**(3)** Subsection (2) does not prevent a pedestrian or cyclist entering a carriageway if another traffic light the person is facing is showing the following, in green—

- (a) for a pedestrian—‘walk’, or a walking pedestrian;
- (b) for a cyclist—‘walk’, a walking pedestrian or a bicycle symbol.

‘**(4)** A traffic light showing a flashing yellow circle or arrow is a warning to a pedestrian or cyclist to use caution in the vicinity of the traffic light.

**‘Traffic lights showing green—driver compliance**

‘**19E.** A driver facing a traffic light showing—

- (a) a green circle—may drive past the traffic light; or
- (b) a green arrow (other than an arrow pointing downwards)—may drive past the traffic light in the direction the arrow indicates; or
- (c) a green arrow pointing downwards above a marked lane—may drive in the lane with the arrow above it.

**‘Traffic lights showing green—pedestrian and cyclist compliance on footway**

‘**19F.(1)** This section applies to a pedestrian or cyclist on a footway.

‘**(2)** A pedestrian or cyclist facing a traffic light showing any of the following green symbols may enter the carriageway to which the symbol relates—

- (a) a circle;
- (b) ‘walk’, or a walking pedestrian.

‘(3) However, a green circle does not allow a pedestrian or cyclist to enter the carriageway if another traffic light the person is facing is showing ‘dont walk’, or a standing pedestrian, in red (whether steady or flashing).

‘(4) A cyclist facing a traffic light showing a green bicycle symbol may ride past the traffic light.

### ‘Traffic lights showing white ‘B’

‘19G. The driver of a bus, taxi, limousine or emergency vehicle facing a traffic light showing a white ‘B’ may drive past the traffic light.

### ‘Effect of ss 19A–19G on other obligations

‘19H. Nothing in sections 19A to 19G relieves anyone from the obligation to comply with another provision of this regulation.

*Examples—*

1. Requirements to give way to vehicles, pedestrians and other traffic still apply to drivers.
2. Drivers still must not enter, or attempt to cross, an intersection blocked by vehicles.
3. Drivers and pedestrians still must obey all directions given under this regulation by police officers.
4. Obligations on pedestrians crossing carriageways still apply.’.

### Amendment of s 20 (Obedience to signs)

8.(1) Section 20, heading—

*omit, insert—*

‘Obedience to certain signs’.

(2) Section 20(2)—

*omit, insert—*

‘(2) A driver facing an official traffic sign with an arrow and ‘one way’ on the sign must drive in the direction the arrow indicates.<sup>3</sup>

Maximum penalty—20 penalty units.’

(3) Section 20(3), ‘displayed upon a road to face the driver’—  
*omit.*

(4) Section 20(5) to (9)—  
*omit, insert—*

‘(5) A driver at a bridge facing an official traffic sign with ‘no overtaking on bridge’ on it must not overtake a vehicle between the sign and the far end of the bridge.

Maximum penalty—20 penalty units.

‘(6) A driver facing an official traffic sign stating a bridge load limit at a bridge must not drive on the bridge if the driver’s vehicle, anything attached to it and anything on the vehicle or thing attached, is heavier than the load limit.<sup>4</sup>

Maximum penalty—20 penalty units.

‘(7) A driver facing a speed restriction sign for a bridge must not exceed the speed limit in kilometres per hour indicated by the sign between the sign and the far end of the bridge.

Maximum penalty—20 penalty units.

‘(8) A driver must drive to the left of an official traffic sign with ‘keep left’ on it.

Maximum penalty—20 penalty units.

‘(9) A driver must drive to the right of an official traffic sign with ‘keep right’ on it.

Maximum penalty—20 penalty units.’

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<sup>3</sup> See part 6 (Giving way) for signs that require a driver to give way, including stop signs.

<sup>4</sup> A motor vehicle includes a trailer attached to or drawn by a motor vehicle. See section 9 of the Act, def “motor vehicle”.

(5) Section 20(12)—

*omit, insert—*

‘(12) A driver facing an official traffic sign with ‘no overtaking or passing’ on it must not do either of the following—

- (a) if a vehicle approaching from the opposite direction is between the sign and a sign of the same shape on the opposite side of the road—drive past the sign;
- (b) overtake another vehicle between the sign and a sign of the same shape on the opposite side of the road.

Maximum penalty—20 penalty units.’.

(6) Section 20(13), ‘, that is displayed upon a road to face the driver,’—

*omit.*

(7) Section 20(14)—

*omit.*

(8) Section 20(15), ‘, that is displayed upon a road to face the driver,’—

*omit.*

(9) Section 20(16), ‘upon which a cyclists dismount sign is displayed to face the rider’—

*omit, insert—*

‘at a place where there is a cyclists dismount sign’.

(10) Section 20(17), ‘displayed upon a road to face the driver’—

*omit.*

(11) Section 20(18)—

*omit, insert—*

‘(18) The driver of a vehicle of more than 4.5 t GVM (other than a bus) must not drive the vehicle past a truck prohibition sign.

Maximum penalty—20 penalty units.’.

**Amendment of s 33 (Meaning of “give way”)****9. Section 33—***insert—*

‘(2) However, this part does not require a driver to give way to a vehicle leaving a driveway of a house, service station or other premises or a footway, unless the vehicle is an emergency vehicle that the driver is required to give way to under section 37.5’.

**Replacement of ss 34 and 35****10. Sections 34 to 35—***omit, insert—***‘Stop, give way and give way to pedestrians signs**

‘**34.(1)** A driver facing a stop sign at an intersection must—

- (a) stop the vehicle before, and as near as practicable to, the stop line for the sign, or if there is no stop line, the intersection; and
- (b) give way to all traffic that is approaching, entering or on the intersection.<sup>6</sup>

Maximum penalty—20 penalty units.

‘(2) A driver facing a give way sign at an intersection must give way to all traffic that is approaching, entering or on the intersection.

Maximum penalty—20 penalty units.

‘(3) Despite subsections (1) and (2), the driver is not required to give way to a vehicle driving onto a carriageway from a slip lane or making a U-turn.

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<sup>5</sup> Section 37 requires drivers to do everything reasonably practicable to give way to, and get out of the way of, an emergency vehicle sounding its siren or repeater horn or flashing its warning lights.

<sup>6</sup> ‘Traffic’ includes all pedestrians, vehicles, trams, trains, animals or other movable things. See section 9 of the Act.

‘(4) However, if 2 or more drivers at an intersection must give way to each other because of a stop or give way sign, the sign is to be disregarded but only for working out which of them gives way to the other.

‘(5) A driver must not drive a vehicle past a give way sign on a narrow section of road if there is a reasonable possibility that the vehicle and a vehicle travelling in the opposite direction will pass each other between the sign and the other end of the section of road.

Maximum penalty—20 penalty units.

‘(6) A driver facing a give way to pedestrians sign at an intersection must give way to all pedestrians who are approaching, entering or on the intersection.

Maximum penalty—20 penalty units.

#### **‘Giving way—roundabout signs**

‘34A. A driver facing a roundabout sign at a roundabout must give way to all vehicles that are on the roundabout.

Maximum penalty—20 penalty units.

#### **‘Giving way—turn left and turn right at any time with care signs**

‘34B. A driver who is driving onto a carriageway from a slip lane with an official traffic sign, on or near the lane, with ‘turn left at any time with care’ or ‘turn right at any time with care’ on it must give way to all traffic when driving onto the carriageway.

Maximum penalty—20 penalty units.

#### **‘Giving way—U-turns**

‘34C. A driver making a U-turn must give way to all traffic.<sup>7</sup>

Maximum penalty—20 penalty units.

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<sup>7</sup> See section 47 (Where U-turns can not be made).



**‘Giving way to the right (other than at roundabout or T-intersection)**

**‘34D.(1)** A driver at an intersection (other than a roundabout or T-intersection) must give way to all vehicles on the driver’s right that are approaching, entering or on the intersection, unless the other vehicle is facing a stop or give way sign.<sup>8</sup>

Maximum penalty—20 penalty units.

**‘(2)** However, the driver is not required to give way to a vehicle—

- (a) travelling in the opposite direction and turning right at the intersection; or
- (b) driving onto a carriageway from a slip lane; or
- (c) making a U-turn.

**‘(3)** This section does not apply to a driver facing a stop or give way sign.<sup>9</sup>

**‘Other give way obligations for drivers turning right**

**‘34E.(1)** A driver turning right at an intersection must give way to all vehicles travelling in the opposite direction that are approaching, entering or on the intersection and—

- (a) turning left at the intersection; or
- (b) not turning at the intersection.

Maximum penalty—20 penalty units.

**‘(2)** However, the driver is not required to give way to a vehicle facing a stop or give way sign, making a U-turn or driving onto a carriageway from a slip lane.<sup>8</sup>

**‘(3)** This section does not apply to a driver facing a stop or give way sign.

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<sup>8</sup> This section applies if 2 or more drivers must give way to each other. See section 34(4).

<sup>9</sup> See section 34 (Stop, give way and give way to pedestrian signs)

**‘Giving way to vehicles at T-intersections**

‘**34F.(1)** This section does not apply to a driver facing a stop or give way sign.

‘**(2)** A driver travelling on a road that ends at a T-intersection must give way to all vehicles travelling on the road that continues through the intersection that are approaching, entering or on the intersection.

Maximum penalty—20 penalty units.

‘**(3)** However, the driver is not required to give way to a vehicle facing a stop or give way sign or making a U-turn.

**‘Drivers turning left or right at intersections to give way to pedestrians**

‘**35.(1)** This section does not apply to a driver facing a stop or give way sign or an official traffic sign with ‘turn left at any time with care’ or ‘turn right at any time with care’ on it.

‘**(2)** A driver turning left or right at an intersection must give way to all pedestrians during the execution of the turn.

Maximum penalty—20 penalty units.’.

**Replacement of s 44 (Right turns)**

**11.** Section 44—

*omit, insert—*

**‘Right turns to enter land abutting a road**

‘**43A.(1)** A driver who is about to turn right to enter land abutting a 1-way carriageway must position the driver’s vehicle so it is parallel and as near as practicable to the carriageway’s right edge.

‘**(2)** A driver who is about to turn right to enter land abutting a 2-way carriageway must position the driver’s vehicle so it is parallel and as near as practicable to and left of the carriageway’s centre-line.

Maximum penalty—20 penalty units.

**‘Right turns—vehicles other than bicycles, tricycles and power-assisted cycles**

**‘43B.(1)** A driver who wants to turn right at an intersection must approach the intersection so that the driver’s vehicle is parallel and as near as practicable to—

- (a) for a 1 way carriageway—the carriageway’s right edge; or
- (b) for a 2 way carriageway—the carriageway’s centre-line.<sup>10</sup>

Maximum penalty—20 penalty units.

**‘(2)** Subsection (1) does not apply to—

- (a) a vehicle in a marked lane from which a person may make a right turn because of an official traffic sign; or
- (b) a vehicle to which section 44A applies.

**‘(3)** A driver making a right turn at an intersection must make the turn so that—

- (a) for an intersection (other than a roundabout)—if practicable, the driver’s vehicle passes to the right of the centre of the intersection;<sup>11</sup> and
- (b) the vehicle leaves the intersection—
  - (i) for a 1-way carriageway—as near as practicable to the right edge of the carriageway it is entering; or
  - (ii) for a 2-way carriageway—to the left of the centre-line of the carriageway it is entering.

Maximum penalty—20 penalty units.

**‘(4)** This section does not apply to bicycle, tricycle and power-assisted cycle riders.

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<sup>10</sup> An intersection includes a roundabout. See section 4, def “roundabout”.

<sup>11</sup> Drivers using roundabouts must drive to the left of the centre island. See section 29 (Driving through roundabouts)

**‘Right turns—bicycles, tricycles and power-assisted cycles**

**‘43C.(1)** A bicycle, tricycle or power-assisted cycle rider who wants to turn right at an intersection must approach the intersection and enter it—

- (a) for a 1-way carriageway—as near as practicable to the right edge of the carriageway; or
- (b) for a 2-way carriageway with marked lanes—
  - (i) if an official traffic sign requires the rider to either turn right or ride straight ahead, or either turn right or left—to the left of the centre-line of the carriageway and as near as practicable to the lane’s right edge; or
  - (ii) if an official traffic sign requires the rider to turn right—as near as practicable to the lane’s left edge; or
- (c) for a 2-way carriageway without marked lanes—
  - (i) if there is no official traffic sign indicating the direction in which the rider may ride—as near as practicable to the centre-line of the carriageway; or
  - (ii) if an official traffic sign requires the rider to turn right—as near as practicable to the carriageway’s left edge.

Maximum penalty—20 penalty units.

**‘(2)** The rider must make the turn so that—

- (a) for an intersection (other than a roundabout)—if practicable, the cycle passes to the right of the centre of the intersection; and
- (b) the cycle leaves the intersection—
  - (i) for a 1-way carriageway—as near as practicable to the right edge of the carriageway it is entering; or
  - (ii) for a 2-way carriageway—to the left of the centre-line of the carriageway it is entering.

Maximum penalty—20 penalty units.

**‘(3)** The rider may also turn right at an intersection (other than a roundabout) by—

- (a) approaching the intersection parallel and as near as practicable to the left edge of the carriageway or bicycle lane the rider is about to leave; and
- (b) continuing on that course to a point as near as practicable to the far edge of the carriageway being entered; and
- (c) turning right and riding straight ahead.

‘(4) However, if the intersection is traffic light controlled, the rider must wait at the position mentioned in subsection (3)(b), and must not turn right, until a traffic light showing a green circle allows drivers on the carriageway being entered to proceed.

‘(5) For subsection (4), an intersection is not traffic light controlled if the only symbol showing is a flashing yellow symbol.

#### ‘Making turns indicated by markings or other signs

‘44. Despite sections 43A, 43B and 43C(1) and (2), a driver turning right at an intersection must comply with an official traffic sign marked or placed so as to indicate that the driver must turn right in a different way from that required under the sections.

Maximum penalty—20 penalty units.’.

#### Amendment of s 45 (Turn right and stop signals)

12.(1) Section 45, heading, ‘right’—

*omit.*

(2) Section 45(1) and (2)—

*omit, insert—*

‘45.(1) A driver who is about to do any of the following must signal his or her intention to do so, in a way required by this section, for the time necessary to give reasonable warning of the intention to other road users—

- (a) diverge left;
- (b) diverge right;
- (c) turn left;

- (d) turn right;
- (e) make a U-turn;
- (f) stop;
- (g) suddenly reduce speed.

Maximum penalty—20 penalty units.

‘(2) However, a driver does not have to give a diverge or turn left signal if the driver’s vehicle does not have a left turn signalling device of a type that must, or may, be fitted under this regulation.’.

(3) Section 45(3), from ‘For the purposes of’ to ‘deemed’—

*omit, insert—*

‘Without limiting subsection (1), a signal is taken’.

(4) Section 45(4), penalty—

*omit.*

(5) Section 45(4A)—

*omit.*

(6) Section 45(5), penalty—

*omit.*

(7) Section 45(6)—

*omit.*

### **Replacement of s 47 (U-turns)**

**13.** Section 47—

*omit, insert—*

#### **‘Where U-turns can not be made**

‘**47.(1)** A driver must not make a U-turn—

- (a) in contravention of a no U-turn sign; or
- (b) if the driver does not have a clear view of traffic for at least 150 m in all directions of travel; or

(c) at an intersection where traffic lights are operating.

Maximum penalty—20 penalty units.

‘(2) Subsection (1)(c) does not apply to a driver facing a U-turn permitted sign.’.

### **Amendment of s 69 (Lighting of vehicles)**

**14.** Section 69(1)(a)—

*omit, insert—*

‘(a) a motor vehicle, unless each of the following lamps the vehicle is required to have is lit—

- headlamps
- rear lamps
- clearance lamps
- side marker lamps
- a rear number plate lamp; or’.

### **Amendment of s 74 (Towing conditions)**

**15.(1)** Section 74(1), from ‘A person’ to ‘unless—’—

*omit, insert—*

‘A person must not drive a vehicle towing a vehicle other than a trailer unless—’.

**(2)** Section 74(1)(c)—

*omit, insert—*

‘(c) the thing joining the vehicles has a clearly visible red flag or another effective warning of danger (a **“warning marker”**) on it; and’.

**(3)** Section 74(1)(e) and (1A)—

*omit, insert—*

‘(e) during hours of darkness—

- (i) the towed vehicle has a lamp showing red light or, if a lamp is not available and an emergency exists, an effective red reflector, fixed to the centre, or right of centre, of the part of the towed vehicle facing to the rear; and
- (ii) in clear conditions, someone 200 m behind the towed vehicle can see the light or reflected light; and
- (iii) a lamp showing white light and fixed to the towed or towing vehicle makes the warning marker clearly visible; and
- (iv) no light from the towed vehicle (other than red light or light from a clearance lamp, side marker lamp or rear lamp) can be seen by the driver of a vehicle following it.

Maximum penalty—20 penalty units.’

#### **Amendment of s 144 (Drivers must not obstruct other traffic)**

**16.** Section 144(1)—

*omit, insert—*

‘**144.(1)** The driver of a vehicle must not wilfully obstruct, hinder, or prevent the free passage of a person, vehicle or train.

Maximum penalty—20 penalty units.’

#### **Replacement of s 144B (Brisbane city driving restrictions)**

**17.** Section 144B—

*omit, insert—*

#### **‘Brisbane city driving restrictions**

‘**144B.(1)** This section applies to a vehicle—

- (a) with at least 2 decks for carrying vehicles, carrying a motor vehicle on the upper deck; or
- (b) carrying a motor vehicle of which more than 50 cm is above the roof of the driver’s cabin of the carrying vehicle.

‘**(2)** A person must not drive a vehicle to which this section applies on or within the boundary described in schedule 10—



(a) between 7.00 a.m. and 6.00 p.m. on a weekday; or

(b) between 7.00 a.m. and midday on Saturday.

Maximum penalty—20 penalty units.’

### **Replacement of s 207 (Prescribed offences for the Act, pt 6B)**

**18.** Section 207—

*omit, insert—*

#### **‘Prescribed offences for pt 6B of the Act**

‘**207.** An offence against section 19A(a) or (b) is a prescribed offence for part 6B of the Act.<sup>12</sup>’

### **Insertion of new sch 1, pt 1**

**19.** Schedule 1—

*insert—*

## **‘PART 1—GENERAL**

### **‘Load and other things are part of vehicle’s dimensions for schedule**

‘**1.** In this schedule, a vehicle is taken to include anything on the vehicle, unless otherwise stated.<sup>13</sup>’

### **Replacement of sch 1, ss 6–8**

**20.** Schedule 1, sections 6 to 8—

*omit, insert—*

#### **‘Number of headlamps**

‘**6.(1)** A motor vehicle (other than a motorcycle) must have the following number of headlamps—

<sup>12</sup> Part 6B of the Act is about camera-detected offences.

<sup>13</sup> A motor vehicle includes a trailer attached to or drawn by a motor vehicle. See section 9 of the Act, def “motor vehicle”.

- (a) for a 3-wheeled vehicle—1;
- (b) for another motor vehicle—2 or 4.

‘(2) However, a 3-wheeled vehicle wider than 1.1 m but not wider than 1.5 m may have 2 headlamps.

‘(3) A motorcycle must have 1 headlamp.

### ‘Requirements for vehicles with 2 or 4 headlamps

‘7.(1) A vehicle with 2 headlamps must have 1 headlamp on each side of the vehicle.

‘(2) A vehicle with 4 headlamps must have 2 headlamps on each side of the vehicle.

‘(3) Each headlamp must be—

- (a) about the same in candle power and at the same height; and
- (b) fixed so the centres of the lamps or, if the vehicle has 4 headlamps, the inner lamps, are at least 600 mm apart and at the same distance from the vehicle’s front-to-rear centre-line.<sup>14</sup>

### ‘Effective range of certain headlamps

‘8.(1) The beam of light from a headlamp connected to a dipping device on a vehicle (other than a motorcycle, or a 3-wheeled vehicle not wider than 1.5 m) must have an effective range of at least 50 m.<sup>15</sup>

‘(2) The beam of light from a headlamp on a motorcycle, or a 3-wheeled vehicle not wider than 1.5 m, must have an effective range of at least—

- (a) for a vehicle with an engine capacity of not more than 100 mL—12 m; or
- (b) for a vehicle with an engine capacity of more than 100 mL but not more than 200 mL—25 m.’.

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<sup>14</sup> See sections 19 and 20 for further requirements for headlamps.

<sup>15</sup> For the effective range of dipped headlamps and headlamps without a dipping device see sections 19(2) and 20.

**Amendment of sch 1, s 9 (Rear lamps)**

**21.(1)** Schedule 1, section 9(2)—

*insert—*

‘(d) be wired so it is always lit when the vehicle’s headlamps are lit.’.

**(2)** Schedule 1, section 9(3), ‘hauled during the hours of darkness’—

*omit, insert—*

‘towed during hours of darkness’.

**Replacement of sch 1, ss 11–15**

**22.** Schedule 1, sections 11 to 15—

*omit, insert—*

**‘Clearance and side marker lamps—certain motor vehicles**

**‘11.(1)** This section applies to a motor vehicle at least 2.2 m wide.<sup>16</sup>

**‘(2)** However, this section does not apply to a trailer or an articulated vehicle.

**‘(3)** A vehicle to which this section applies must have on each side—

- (a) 1 clearance lamp to show amber light, on or within 300 mm of the front of the vehicle; and
- (b) 1 clearance lamp to show red light, on or within 300 mm of the rear of the vehicle; and
- (c) if the vehicle is longer than 7.5 m and the light from a rear clearance lamp can not be seen by someone who is at a right angle to the side of the vehicle—1 side marker lamp within 150 mm of the rear of the vehicle.

**‘(4)** For subsection (1), a rear-vision mirror or signalling device on the vehicle is not part of the vehicle.

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<sup>16</sup> For further requirements about clearance and side marker lamps see sections 24 to 28.

**‘Clearance and side marker lamps—articulated motor vehicles and certain trailers**

‘**12.(1)** This section applies to a trailer and an articulated vehicle.<sup>15</sup>

‘**(2)** However, this section does not apply to a pole-type trailer.

‘**(3)** The prime mover of a semitrailer must have 1 clearance lamp to show amber light, on each side on the front of the prime mover.

‘**(4)** A semitrailer, or another trailer (including anything on it) at least 2.2 m wide or that extends at least 150 mm past a side of the vehicle towing it, must have on each side—

- (a) 1 clearance lamp to show amber light, on or within 300 mm of the front of the vehicle; and
- (b) 1 clearance lamp to show red light, on or within 300 mm of the rear of the vehicle; and
- (c) 1 side marker lamp within 300 mm of the front of the trailer; and
- (d) 1 side marker lamp within 300 mm of the rear of the trailer; and
- (e) if the trailer is longer than 7.5 m—
  - (i) another clearance lamp to show amber light to the front and red light to the rear, fixed about halfway between the front and the rear clearance lamps; and
  - (ii) another side marker lamp, fixed about halfway between the front and the rear side marker lamps.

‘**(5)** A trailer built mainly to carry boats complies with subsection (4) if—

- (a) the following lamps are securely fixed or attached on each side of the trailer or a boat—
  - (i) 1 clearance lamp to show amber light to the front and red light to the rear;
  - (ii) 1 side marker lamp; and
- (b) the lamps are about halfway along the trailer’s length; and
- (c) the lamps on opposite sides are at least 2 m apart or at least 150 mm outwards past the side of the towing vehicle.

‘(6) A trailer wider than 1 m and towed by a motorcycle must have 1 clearance lamp to show amber light, on each side on the front of the trailer.

**‘Clearance and side marker lamps—pole-type trailers and motor vehicles with bolsters**

‘13.(1) A pole-type trailer or motor vehicle with a bolster must have—

- (a) 1 clearance lamp to show amber light, on and within 300 mm of each end of the front surface of the bolster or, if there are 2 or more bolsters, the front surface of the rear bolster; and
- (b) 1 clearance lamp to show red light, on and within 300 mm of each end of the rear surface of the bolster or, if there are 2 or more bolsters, the rear surface of the rear bolster; and
- (c) 1 side marker lamp on and within 300 mm of each end of 1 bolster.<sup>16</sup>

‘(2) A motor vehicle with a bolster must also have 1 clearance lamp to show amber light, on each side on the front of the vehicle.

**‘Front and side reflectors—pole-type and sugar cane trailers and motor vehicles with bolsters**

‘14.(1) A pole-type trailer must have red reflectors no more than 1.25 m apart along the pole’s right and left surfaces.<sup>17</sup>

‘(2) A motor vehicle with a bolster must have 1 white or amber reflector on the left and right side of the front surface of the front (or only) bolster.

‘(3) A sugar cane trailer wider than 2.19 m towed during hours of darkness must have 1 white reflector on each side on the front of the trailer, fixed—

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<sup>17</sup> For further requirements about reflectors see sections 25 (Clearance and side marker lamps and reflectors—mounting), 29 (Reflectors) and 30 (Reflectors on bolsters).

- (a) at least 350 mm but no more than 900 mm from the ground; and
- (b) so a side of the trailer is no more than 150 mm outwards past the reflector.’.

### **Replacement of sch 1, s 20 (Headlamps without dipping devices)**

**23.** Schedule 1, section 20—

*omit, insert—*

#### **‘Headlamps without dipping devices—beam of light**

‘**20.** The beam of light from a headlamp not required under this regulation to have a dipping device must have an effective range of at least 25 m and be deflected downwards, so that on flat ground the light from the top of the brightest part of the beam is—

- (a) at 8 m in front of the vehicle—no higher than the centre of the headlamp; and
- (b) at 22 m in front of the vehicle—no more than 1 m above the ground.’.

### **Omission of sch 1, s 22 (Alternative headlamps requirements)**

**24.** Schedule 1, section 22—

*omit.*

### **Amendment of sch 1, s 22A (Parking lamps)**

**25.(1)** Schedule 1, section 22A, from ‘**Parking lamps**’ to ‘2 lamps—’—

*omit, insert—*

#### **‘Front parking lamps—general requirements**

‘**22A.(1)** A motor vehicle first registered after 31 December 1965 (other than a motorcycle without a sidecar) must have 2 lamps—’.

**(2)** Schedule 1, section 22A(1)(c)(i)—

*omit, insert—*

‘(i) their centres are the same distance from the vehicle’s front-to-rear centre-line; and’.

(3) Schedule 1, section 22A(1)(c)—

*insert—*

‘(iv) each is at the same height; and

(d) wired so that each lamp is always lit when a headlamp on the vehicle is lit.’.

(4) Schedule 1, section 22A(2) and (3)—

*omit, insert—*

‘(2) However, if the lamp is on a 3-wheeled vehicle not wider than 1.5 m, the lamp must be placed so the vehicle’s width does not extend more than 510 mm past the centre of the lamp.

‘(3) Subsection (2) does not apply to a motorcycle with a sidecar.

‘(4) A motorcycle first registered after 31 December 1965, with a sidecar, must have 1 lamp on the motorcycle and 1 lamp on the sidecar each complying with subsection (1)(a), (b) and (d).

‘(5) The lamp on the sidecar must be placed so the sidecar’s width does not extend more than 300 mm past the centre of the lamp.’.

## **Replacement of sch 1, ss 23 and 24**

26. Schedule 1, sections 23 and 24—

*omit, insert—*

### **‘Side marker lamps—colours**

‘24.(1) A side marker lamp must show—

- (a) if the lamp is required to be within 300 mm of the rear of the vehicle—red light to the side; or
- (b) if the lamp is required to be in another position—amber light to the side.

‘(2) A combined side marker lamp and clearance lamp complies with subsection (1) if it shows amber and red light to the side of the vehicle.’.

**Replacement of sch 1, s 37 (Optional forward facing lamps and reflectors)**

27. Schedule 1, section 37—

*omit, insert—*

**‘Optional front parking lamps and reflectors**

‘37. A motor vehicle may have—

- (a) 2 lamps of not more than 7 W to show white light to the front, symmetrically placed on each side on the front of the vehicle; and
- (b) white reflectors—
  - (i) symmetrically placed on each side of the front of the vehicle; or
  - (ii) on the right of the vehicle and reflecting to the front.’.

**Replacement of sch 1, s 39 (Signalling devices)**

28. Section 39—

*omit, insert—*

**‘Optional flashing turn signal devices**

‘38A. A motor vehicle may have a turn signal lamp complying with sections 72B and 72E.

**‘Optional flashing turn signals as hazard lights**

‘39.(1) A motor vehicle may have equipment that makes each turn signal lamp fitted to it under this regulation flash at the same time and at least 60, but not more than 120, times a minute.

‘(2) The equipment must include a telltale that can be seen and heard and indicates to the driver that the equipment is operating.’.

**Replacement of sch 1, s 42 (Additional headlamps)**

29. Schedule 1, section 42—

*omit, insert—*



**‘Additional headlamps**

- ‘42.(1)** A motorcycle may have 1 additional headlamp.
- ‘(2)** Another motor vehicle may have 1 or 2 additional headlamps.
- ‘(3)** Each additional headlamp must—
- (a) show a beam of white light only, with an effective range of at least 50 m; and
  - (b) be able to be lit only when the vehicle’s other headlamps are not dipped; and
  - (c) be fitted so its centre is no more than 1.4 m from the ground.’.

**Amendment of sch 1, s 42A (Flashing warning lights for emergency vehicles)**

**30.(1)** Section 42A(2), ‘provided’—

*omit, insert—*

‘if’.

**(2)** Schedule 1, section 42A(3) and (4)—

*omit.*

**Replacement of sch 1, ss 53 and 54**

**31.** Schedule 1, sections 53 and 54—

*omit, insert—*

**‘Mudguards**

**‘53.(1)** A vehicle must have a mudguard for each wheel on the front and rear axle unless—

- (a) it is—
  - (i) a bicycle, tricycle or power-assisted cycle; or
  - (ii) a pole-type trailer used only or mainly for work in a forest;  
or
  - (iii) a forklift; or

- (b) the vehicle's body will, as far as practicable, catch or deflect downwards stones, mud, water or anything else thrown upwards by the rotation of the wheels; or
- (c) the vehicle's body makes it impracticable to fit mudguards.

'(2) However, a vehicle used only or mainly to tow a trailer need not have mudguards for each of the rear wheels of the towing vehicle.

'(3) A motorcycle sidecar must have a mudguard for the wheel of the sidecar.'

### **Replacement of sch 1, s 60 (Brakes—adjusting devices)**

**32.** Schedule 1, section 60—

*omit, insert—*

#### **'Brake adjusting devices**

'**60.** A braking system required by this division must have an adjusting device that enables the brakes to be taken up and locked in the adjusted position.'

### **Replacement of sch 1, div 6, first sentence**

**33.** Schedule 1, division 6, first sentence—

*omit, insert—*

#### **'Application of division**

'**63A.** Unless otherwise stated, this division applies to all motor vehicles.'

### **Replacement of sch 1, ss 64 and 65**

**34.** Schedule 1, sections 64 and 65—

*omit, insert—*

#### **'Steering**

'**64.(1)** A vehicle must be easy to steer.'

‘(2) The vehicle must have steering arms and connections designed to prevent—

- (a) the arms and connections coming loose; and
- (b) the amount of steering lock becoming unsafe.

‘(3) The steering connections must be securely fastened by a suitable locking device.

‘(4) The steering wheel or control must be on the right of the vehicle.

‘(5) However, if the vehicle has handlebars, the pivot for the handlebars must be on or to the right of the vehicle’s front-to-rear centre-line.

‘(6) If part of the steering mechanism is in an exposed position, the exposed part must be protected from damage.

### ‘Turning circle

‘65.(1) The diameter of a vehicle’s left and right turning circles must not be more than 25 m.

‘(2) The circumference of the turning circle is the outer edge of the tyre track at ground level.’.

### Replacement of sch 1, ss 67 and 68

35. Schedule 1, sections 67 and 68—

*omit, insert—*

### ‘Drip trays

‘67.(1) A vehicle must be equipped so that no inflammable substance comes into contact with its generator, starter motor or other electrical equipment or its exhaust pipe.

‘(2) A drip tray under a vehicle’s carburettor must be designed so any fuel in the tray drains away rapidly.

### ‘Windscreens, windows and interior partitions

‘68.(1) A windscreen of a vehicle first registered after 31 December 1941 may only be made of transparent safety glass.

‘(2) A transparent window or interior partition of a vehicle first registered after 31 December 1961 may only be made of safety glass or shatter resistant material.

‘(3) A replacement windscreen for any vehicle may only be made of transparent safety glass.

‘(4) A replacement transparent window or interior partition for any vehicle may only be made of safety glass or shatter resistant material.

‘(5) In this section—

“**safety glass**” means glass designed or treated so that if it breaks it is likely to cause less injury to persons than ordinary glass.’.

### **Replacement of sch 1, s 70A (Reversing alarms)**

36. Schedule 1, section 70A—

*omit, insert—*

#### **‘Reversing alarms**

‘70A.(1) A motor vehicle may have a device giving an audible warning that the vehicle is in reverse gear.

‘(2) The device must be able to give the warning only if the vehicle is in reverse gear.

‘(3) The sound of the warning must not vary substantially or be louder than is necessary to give the warning.’.

### **Replacement of sch 1, s 72 (Signalling devices)**

37. Schedule 1, section 72—

*omit, insert—*

#### **‘Signalling devices—motor vehicles from which hand and arm signals can not be given**

‘72.(1) This section applies if—

- (a) the right side of a vehicle is more than 610 mm past the vehicle’s steering wheel; or

- (b) someone driving a vehicle can not use his or her arm and hand to give a clear signal of intention to turn right, stop or reduce speed suddenly, because of the construction, equipment or load of the vehicle or a trailer towed by it.

‘(2) A motor vehicle to which this section applies must have a stop or reduce speed suddenly signalling device that is—

- (a) for a vehicle first registered before 1 January 1934—
  - (i) 1 brake lamp complying with sections 31, 34 and 72B; or
  - (ii) 1 hand shaped signalling device complying with sections 72B and 72C; or
- (b) if paragraph (a) does not apply—1 brake lamp complying with sections 31, 34 and 72B.

‘(3) If a motor vehicle to which this section applies was first registered before 1 January 1962, the vehicle must have a turn right signalling device that is—

- (a) 1 hand shaped device complying with sections 72B and 72C; or
- (b) lamps complying with sections 72B and 72E (other than the requirement that there be 1 lamp on each side of the vehicle).

**‘Signalling devices—flashing turn signal lamps to be fitted to certain motor vehicles first registered after 31 December 1961**

‘72A.(1) A motor vehicle first registered after 31 December 1961 must have turn right and turn left signalling devices complying with sections 72B and 72E, unless it is—

- (a) a motorcycle manufactured before 1 January 1985; or
- (b) a pole-type trailer used only or mainly for work in a forest; or
- (c) a forklift; or
- (d) fitted with semaphore turn left and turn right signalling devices complying with this regulation and of a type fitted as original equipment when the vehicle was manufactured.

‘(2) However, a vehicle towing any of the following trailers complies with subsection (1) if the devices are on the towing vehicle and the signals are not obscured by the trailer—

- (a) a general purpose load carrying trailer with an unladen weight of not more than 250 kg;
- (b) a trailer that is a concrete mixer or air compressor;
- (c) a trailer designed to carry plant or equipment.

#### ‘Signalling devices—general requirements

‘72B. A turn right, turn left or stop or reduce speed suddenly signalling device must comply with the following—

- (a) its signals must be clearly visible in clear conditions by day and night from at least 60 m away;
- (b) it must be easy for the driver to operate from the driving position;
- (c) when not in use it must not be likely to mislead other road users;
- (d) unless it is a brake lamp—
  - (i) it must be fitted so the signal can be seen by the driver directly or in a fixed mirror; or
  - (ii) its operation must be indicated by a visible or audible telltale;
- (e) if it is illuminated, it must not cause glare, dazzle other road users or impair the driver’s vision.

#### ‘Signalling devices—hand shaped

‘72C. A hand shaped signalling device must be an amber or white replica of the human hand, with the palm facing the front, that—

- (a) is at least 150 mm long and at least half its length wide; and
- (b) if lit—is lit by a steady white or amber light; and
- (c) for a stop or reduce speed suddenly signal—has the thumb adjacent to the right side of the vehicle and the fingers extended and pointing upwards; and

- (d) for a turn right or turn left signal—is on the appropriate side of the vehicle and has the thumb uppermost and the fingers extended and pointing in the direction of the intended turn.

#### **‘Signalling devices—semaphore**

**‘72D.** A semaphore turn signalling device must—

- (a) be amber in colour and illuminated; and
- (b) be at least 25 mm wide, but no wider than one-quarter of its length; and
- (c) be at least 500 mm but not more than 2 m above the ground; and
- (d) operate so—
  - (i) at least 150 mm of its length is visible to the front and rear of the vehicle when it is in use; and
  - (ii) it is not visible when it is not in use; and
- (e) be fitted to the appropriate side of the vehicle.

#### **‘Signalling devices—requirements for flashing turn signal lamps**

**‘72E.(1)** This section states the turn signal lamp requirements for sections 38A, 72(3)(b) and 72A(1).

**‘(2)** A rigid vehicle must have the following flashing turn signal lamps—

- (a) for a vehicle not longer than 7.5 m—
  - (i) 1 lamp on each side to show amber or white light to the front and amber light to the rear of the vehicle; or
  - (ii) 1 lamp on each side on the front of the vehicle to show amber or white light to the front, and 1 lamp on each side of the rear of the vehicle to show amber light to the rear; or
- (b) for a vehicle longer than 7.5 m—1 lamp on each side of the front of the vehicle to show amber light to the front, and 1 lamp on each side of the rear of the vehicle to show amber light to the rear.

‘(3) An articulated vehicle must have 1 turn signal lamp on each side of the front of the vehicle to show amber light to the front, and 1 turn signal lamp on each side of the rear of the vehicle to show amber light to the rear.

‘(4) However, turn signal lamps on a vehicle first registered before 1 January 1962 may show either red or amber light to the rear.

‘(5) A turn signal lamp must—

- (a) be placed so the vehicle’s width does not extend more than 500 mm past the lamp; and
- (b) be at least 400 mm but no more than 2 m from the ground; and
- (c) have the same control switch as each other turn signal lamp on the vehicle; and
- (d) within 1 second of being switched on, flash at a regular rate of at least 60, but not more than 120, times a minute, and at the same time as each other turn signal lamp on the same side of the vehicle.

‘(6) The turn signal lamps on a motor vehicle must be similar and symmetrically placed.

‘(7) The distance between the turn signal lamps must be—

- (a) for a vehicle other than a motorcycle—at least 800 mm; or
- (b) for a motorcycle—
  - (i) for lamps to show light to the front—at least 300 mm but not more than 800 mm; or
  - (ii) for lamps to show light to the rear—at least 300 mm.’.

### **Replacement of sch 1, s 76 (Silencers)**

**38.** Schedule 1, section 76—

*omit, insert—*

#### **‘Mufflers and exhaust outlets**

‘76.(1) A vehicle’s engine exhaust must pass through an efficient muffler that prevents the exhaust making excessive noise.



‘(2) The exhaust outlet must be positioned so that exhaust is not emitted directly onto the road.’.

### **Replacement of sch 1, s 87 (Front and rear lights—2 wheeled vehicles)**

**39.** Schedule 1, section 87—

*omit, insert—*

#### **‘Application of part**

‘**87.** This part applies to vehicles drawn by animal power unless otherwise stated.

#### **‘Front and rear lights—2-wheeled vehicles**

‘**87A.** A 2-wheeled vehicle must have 1 lamp on each side of the vehicle to show bright white light to the front and bright red light to the rear.’.

### **Replacement of sch 1, ss 90 and 91**

**40.** Schedule 1, sections 90 and 91—

*omit, insert—*

#### **‘Clearance lamps and reflectors—vehicles at least 2.2 m wide**

‘**90.(1)** A vehicle at least 2.2 m wide must have 1 clearance lamp to show amber light, on each side on the front of the vehicle unless—

- (a) it has the lamps required under section 87A or 88(1)(a) or 2(a); and
- (b) the vehicle’s width does not extend more than 150 mm past the centre of a lamp mentioned in paragraph (a).

‘(2) A vehicle at least 2.2 m wide must also have a red reflector or 1 clearance lamp to show red light on each side on the rear of the vehicle.’.

### **Replacement of sch 1, s 93 (Maximum dimensions)**

**41.** Schedule 1, section 93—

*omit, insert—*

**‘Limits on overall length, height and width of vehicles drawn by animal power**

‘93. A vehicle, including anything towed by it, drawn by an animal must not be longer than 12 m, wider than 2.5 m or higher than 4.3 m.’

**Replacement of sch 1, s 95 (Headlamps, rear lamps and reflectors)**

42. Schedule 1, section 95—

*omit, insert—*

**‘Headlamps, rear lamps and reflectors**

‘95.(1) A bicycle, tricycle, power-assisted cycle, handcart, barrow or other similar vehicle propelled or designed to be propelled by human power must have—

- (a) 1 centrally mounted headlamp to show bright white light; and
- (b) 1 lamp on the rear of the vehicle to show bright red light to the rear; and
- (c) unless subsection (4) applies—1 red reflector on the rear of the vehicle.

‘(2) On a bicycle, tricycle or power-assisted cycle, a reflector required under subsection (1)(c) and the rear lamp must be fixed—

- (a) on the cycle’s right rear stay, the right side of the rear axle or the rear of the rear mudguard; and
- (b) no higher than where the rim of the rear wheel passes between the rear stays; and
- (c) no more than 510 mm further forward than the rearmost point of the cycle.

‘(3) A reflector required under subsection (1)(c) must comply with section 29 as if it was fitted to a motor vehicle.

‘(4) A bicycle, tricycle or power-assisted cycle (other than a competition or one of a kind cycle) with a wheel base of at least 640 mm, manufactured after 30 June 1986, must have rear, side and pedal reflectors complying with AS 1927.

‘(5) A reflector required under subsection (4) must also comply with AS 2142.’.

### **Replacement of sch 2, s 4 (Disobeying certain red light signals)**

**43.(1)** Schedule 2, section 4—

*omit, insert—*

#### **‘Disobeying certain red light signals**

‘4. The number of points for a contravention of section 19A or 48(1)(d) is 3.’.

### **Replacement of sch 2, ss 7 and 8**

**44.** Schedule 2, sections 7 and 8—

*omit, insert—*

#### **‘Disobeying stop, give way and certain other traffic signs**

‘7. The number of points for a contravention of each of the following provisions is 3—

- (a) section 20(1A), (1B), (1C), (2), (3), (4), (5), (6), (7), (8), (9), (10), (12), (13), (15), (17), (18) or (19);
- (b) section 34(1), (2), (5) or (6);
- (c) section 34A;
- (d) section 34B;
- (e) section 39(2);
- (f) section 47(1)(a);
- (g) section 48(1)(c) or (4).

#### **‘Failing to give way, other than by disobeying a sign**

‘8. The number of points for a contravention of each of the following provisions is 3—

- (a) section 34C;

- (b) section 34D(1);
- (c) section 34E(1);
- (d) section 34F(2);
- (e) section 35(2);
- (f) section 36A;
- (g) section 38(1), (2) or (3);
- (h) section 38B;
- (i) section 39(1).’.

### **Amendment of sch 2 (Demerit points for certain offences)**

**45.(1)** Schedule 2, section 15, ‘section 45(2) or (6)’—

*omit, insert—*

‘section 45(1)’.

**(2)** Schedule 2, section 17(b) and (c)—

*omit, insert—*

- ‘(b) section 43A;
- (c) section 43B(1) or (3);
- (d) section 44;
- (e) section 47(1)(b) or (c).’.

**(3)** Schedule 2, section 20, ‘, (e) or (f)’—

*omit, insert—*

‘or (e)’.

### **Insertion of new schs 8–10**

**46.** After schedule 7—

*insert—*

**‘SCHEDULE 8****‘EXAMPLE OF “BUILDING LINE”**

section 4B

**‘SCHEDULE 9****‘STOP AND PROCEED SIGNALS BY POLICE  
OFFICERS AND TRAFFIC CONTROLLERS**

section 21

**‘SCHEDULE 10****‘BOUNDARY FOR BRISBANE CITY DRIVING  
RESTRICTIONS**

section 144B

- Adelaide Street from North Quay to Wharf Street
- along Wharf Street to Eagle Street
- along Eagle Street to Mary Street
- along Mary Street to Felix Street
- along Felix Street to Margaret Street
- along Margaret Street to Edward Street
- along Edward Street to Alice Street
- along Alice Street to William Street

- along William Street to Queen Street
- along North Quay from Queen Street to Adelaide Street’.

## SCHEDULE

### MINOR AMENDMENTS

section 3

**1. Section 11—**

*insert—*

‘(1A) Subsection (1) does not apply to an indication given by an official traffic sign.’.

**2. Section 21(1)(a), from ‘upon’ to ‘direction, and’—**

*omit, insert—*

‘comply with a signal illustrated in a figure in schedule 9 or another clear signal, order or direction given by a police officer and’.

**3. Section 21(1)(c), ‘prescribed signal’—**

*omit, insert—*

‘signal illustrated in a figure in schedule 9’.

**4. Section 21(2), first sentence—**

*omit, insert—*

‘(2) A signal illustrated in a figure in schedule 9 is sufficiently given if it is as near as practicable to the illustration as can be given in the circumstances.’.

**5. Section 21(2), from ‘1. ‘Stop’ signal’ to ‘figure 1(e) combination from front and rear’—**

*relocate* to schedule 9.

## SCHEDULE (continued)

**6. Section 21(2), from ‘2. ‘Proceed’ signal’ to ‘figure 2(c) from right side’—**

*relocate* to schedule 9.

**7. Section 21(2), from ‘3. Signal to stop at place indicated’ to ‘figure 3(c) at kerb etc.’—**

*relocate* to schedule 9.

**8. Section 21(2), second to fourth sentences—**

*renumber* as section 21(4) to (6).

**9. Section 21(4) and (5) as renumbered, ‘or marked crossing’—**

*omit, insert—*

‘, crosswalk or pedestrian crossing’.

**10. Section 21(4) to (6) as renumbered, after ‘illustrated in’—**

*insert—*

‘schedule 9.’.

**11. Section 32A(1)(c) and 32B(1)(b), ‘under the *Transport Operations (Passenger Transport) Act 1994*’—**

*omit.*

**12. Section 37A, from ‘indicating’ to ‘high load’—**

*omit, insert—*

‘with ‘long vehicle’, ‘oversize’ or ‘road train’ on it.’.



## SCHEDULE (continued)

**13. Section 38(1), ‘traffic control light signal’—**

*omit, insert—*

‘traffic light’.

**14. Section 38(5)—**

*omit.*

**15. Section 38A(2), ‘then’—**

*omit.*

**16. Section 40(1)(a)—**

*omit, insert—*

‘(a) on a footway, pedestrian crossing or traffic light controlled crosswalk must keep on its left side; and’.

**17. Section 40(1A)—**

*omit, insert—*

‘(1A) Subsection (1)(b) and (c) do not apply at a traffic light controlled crosswalk while the traffic lights allow only pedestrians to be on the crosswalk.<sup>18</sup>’.

**18. Section 41(1)(d), after ‘crossing’—**

*insert—*

‘or traffic light controlled crosswalk’.

---

<sup>18</sup> Even though pedestrians may be facing ‘walk’, or a walking pedestrian, in green, some traffic lights may allow vehicles turning left or right into the road with the crosswalk to be on the crosswalk at the same time as the pedestrians.

## SCHEDULE (continued)

**19. Section 42(4), after ‘crossing’—**

*insert—*

‘or traffic light controlled crosswalk, unless the person has a reasonable excuse’.

**20. Section 44A(1)(d)—**

*omit, insert—*

‘(d) the driver gives the signal required by this regulation of his or her intention to turn the vehicle right or left.’.

**21. Section 46(1)(a), ‘or stop or sudden reduction of speed’—**

*omit.*

**22. Section 46(1)(b), from ‘at any time’ to ‘suddenly.’—**

*omit, insert—*

‘, other than—

- (i) to indicate the driver’s intention to diverge or turn left or right or make a U-turn; or
- (ii) for a brake lamp—while the vehicle’s foot operated brakes are applied.’.

**23. Section 46(2), ‘in accordance with Schedule 1, section 42A(3)’—**

*omit, insert—*

‘complying with schedule 1, section 39’.

**24. Section 46A(a), from ‘For the purposes of’ to ‘section 45(3);’—**

*omit.*

## SCHEDULE (continued)

**25. Section 46A—***insert—*

‘(2) For subsection (1)(a), a signal is taken to give reasonable warning if it is given in a way specified in section 45(3).’.

**26. Section 48(3), from ‘traffic’ to ‘proceed’—***omit, insert—*

‘vehicles’.

**27. Section 52A, ‘hauling’—***omit, insert—*

‘towing’.

**28. Section 55(1)(a)—***omit, insert—*

‘(a) between the centre-line of a carriageway and a vehicle or stall parked or standing on the carriageway; or’.

**29. Section 55(1)(b), after ‘pedestrian crossing,’—***insert—*

‘traffic light controlled crosswalk,’.

**30. Section 55(1)(i)—***omit, insert—*

‘(i) in a transit lane, unless the vehicle is a bus in a bus zone, or a taxi or limousine, but only to allow someone to enter or leave the vehicle; or’.

## SCHEDULE (continued)

**31. Section 55—**

*insert—*

‘(3) Also, subsection (1) does not apply if the condition of the driver or vehicle or any other reason makes it necessary or desirable, in the interests of safety, that the vehicle be parked, stopped or left standing.

‘(4) For this section, evidence that a vehicle was found stationary at a place is evidence that the vehicle was parked, stopped or left standing at the place.’.

**32. Section 68(1)(f)—**

*omit.*

**33. Section 68—**

*insert—*

‘(1B) A vehicle complies with subsection (1) only if an item of equipment on it is securely fixed to the vehicle (unless schedule 1 imposes a different requirement).’.

**34. Section 81, heading, ‘silencers’—**

*omit, insert—*

‘**mufflers**’.

**35. Section 81, ‘silencer’—**

*omit, insert—*

‘muffler’.

## SCHEDULE (continued)

**36. Section 87A(1)(a), from ‘the requirements’ to ‘Australia’—**

*omit, insert—*

‘AS 1425 applying at the time of manufacture or conversion’.

**37. Section 90A(4), ‘Australian Standard’—**

*omit.*

**38. Section 90C(1), ‘Australian Standard’—**

*omit, insert—*

‘AS’.

**39. Section 90C(1), definition “child restraint”, paragraph (b), ‘section 90B(5)’—**

*omit, insert—*

‘section 90B(6)’.

**40. Section 118(4)—**

*omit.*

**41. Section 159C(3), from ‘Australian Standard’ to ‘Helmets’—**

*omit, insert—*

‘AS 2063’.

**42. Section 206A(3), ‘Australian Standard’—**

*omit, insert—*

‘AS’.

## SCHEDULE (continued)

**43. Section 206A(7), from ‘Australian/New Zealand’ to ‘Materials for’—***omit, insert—*

‘AS 1906.1 for’.

**44. Section 206B(4) and (5), ‘Australian Standard’—***omit, insert—*

‘AS’.

**45. Section 206B(10), from ‘Australian/New Zealand’ to ‘Materials for’—***omit, insert—*

‘AS 1906.1 for’.

**46. Section 209, ‘traffic control light’—***omit, insert—*

‘traffic light’.

**47. Section 209, ‘red signal’—***omit, insert—*

‘red symbol’.

**48. Schedule 1, section 10(1), from ‘All motor vehicles’ to ‘easily’—***omit, insert—*

‘A motor vehicle must have at least 1 lamp to show white light that will make’.

## SCHEDULE (continued)

**49. Schedule 1, section 10(2) and 18(3), ‘hailed during the hours of darkness’—**

*omit, insert—*

‘towed during hours of darkness’.

**50. Schedule 1, section 17(1), from ‘At least’ to ‘classes—’—**

*omit, insert—*

‘The following vehicles must have at least 1 brake lamp<sup>19</sup>—’.

**51. Schedule 1, section 18(1) and (2)—**

*omit, insert—*

‘**18.(1)** A motor vehicle (other than a motorcycle without a sidecar) must have 1 red reflector, symmetrically placed, on each side of the rear of the vehicle.<sup>20</sup>

‘**(2)** A motorcycle without a sidecar must have 1 red reflector on the rear of the motorcycle.’.

**52. Schedule 1, section 18A(2A), ‘hailed’—**

*omit, insert—*

‘towed’.

**53. Schedule 1, section 18B, from ‘A school bus’ to ‘lamps shall be—’**

*omit, insert—*

---

<sup>19</sup> For further requirements for brake lamps see section 31 (Brake lamps).

<sup>20</sup> For further requirements about reflectors see sections 25 (Clearance and side marker lamps and reflectors—mounting), 29 (Reflectors) and 32 (Rear reflectors).

## SCHEDULE (continued)

‘A school bus must have—

- (a) 2 flashing amber lamps on the front and rear of the bus—’.

**54. Schedule 1, section 18B(b), from ‘2 signs’ to ‘shall be—’—**

*omit, insert—*

‘1 sign at the front and rear of the bus—’.

**55. Schedule 1, section 19, from ‘Headlamps’ to ‘ground;’—**

*omit, insert—*

**‘All headlamps**

**‘19.(1)** A headlamp on a vehicle must—

- (a) be fixed so its centre is—
- (i) for a vehicle first registered after 31 December 1961—at least 600 mm from the ground; or
- (ii) for another vehicle—no more than 1.4 m from the ground; and’.

**56. Schedule 1, section 19(1)(c) words after ‘device’—**

*omit.*

**57. Schedule 1, section 25, from ‘Mounting—’ to ‘so affixed that—’—**

*omit, insert—*

**‘(1)** A clearance or side marker lamp must be fixed so—’.

**58. Schedule 1, section 25(2)—**

*omit, insert—*

**‘(2)** If a motor vehicle with at least 2 headlamps, first registered after 31 December 1961, must have clearance lamps on or within 300 mm of the



## SCHEDULE (continued)

front of the vehicle, the centre of each clearance lamp must be at least 750 mm higher than the centres of the headlamps.’.

**59. Schedule 1, section 25(3), from ‘Reflectors’ to ‘so affixed that—’—**

*omit, insert—*

‘A reflector must be fixed so that—’.

**60. Schedule 1, section 32, ‘sections 24, 25’—**

*omit, insert—*

‘sections 25(3)’.

**61. Schedule 1, section 36(1), ‘All motor vehicles—’—**

*omit, insert—*

‘A motor vehicle may have—’.

**62. Schedule 1, section 36(1)(c)—**

*omit, insert—*

‘(c) 1 or 2 reversing lamps that are lit only when the vehicle is in reverse gear and, when lit—

(i) show white or amber light to the rear; and

(ii) if there are 2 lamps—are of the same colour and symmetrically placed; and’.

**63. Schedule 1, section 38, ‘All motor vehicles—any’—**

*omit, insert—*

‘A motor vehicle may have a’.

## SCHEDULE (continued)

**64. Schedule 1, section 39A, ‘All motor vehicles except motorcycles and mopeds—’—***omit, insert—*

‘A motor vehicle (other than a motorcycle or moped) may have’.

**65. Schedule 1, section 40(1), ‘All motor vehicles except motorcycles—’—***omit, insert—*

‘A motor vehicle (other than a motorcycle or moped) may have—’.

**66. Schedule 1, section 40(2)—***omit, insert—*

‘(2) A motorcycle or moped may have 1 fog lamp.’.

**67. Schedule 1, section 41, ‘All motor vehicles—’—***omit, insert—*

‘A motor vehicle may have’.

**68. Schedule 1, section 43—***omit.***69. Schedule 1, section 47(1)(a) to (c) and (2) to (4)—***renumber* as schedule 1, section 47(a)(i), (ii) and (iii), (b), (c) and (d).**70. Schedule 1, section 47A(1), ‘Australian Standard’—***omit, insert—*

‘AS’.

## SCHEDULE (continued)

**71. Schedule 1, section 55(1)(a) and (b) and (3)—**

*renumber* as schedule 1, section 55(a)(i) and (ii) and (c).

**72. Schedule 1, section 55(2)—**

*omit, insert—*

‘(b) it must be at least—

- (i) for a vehicle at least 2.2 m wide with a tray type body—380 mm wide; or
- (ii) for any other vehicle—as wide as the wheel it is over (including anything attached to the wheel); or’.

**73. Schedule 1, section 57(1), from ‘57. All motor’ to ‘(1)—’—**

*omit, insert—*

‘**57.(1)** This section applies to a motor vehicle (other than a motorcycle or trailer).

‘**(1A)** A vehicle must have—’.

**74. Schedule 1, section 57(3A)(c), ‘motor vehicle. They’—**

*omit, insert—*

‘motor vehicle and’.

**75. Schedule 1, section 57(3A)(f), ‘section 58(2)(b)’—**

*omit, insert—*

‘section 58(3)(b)’.

**76. Schedule 1, section 57(3A), from ‘(3A) However’ to ‘the following requirements shall apply—’—**

*omit, insert—*

## SCHEDULE (continued)

‘**(3A)** Despite subsections (1) to (3), emergency brakes applied by spring action after the release of air pressure or vacuum preventing the brakes from operating (“**spring actuated emergency brakes**”) may be fitted to a motor vehicle.

‘**(3B)** The requirements for spring actuated emergency brakes are as follows—’.

**77. Schedule 1, section 57(5)(a), (5)(b), (5)(c), (5)(d), (5)(e), (6) and (7)—**

*renumber* as schedule 1, section 57(5), (6), (7), (8), (9), (10) and (11).

**78. Schedule 1, section 57(3B)(d) as renumbered, ‘the provisions of subsection (5)(d) and (e)’—**

*omit, insert—*

‘subsections (8) and (9)’.

**79. Schedule 1, section 57(7) to (9) as renumbered, ‘this subsection (5)’—**

*omit, insert—*

‘subsection (5) or (6)’.

**80. Schedule 1, section 57(11) as renumbered, ‘chassis—’—**

*omit, insert—*

‘chassis,’.

**81. Schedule 1, section 58(3)—**

*renumber* as schedule 1, section 58(4).

## SCHEDULE (continued)

**82. Schedule 1, section 58, from ‘58. Trailers, pole-type trailers’ to ‘1 January 1962—’—**

*omit, insert—*

**‘58.(1)** A trailer that weighs more than 508 kg must—

- (a) have an efficient brake operating on at least 2 wheels; and
- (b) unless the trailer has overrun brakes—be built so the brake can be applied from the driver’s seat of the towing vehicle.

**‘(2)** Overrun brakes may be fitted to a trailer only if the trailer weighs not more than 1.016 t and does not weigh more than the unladen weight of the towing vehicle.

**‘(3)** A trailer first registered after 31 December 1961 that weighs more than 2.032 t or is a semitrailer or pole-type trailer must have—’.

**83. Schedule 1, section 58(4) as renumbered, ‘subsection (2)’**

*omit, insert—*

‘subsection (3)’.

**84. Schedule 1, section 58(3)(a) as renumbered, ‘section 57(5)’—**

*omit, insert—*

‘section 57(6) to (9)’.

**85. Schedule 1, section 58(3)(b) as renumbered, ‘. Means shall be provided to’—**

*omit, insert—*

‘and’.

## SCHEDULE (continued)

**86. Schedule 1, section 58(4)(c) as renumbered, ‘hauling’—**

*omit, insert—*

‘towing’.

**87. Schedule 1, section 59, ‘Motorcycles—’—**

*omit, insert—*

‘A motorcycle must have’.

**88. Schedule 1, section 63, from ‘63. Without limiting’ to ‘the service brake of a motor vehicle, other than an omnibus, shall’—**

*omit, insert—*

‘**63.(1)** This section does not limit the operation of section 62.

‘**(1A)** The service brake—

(a) of a motor vehicle (other than a bus) must’.

**89. Schedule 1, section 63(1A)(b), as renumbered, ‘the service brake of a motor omnibus shall’—**

*omit, insert—*

‘of a bus must’.

**90. Schedule 1, section 63(2), ‘Emergency brake—’—**

*omit, insert—*

‘A vehicle’s emergency brake must—’.

**91. Schedule 1, section 63(2)(a), ‘the emergency brake affixed to any vehicle shall’—**

*omit.*

## SCHEDULE (continued)

**92. Schedule 1, section 63(2)(b), ‘ the emergency brake of a motor vehicle shall’—**

*omit, insert—*

‘for a motor vehicle.’.

**93. Schedule 1, section 71, from ‘71. Windscreen wiper’ to ‘which is’—**

*omit, insert—*

‘**71.(1)** A motor vehicle with a windscreen, first registered before 1 January 1962, must have a device’.

**94. Schedule 1, section 71(2), ‘, shall except as provided in this subsection’—**

*omit, insert—*

‘must’.

**95. Schedule 1, section 73, ‘73. Rear-vision mirror—’ to ‘the vehicle and of any following or overtaking vehicle.’—**

*omit, insert—*

‘**73.(1)** A motor vehicle must have a mirror in which the driver can see, as far as practicable, a clear view of the road to the rear of the vehicle and any following or overtaking vehicle (a “**rear-vision mirror**”).

‘**(1A)** However, a motor vehicle must have 1 rear-vision mirror on each side of the vehicle if—

- (a) the vehicle is designed to carry at least 8 passengers or mainly to carry goods; or
- (b) any trailer towed by the vehicle is wider than the vehicle; or
- (c) a mirror fixed to the inside of the vehicle can not perform the function of a rear-vision mirror.

## SCHEDULE (continued)

‘(1B) A rear-vision mirror must not project more than 150 mm outwards past the side of the vehicle.

‘(2) For subsection (1B), any signalling devices on the vehicle are not taken to be part of the vehicle.’.

**96. Schedule 1, section 74, from ‘74. Number plates’ to ‘number plates.’—**

*omit, insert—*

‘74.(1) A motor vehicle must have a suitable fitting, securely fastened to the vehicle, for each number plate for the vehicle.’.

**97. Schedule 1, section 75, from ‘Avoidance of danger and nuisances—all’—**

*omit, insert—*

‘All’.

**98. Schedule 1, section 75(b), after ‘elsewhere’—**

*omit.*

**99. Schedule 1, section 77, ‘Driver’s view—the vehicle shall’—**

*omit, insert—*

‘A vehicle must’.

**100. Schedule 1, section 78, ‘Engine number—an’—**

*omit, insert—*

‘An’.



## SCHEDULE (continued)

**101. Schedule 1, section 79, ‘Vehicle to travel backwards or forwards—any’—**

*omit, insert—*

‘A’.

**102. Schedule 1, section 81(1)—**

*omit, insert—*

‘**81.(1)** A motor vehicle built mainly to carry goods must have an effective means of ventilation (other than a window or door opening) for the driver.’.

**103. Schedule 1, section 82(1)—**

*omit, insert—*

‘**(1)** Each tyre fitted to a motor vehicle must not have an apparent defect that is likely to make the vehicle unsafe to use or cause injury to anyone or anything.

‘**(1A)** Also, each tyre fitted to a motor vehicle must—

- (a) have a tread pattern of a depth of at least 1.5 mm on every part of the tyre that touches the road; and
- (b) not be fitted with cleats or another device likely to damage a road.

‘**(1B)** In addition, each tyre and rim fitted to a motor vehicle must have enough size and load bearing capacity to safely carry the weight put on it.’.

**104. Schedule 1, section 82(3), from ‘Australian Standard’ to ‘except that’—**

*omit, insert—*

‘AS 1973, but’

## SCHEDULE (continued)

**105. Schedule 1, section 82(5A), ‘Standards Association Australia’—***omit, insert—*

‘Standards Australia’.

**106. Schedule 1, section 83, ‘Motorcycle with sidecar—’ to ‘sidecar shall not be so attached’—***omit, insert—*

‘(1) A sidecar must not be attached’.

**107. Schedule 1, section 83(2)—***omit, insert—*

‘(2) A sidecar must be attached to the left of a motorcycle.’.

**108. Schedule 1, section 85(b), ‘determined in accordance with the regulations’—***omit, insert—*

‘worked out’.

**109. Schedule 1, section 86(1), ‘Television receiver—any’—***omit, insert—*

‘A’.

**110. Schedule 1, section 86(2), ‘Television monitor—a’—***omit, insert—*

‘A’.

## SCHEDULE (continued)

**111. Schedule 1, section 86A(1), ‘Doors—any’—***omit, insert—*

‘A’.

**112. Schedule 1, section 86C(2), ‘; and’—***omit, insert—*

‘and’.

**113. Schedule 1, section 86E(1A) and (2B)—***omit.***114. Schedule 1, section 86E(5)—***omit, insert—*

‘(5) A speedometer required by this section must be easily visible to the driver.’.

**115. Schedule 1, section 86F(1)(a)—***omit, insert—*

‘(a) the vehicle must have an indicator that shows the selected transmission control lever position;’.

**116. Schedule 1, section 86F(1)(c), ‘the movement’ first mention—***omit, insert—*

‘(i) the movement’.

## SCHEDULE (continued)

**117. Schedule 1, section 86F(1)(c), from ‘A device’ to ‘The movement’—***omit, insert—*

‘(ii) the movement’.

**118. Schedule 1, section 86F(2), ‘shall mean’—***omit, insert—*

‘means’.

**119. Schedule 1, section 86H(2A)(b), ‘Australian Standard 4001’—***omit, insert—*

‘AS 4001.1’.

**120. Schedule 1, section 86H(3)(a), ‘Australian Standard 4001.1’—***omit, insert—*

‘AS 4001.1’.

**121. Schedule 1, section 86H(3)(a)(ii), from ‘Australian Standard’ to ‘1976 Retroreflective Materials’—***omit, insert—*

‘AS 1906.1’.

**122. Schedule 1, section 86H(3)(b), ‘Australian Standard 4001.2’—***omit, insert—*

‘AS 4001.2’.

## SCHEDULE (continued)

**123. Schedule 1, section 86H(4)(b)(i), after ‘diagram 2;’—**

*insert—*

‘or’.

**124. Schedule 1, sections 88(1) and (2), ‘jinker—’—**

*omit, insert—*

‘jinker must have—’.

**125. Schedule 1, sections 89(1), 94(1), 96 and 97, ‘—’—**

*omit, insert—*

‘must have’.

**126. Schedule 6, item 2—**

*omit, insert—*

‘2. A Lion alcolmeter solid state electronic fuel cell detector and a mouthpiece.’.

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ENDNOTES

1. Made by the Governor in Council on 29 August 1996.
2. Notified in the gazette on 30 August 1996.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Transport.