




The Bike Saint's Favourite Road Rules








































The *Road Transport (Safety & Traffic Management) Act 1999*, came into force in NSW in Dec 1999. It incorporates the Australian Road Rules plus NSW specific provisions (shown in italics).

This document contains selected rules relating to bikes () , wheeled recreation devices () , pedestrians () , bike exemption from certain rules (X), & car & parking rules you may find useful.

Full legislation from www.rta.nsw.gov.au > traffic > road rules. "Road Users' Handbook" is available from RTA on 1800 060 607.

Note: 'driver' includes 'rider' unless otherwise specified.

CONTENTS

		Page			Page		
<i>Road Transport (Safety & Traffic Management) Act 1999</i>							
35	Bike hook turn		2	245	Riding a bicycle		7
37	U-turn – starting		2	246	Carrying people on a bicycle		7
38	U-turn – giving way		2	247	Riding in a bike lane on a road		7
56	Red traffic light		2	248	No riding across a road on a crossing		7
57	Yellow traffic light		2	249	Riding on a separated footpath		7
62	Giving way		2	250	Riding on a footpath or shared path		7
74	Giving way when entering from driveway etc		2	251	Riding to the left of oncoming riders on path		7
75	Giving way when leaving road for driveway etc		2	252	No bicycles signs and markings		7
81	Giving way at pedestrian crossing		2	253	Bicycle riders not to cause a traffic hazard		7
82	Overtaking at pedestrian crossing		2	254	Bicycles being towed		7
83	Giving way to pedestrians in shared zone		2	255	Riding too close to the rear of a motor vehicle		7
95	Emergency stopping lane	X	2	256	Bicycle helmets		7
111	Multi-lane roundabouts	X	2	257	Riding with a person on a bicycle trailer		7
119	Bikes & multi-lane roundabouts		3	258	Equipment on a bicycle		7
125	Obstructing drivers or pedestrians		3	259	Riding at night		7
126	Keeping a safe distance behind vehicles		3	260	Stopping for a red bicycle crossing light		7
128	Keeping intersections clear		3	261	Stopping for a yellow bicycle crossing light		7
140	Overtaking safely		3	262	Proceeding when lights change to red		7
141	No overtaking on the left	X	3	268	Persons to be wholly within motor vehicle	X	8
144	Keeping safe distance when overtaking		3	269	Opening doors not to cause hazard	X	8
145	Driver being overtaken not to increase speed		3	287	Duties of driver involved in a crash		8
149	Zipper merge		3	288	Driving on a path	X	8
150	Driving on/across continuous edge line	X	3	289	Driving on a nature strip	X	8
151	Riding two abreast		3	291	Making unnecessary noise or smoke		8
153	Bike lanes		3	292	Insecure or overhanging load		8
154	Bus lanes (see 158 for bikes exempt)	X	3	293	Removing fallen things/debris from road		8
156	Transit lanes (see 158)	X	4	296	Reversing		8
158	Exceptions for special purpose lanes	X	4	297	Driver to have proper control of vehicle		9
166	Bikes at bike racks exempt from parking rules		4	300	Use of hand held mobile phones		9
170	Stopping in/near intersection		4	301	Leading an animal while driving/riding		9
172	Stopping on/near pedestrian crossing		4	304	Direction by a police officer		9
174	Stopping at/near bicycle crossing lights		4	<i>Additional clauses from the RT(S&TM) regulations for NSW only</i>			
178	Stopping in emergency stopping lane	X	4	35	Defence of accident or reasonable effort		9
187	Stopping in a bike/bus/tram/transit/truck lane		4	42	Engine to be stopped when stationary		9
188	Stopping in a shared zone		4	43	Emission of waste oil, grease & exhaust		9
189	Double parking		4	44	Not to splash mud on bus passengers		9
197	Stopping/parking on footpath/bike path	X	4	83	No riding on footpath where gazetted		9
198	Obstructing access footpath/bikepath/driveway		5	84	Precedence of authorised procession (eg CM)		9
213	Making a motor vehicle secure		5	86	Driving on roads temporarily closed to traffic	X	9
219	Lights not to be used to dazzle other road users		5	<i>Additional sections from the RT(S&TM) act applying only to NSW</i>			
224	Use of horns		5	42	Negligent, furious or reckless driving		9
228	No pedestrians sign		5	43	Menacing driving		9
229	Pedestrians not permitted sign		5	70	Duty to stop and give assistance		9
230	Crossing a road – general		5	Australian Road Rules Definitions and Dictionary excerpts			10
231	Crossing a road at pedestrian lights		5				
232	Crossing a road at traffic lights		5				
234	Crossing a road near pedestrian crossing		5				
236	Pedestrians not to cause hazard or obstruction		6				
237	Getting on/into moving vehicle (X)		6				
238	Pedestrian travelling along road (no 2 abreast)		6				
239	Pedestrians on bike path or separated path		6				
240	Wheeled devices not to be used on some roads		6				
241	Wheeled devices travelling on road		6				
242	Wheeled devices on footpath or shared path		6				
243	Wheeled devices on bike path / separated path		6				
244	Holding onto a moving vehicle		6				

Notes:

- Text in grey is my own addition or interpretation
- Where there is a provision "... under another law of this jurisdiction" then I have included the NSW law in italics and prefixed 'NSW'. Otherwise, there is no NSW exception.
- The fines listed are current, from the NSW "Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999", also available from the RTA website.
- Sometimes different fine amounts apply to subrules, as shown.
- Boring bits (definitions covered elsewhere etc) have been edited out.

The Bike Saint's Favourite Road Rules

Rule 35 Optional hook turn by a **bicycle** rider

(1) The rider of a bicycle turning right at an intersection without a hook turn only sign, or a no hook turn by bicycles sign, may turn right at the intersection by making a right turn under Division 2 or a hook turn under this rule.

(2) The rider must make a hook turn under this rule in accordance with subrule (3).

(3) To make a hook turn under this rule, the rider must take, in sequence, each of the following steps:

1 Approach and enter the intersection from as near as practicable to the far left side of the road that the rider is leaving.

2 Move forward:

(a) keeping as near as practicable to the far left side of the intersection; and

(b) keeping clear of any marked foot crossing; and

(c) keeping clear, as far as practicable, of any driver turning left from the left of the intersection; until the rider is as near as practicable to the far side of the road that the rider is entering.

3 If there are traffic lights at the intersection, remain at the position reached under step 2 until the traffic lights on the road that the rider is entering change to green.

4 If there are no traffic lights at the intersection, remain at the position reached under step 2 until the rider has given way to approaching drivers on the road that the rider is leaving.

5 Turn right into the road that the rider is entering.

37 Beginning a U-turn (\$204 fine)

A driver must not begin a U-turn unless:

(a) the driver has a clear view of any approaching traffic; and

(b) the driver can safely make the U-turn without unreasonably obstructing the free movement of traffic.

38 Giving way when making a U-turn (\$204 fine)

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

56 Stopping for a red traffic light or arrow (\$204 fine)

(1) A driver approaching or at traffic lights showing a red traffic light must stop:

(a) if there is a stop line at or near the traffic lights — as near as practicable to, but before reaching, the stop line...

57 Stopping for a yellow traffic light or arrow (\$204 fine)

(1) This rule applies to:

(a) a driver approaching or at traffic lights showing a yellow traffic light; or

(b) a driver approaching or at traffic arrows showing a yellow traffic arrow who is turning in the direction indicated by the arrow.

(2) The driver must stop:

(a) if there is a stop line at or near the traffic lights or arrows and the driver can stop safely before reaching the stop line — as near as practicable to, but before reaching, the stop line...

62 Giving way when turning at an intersection with traffic lights (\$204 fine)

A driver turning at an intersection with traffic lights must give way to:

(a) any **pedestrian** at or near the intersection who is on the road the driver is entering; and

(b) if the driver is turning left at a left turn on red after stopping sign at the intersection:

(i) any vehicle approaching from the right, turning right at the intersection into the road the driver is entering or making a U-turn; and

(ii) any **pedestrian** at or near the intersection who is on the road the driver is leaving; and

(c) if the driver is turning right — any oncoming vehicle that is going straight ahead or turning left at the intersection (except a vehicle turning left using a slip lane).

Similarly, under the following rules, drivers must always give way to **pedestrians** (and dismounted cyclists) on the road they are entering, any slip lane, and near the intersection.

- 69 ...at a give way sign or give way line at an intersection

- 71 ...at a give way sign or line at other places

- 72 ...at an intersection (except T-intersection or roundabout)

- 73 ...at a T-intersection

74 Giving way when entering a road from a road-related area or adjacent land (\$114 fine)

(1) A driver entering a road from a road-related area, or adjacent land, without traffic lights or a stop sign, stop line, give way sign or give way line must give way to:

(a) any vehicle travelling on the road or turning into the road (except a vehicle turning right into the road from a road-related area or adjacent land); and

(b) any **pedestrian** on the road; and

(c) any vehicle or **pedestrian** on any road-related area that the driver crosses to enter the road; and

(d) for a driver entering the road from a road-related area — any **pedestrian** on the road-related area.

Note: Adjacent land or a road-related area can include a driveway, service station or shopping centre.

(2) In this rule: road does not include a road-related area.

75 Giving way when entering a road-related area or adjacent land from a road (\$114 fine)

(1) A driver entering a road-related area or adjacent land from a place on a road without traffic lights or a stop sign, stop line, give way sign or give way line must give way to:

(a) any **pedestrian** on the road; and

(b) any vehicle or **pedestrian** on any road-related area that the driver crosses or enters; and

(c) if the driver is turning right from the road - any oncoming vehicle on the road that is going straight ahead or turning left; &

(d) if the road the driver is leaving ends at a T-intersection opposite the road-related area or adjacent land and the driver is crossing the continuing road - any vehicle on the continuing road.

(2) In this rule: road does not include a road-related area.

81 Giving way at a **pedestrian** crossing

(1) A driver approaching a pedestrian crossing must drive at a speed at which the driver can, if necessary, stop safely before the crossing. (\$204 fine)

(2) A driver must give way to any pedestrian on a pedestrian crossing. (\$204 fine)

(3) A pedestrian crossing is an area of a road:

(a) at a place that has a pedestrian crossing sign (with or without alternating flashing twin yellow lights); and

(b) indicated by white stripes on the road surface that are:

(i) approximately parallel to each other; and

(ii) from one side of the road completely/partly across the road.

82 Overtaking or passing a vehicle at a children's crossing or **pedestrian** crossing (\$204 fine)

A driver approaching a children's crossing, or pedestrian crossing, must not overtake or pass a vehicle that is travelling in the same direction as the driver and is stopping, or has stopped, to give way to a pedestrian at the crossing.

83 Giving way to **pedestrians** in a shared zone (\$114 fine)

A driver driving in a shared zone must give way to any pedestrian in the zone.

95 Emergency stopping lane only signs (\$114 fine)

(1) A driver must not drive in an emergency stopping lane unless:

(a) the driver needs to drive in the emergency stopping lane to avoid a collision, to stop in the lane, or because the driver's vehicle is disabled; or

(b) the driver is permitted to drive in the emergency stopping lane under another law of this jurisdiction. *NSW: any driver of an emergency vehicle is permitted to drive in an emergency stopping lane.*

(2) This rule does not apply to the rider of a **bicycle**.

111 Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction

(1) A driver entering a roundabout from a multi-lane road, or a road with 2 or more lines of traffic travelling in the same direction as the driver, must enter the roundabout in accordance with this rule. (\$159 fine)

(2) If the driver is to leave the roundabout less than halfway around it, the driver must enter the roundabout from the left marked lane or left line of traffic. (\$159 fine)

(3) If the driver is to leave the roundabout more than halfway around it, the driver must enter the roundabout from the right marked lane or right line of traffic. (\$159 fine)

The Bike Saint's Favourite Road Rules

(4) If the driver is to leave the roundabout halfway around it, the driver may enter the roundabout from any marked lane or line of traffic. (\$159 fine)

(5) Despite subrules (2) to (4), if the driver is entering the roundabout from a marked lane and there are traffic lane arrows applying to the lane, the driver must: (\$114 fine)

(a) if the arrows indicate a single direction — drive in that direction after entering the roundabout; or

(b) if the arrows indicate 2 or more directions — drive in one of those directions after entering the roundabout.

(6) Subrule (3) does not apply to the rider of a **bicycle** or animal.

(7) Subrule (5) does not apply to the rider of a **bicycle** or animal if the rider is to leave the roundabout more than halfway around it.

119 Giving way by the rider of a **bicycle** or animal to a vehicle leaving a roundabout (\$204 fine)

The rider of a bicycle or animal who is riding in the far left marked lane of a roundabout with 2 or more marked lanes, or the far left line of traffic in a roundabout with 2 or more lines of traffic, must give way to any vehicle leaving the roundabout.

125 Unreasonably obstructing drivers or **pedestrians**

(1) A driver must not unreasonably obstruct the path of another driver or a pedestrian. (\$61 fine)

(2) For this rule, a driver does not unreasonably obstruct the path of another driver or a pedestrian only because:

(a) the driver is stopped in traffic; or

(b) the driver is driving more slowly than other vehicles (unless the driver is driving abnormally slowly in the circumstances).

126 Keeping a safe distance behind vehicles (\$159 fine)

A driver must drive a sufficient distance behind a vehicle travelling in front of the driver so the driver can, if necessary, stop safely to avoid a collision with the vehicle.

128 Entering blocked intersections (\$114 fine)

A driver must not enter an intersection if the driver cannot drive through the intersection because the intersection, or a road beyond the intersection, is blocked.

140 No overtaking unless safe to do so (\$114 fine)

A driver must not overtake a vehicle unless:

(a) the driver has a clear view of any approaching traffic; and

(b) the driver can safely overtake the vehicle.

141 No overtaking etc to the left of a vehicle (\$114 fine)

(1) A driver (except the rider of a **bicycle**) must not overtake a vehicle to the left of the vehicle unless:

(a) the driver is driving on a multi-lane road and the vehicle can be safely overtaken in a marked lane to the left of the vehicle; or

(b) the vehicle is turning right, or making a U–turn from the centre of the road, and is giving a right change of direction signal.

(2) The rider of a **bicycle** must not ride past, or overtake, to the left of a vehicle that is turning left and is giving a left change of direction signal. (\$44 fine)

144 Keeping a safe distance when overtaking (\$114 fine)

A driver overtaking a vehicle:

(a) must pass the vehicle at a sufficient distance to avoid a collision with the vehicle or obstructing the path of the vehicle; and

(b) must not return to the marked lane or line of traffic where the vehicle is travelling until the driver is a sufficient distance past the vehicle to avoid a collision with the vehicle or obstructing the path of the vehicle.

145 Driver being overtaken not to increase speed (\$114 fine)

If a driver is overtaking another driver on a two-way road by crossing a dividing line, or crossing to the right of the centre of the road, the other driver must not increase the speed at which the driver is driving until the first driver:

(a) has passed the other driver; and

(b) has returned to the marked lane or line of traffic where the other driver is driving; and

(c) is a sufficient distance in front of the other driver to avoid a collision.

149 Giving way when lines of traffic merge into a single line of traffic (\$114 fine)

A driver in a line of traffic that is merging with one or more lines of traffic travelling in the same direction as the driver must give way to a vehicle in another line of traffic if any part of the vehicle is ahead of the driver's vehicle.

150 Driving on or across a continuous white edge line (\$68 fine)

(1) A driver must not drive on or over a continuous white edge line on a road unless the driver is:

(a) turning at an intersection; or

(b) entering or leaving the road; or

(c) entering a part of the road of one kind from a part of the road of another kind (for example, moving to or from a service road, a shoulder of the road or an emergency stopping lane); or

(d) overtaking a vehicle that is turning right, or making a U–turn from the centre of the road, and is giving a right change of direction signal; or

(e) driving a slow-moving vehicle; or

(f) stopping at the side of the road (including any shoulder); or

(g) driving a vehicle that is too wide, or too long, to drive on the road without driving on or over the edge line; or

(h) permitted to drive on or over the edge line under another law of this jurisdiction.

NSW: a driver is permitted to drive on or over a continuous white edge line if: (a) the driver is carrying out functions under the road transport legislation, or (b) the driver is complying with a direction given by a police officer or other person carrying out functions under the road transport legislation.

(2) This rule does not apply to the rider of a **bicycle** or animal.

151 Riding a motor bike or **bicycle** alongside more than 1 other rider (\$44 fine)

(1) The rider of a motor bike or bicycle must not ride on a road that is not a multi-lane road alongside more than 1 other rider, unless subrule (3) applies to the rider.

(2) The rider of a motor bike or bicycle must not ride in a marked lane alongside more than 1 other rider in the marked lane, unless subrule (3) applies to the rider.

(3) The rider of a motor bike or bicycle may ride alongside more than 1 other rider if the rider is:

(a) overtaking the other riders; or

(b) permitted to do so under another law of this jurisdiction.

(4) If the rider of a motor bike or bicycle is riding on a road that is not a multi-lane road alongside another rider, or in a marked lane alongside another rider in the marked lane, the rider must ride not over 1.5 metres from the other rider.

(5) In this rule road does not include a road-related area, but includes a bicycle path, shared path and any shoulder of the road.

Road Users' Handbook explanation: "you can ride two-abreast provided you are not more than 1.5 metres apart."

153 Bicycle lanes

(1) A driver (except the rider of a **bicycle**) must not drive in a bicycle lane, unless the driver is permitted to drive in the bicycle lane under this rule or rule 158. (\$114 fine)

(2) If stopping or parking is permitted at a place in a bicycle lane under another law of this jurisdiction, a driver may drive for up to 50 metres in the bicycle lane to stop or park at that place.

(3) A driver may drive for up to 50 metres in a bicycle lane if:

(a) the driver is driving a public bus, public minibus or taxi, and is dropping off or picking up, passengers; and

(b) there is not another law of this jurisdiction prohibiting the driver from driving in the bicycle lane.

(4) A bicycle lane is a marked lane, or the part of a marked lane:

(a) beginning at a bicycle lane sign applying to the lane; and

(b) ending at the nearest of the following:

(i) an end bicycle lane sign applying to the lane;

(ii) an intersection (unless the lane is at the unbroken side of the continuing road at a T–intersection or continued across the intersection by broken lines);

(iii) if the road ends at a dead end — the end of the road.

154 Bus lanes

(1) A driver (except the driver of a public bus) must not drive in a bus lane, unless the driver is permitted to drive in the bus lane under rule 158. (\$204 fine)

The Bike Saint's Favourite Road Rules

156 Transit lanes (\$136 fine)

- (1) A driver must not drive in a transit lane unless:
- the driver is driving:
 - a public bus, public minibus, motor bike, taxi or tram; or
 - if the transit lane sign applying to the transit lane is a transit lane (T2) sign - a vehicle carrying at least 1 other person; or
 - if the transit lane sign applying to the transit lane is a transit lane (T3) sign - a vehicle carrying at least 2 other people; or
 - the driver is permitted to drive in the transit lane under rule 158.

158 Exceptions to driving in special purpose lanes etc

(1) The driver of any vehicle may drive for up to the permitted distance in a **bicycle** lane, bus lane, tram lane, transit lane or truck lane if it is necessary for the driver to drive in the lane:

- to enter or leave the road; or
- to enter a part of the road of one kind from a part of the road of another kind (eg, moving to or from a service road, the shoulder of the road or an emergency stopping lane); or
- to overtake a vehicle that is turning right, or making a U-turn from the centre of the road, and is giving a right change of direction signal; or
- to enter a marked lane, or a line of traffic, from the side of the road.

(2) The driver of any vehicle may drive in a **bicycle** lane, bus lane, tram lane, transit lane or truck lane if:

- it is necessary for the driver to drive in the lane to avoid an obstruction; or
- information on or with a traffic sign applying to the lane indicates that the driver may drive in the lane; or
- the driver is permitted to drive in the lane under another law of this jurisdiction.

NSW:

(a) a person is permitted to ride a bicycle in a bus lane, tram lane, transit lane or truck lane, and

(b) a person is permitted to drive a taxi or motor bike in a bus lane, and

(c) a person is permitted to drive a special purpose (ie. emergency, tow truck or maintenance) vehicle in a bus lane, tram lane, transit lane or truck lane.

(3) It is a defence to the prosecution of a driver for an offence against a provision of this Division for driving in a **bicycle** lane, bus lane, tram lane, transit lane or truck lane if:

- it is necessary for the driver to drive in the lane to stop at a place in the lane; and
- the driver is permitted to stop at that place under the Australian Road Rules or another law of this jurisdiction, or it is a defence under rule 165 for the driver to stop at that place; and
- if the lane is a **bicycle** lane — the driver drives in the lane for no more than the permitted distance.

(4) In this rule permitted distance means:

- for a **bicycle** lane — 50 metres; or
- for any other lane — 100 metres.

166 Application of Part 12 to bicycles

This Part [Restrictions on stopping and parking (Rules 165 to 213)] does not apply to a bicycle that is parked at a bicycle rail or in a bicycle rack.

170 Stopping in or near an intersection (\$61 fine)

- (1) A driver must not stop in an intersection.
- (2) A driver must not stop on a road within 20 metres from the nearest point of an intersecting road at an intersection with traffic lights, unless the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules.
- (3) A driver must not stop on a road within 10 metres from the nearest point of an intersecting road at an intersection without traffic lights, unless the driver stops:
- at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules; or
 - if the intersection is a T-intersection — along the continuous side of the continuing road at the intersection.

172 Stopping on or near a **pedestrian** crossing (except at an intersection) (\$202 fine)

(1) A driver must not stop on a pedestrian crossing that is not at an intersection, or on the road within 20 metres before the crossing and 10 metres after the crossing, unless the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules.

174 Stopping at or near **bicycle** crossing lights (except at an intersection) (\$61 fine)

- (1) This rule applies to a place on a road:
- with bicycle crossing lights facing bicycle riders crossing the road; and
 - with traffic lights facing traffic travelling on the road; and
 - that is not at an intersection.
- (2) A driver must not stop within 10 metres before the traffic lights nearest to the driver at the place, and 3 metres after the traffic lights, unless the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules.

178 Stopping in an emergency stopping lane (\$136 fine)

A driver (except the rider of a **bicycle**) must not stop in an emergency stopping lane unless:

- the condition of the driver, a passenger or the driver's vehicle, or any other factor, makes it necessary or desirable for the driver to stop in the emergency stopping lane in the interests of safety, and the driver stops for no longer than is necessary in the circumstances; or
- the driver is permitted to stop in the emergency stopping lane under another law of this jurisdiction.

187 Stopping in a **bicycle** lane, bus lane, tram lane, transit lane, truck lane or on tram tracks

(1) A driver must not stop in a bus lane, transit lane or truck lane (\$114 fine) unless the driver:

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

(2) A driver must not stop in a **bicycle** lane (\$83 fine) unless:

- the driver:
 - is driving a public bus, public minibus or taxi, and is dropping off or picking up, passengers; and
 - is permitted to drive in the lane under the Australian Road Rules or another law of this jurisdiction; or
- the driver is permitted to stop or park in the **bicycle** lane under another law of this jurisdiction.

(3) A driver (except the driver of a tram or a public bus) must not stop in a tram lane, or on tram tracks. (\$114 fine)

188 Stopping in a shared zone (\$61 fine)

A driver must not stop in a shared zone unless:

- the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules; or
- the driver stops in a parking bay and the driver is permitted to stop in the parking bay under the Australian Road Rules; or
- the driver is dropping off/picking up passengers or goods; or
- the driver is engaged in the door-to-door delivery or collection of goods, or in the collection of waste or garbage.

189 Double parking (\$83 fine)

- (1) A driver must not stop on a road:
- if the road is a two-way road - between the centre of the road and another vehicle that is parked at the side of the road; or
 - if the road is a one-way road - between the far side of the road and another vehicle that is parked at the side of the road.

197 Stopping on a path, dividing strip or nature strip (\$61 fine)

(1) A driver must not stop on a **bicycle** path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless:

- the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules; or
- the driver is permitted to stop under another law of this jurisdiction.

(2) This rule does not apply to the rider of a **bicycle** or animal.

The Bike Saint's Favourite Road Rules



198 Obstructing access to and from a footpath, driveway etc (\$61)

(1) A driver must not stop on a road in a position that obstructs access by vehicles or **pedestrians** to or from a footpath ramp or a similar way of access to a footpath, or a **bicycle** path or passageway unless:

- (a) the driver is driving a public bus that is dropping off, or picking up, passengers; or
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under the Australian Road Rules.

(2) A driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land unless:

- (a) the driver is dropping off, or picking up, passengers; or
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under the Australian Road Rules.

213 Making a motor vehicle secure (\$68 fine)

(1) This rule applies to the driver of a motor vehicle who stops and leaves the vehicle on a road (except to pay a fee for parking the vehicle) so the driver is over 3 metres from the closest part of the vehicle if there is nobody 16 years old, or older, in the vehicle.

(2) Before leaving the motor vehicle, the driver must comply with this rule, except so far as the driver is exempt from this rule under another law of this jurisdiction.

(3) The driver must:

- (a) switch off the engine; and
- (b) apply the parking brake effectively or, if weather conditions (for example, snow) would prevent the effective operation of the parking brake, effectively restrain the motor vehicle's movement in another way.

(4) If there is nobody in the motor vehicle, the driver must:

- (a) remove the ignition key; and
- (b) if the doors of the vehicle can be locked - lock the doors.

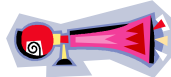
219 Lights not to be used to dazzle other road users (\$68 fine)

A driver must not use, or allow to be used, any light fitted to or in the driver's vehicle to dazzle, or in a way that is likely to dazzle, another road user.

224 Using horns and similar warning devices (\$91 fine)

A driver must not use, or allow to be used, a horn, or similar warning device, fitted to or in the driver's vehicle unless:

- (a) it is necessary to use the horn, or warning device, to warn other road users or animals of the approach or position of the vehicle; or
- (b) the horn, or warning device, is being used as part of an anti-theft device fitted to the vehicle.



The Australian Design Rule 42.9.1:

"No vehicle shall be equipped with any object or fitting, not technically essential which protrudes from any part of the vehicle so that it is likely to increase the risk of bodily injury to any person."

Part 14 Rules for pedestrians

228 No pedestrians signs (\$44 fine)

A pedestrian must not travel past a no pedestrians sign.

229 Pedestrians on a road with a road access sign (\$44 fine)

A pedestrian must not be on a length of road to which a road access sign applies if information on or with the sign indicates that pedestrians are not permitted beyond the sign.

230 Crossing a road - general (\$44 fine)

(1) A pedestrian crossing a road:

- (a) must cross by the shortest safe route; and
- (b) must not stay on the road longer than necessary to cross the road safely.

(2) However, if the pedestrian is crossing the road at an intersection with traffic lights and a pedestrians may cross diagonally sign, the pedestrian may cross the road diagonally at the intersection.

(3) In this rule: road does not include a road-related area, but includes any shoulder of the road.

231 Crossing a road at pedestrian lights (\$44 fine)

(1) A pedestrian approaching or at an intersection, or another place on a road, with pedestrian lights and traffic lights must comply with this rule.

(2) If the pedestrian lights show a red pedestrian light and the pedestrian has not already started crossing the intersection or road, the pedestrian must not start to cross until the pedestrian lights change to green.

(3) If, while the pedestrian is crossing the road, the pedestrian lights change to flashing red or red, the pedestrian must not stay on the road for longer than necessary to cross safely to the nearer (in the direction of travel of the pedestrian) of the following:

- (a) a dividing strip, safety zone, or traffic island, forming part of the area set aside or used by pedestrians to cross the road at the intersection or place (the safety area);
- (b) the nearest side of the road.

(4) If, under subrule (3), the pedestrian crosses to the safety area, the pedestrian must remain in the safety area until the pedestrian lights change to green.

(5) However, if the pedestrian cannot operate the pedestrian lights from the safety area, the pedestrian may cross to the far side of the road when:

- (a) the traffic lights change to green or flashing yellow, or there is no red traffic light showing; and
- (b) it is safe to do so.

(6) In this rule: road does not include a road-related area, but includes any shoulder of the road.

232 Crossing a road at traffic lights (\$44 fine)

(1) A pedestrian approaching or at an intersection, or another place on a road, with traffic lights, but without pedestrian lights, must comply with this rule.

(2) If the traffic lights show a red or yellow traffic light and the pedestrian has not already started crossing the intersection or road, the pedestrian must not start to cross until the traffic lights change to green or flashing yellow, or there is no red traffic light showing.

(3) If, while the pedestrian is crossing the road, the traffic lights change to yellow or red, the pedestrian must not stay on the road for longer than necessary to cross safely to the nearer (in the direction of travel of the pedestrian) of the following:

- (a) a dividing strip, safety zone, or traffic island, forming part of the area set aside or used by pedestrians to cross the road at the intersection or place (the safety area);
- (b) the nearest side of the road.

(4) If, under subrule (3), the pedestrian crosses to the safety area, the pedestrian must remain in the safety area until the traffic lights change to green or flashing yellow, or there is no red traffic light showing.

(5) In this rule: road does not include a road-related area, but includes any shoulder of the road.

234 Crossing a road on or near a crossing for pedestrians (\$44)

(1) A pedestrian must not cross a road, or part of a road, within 20 metres of a crossing on the road, except at the crossing or another crossing, unless the pedestrian is:

- (a) crossing, or helping another pedestrian to cross, an area of the road between tram tracks and the far left side of the road to get on, or after getting off, a tram or public bus; or

The Bike Saint's Favourite Road Rules



- (b) crossing to or from a safety zone; or
 - (c) crossing at an intersection with traffic lights and a pedestrians may cross diagonally sign; or
 - (d) crossing in a shared zone; or
 - (e) crossing a road, or a part of a road, from which vehicles are excluded, either permanently or temporarily.
- (2) A pedestrian must not stay on a crossing on a road for longer than necessary to cross the road safely.
- (3) Subrule (2) does not apply to a person who is helping pedestrians cross a road at a crossing if the person is permitted to do so under another law of this jurisdiction. *(NSW: lollypop people excepted)*
- (4) In this rule: crossing means a children's crossing, marked foot crossing or pedestrian crossing.

236 Pedestrians not to cause a traffic hazard or obstruction (\$44)

- (1) A pedestrian must not cause a traffic hazard by moving into the path of a driver.
- (2) A pedestrian must not unreasonably obstruct the path of any driver or another pedestrian.
- (3) For subrule (2), a pedestrian does not unreasonably obstruct the path of another pedestrian only by travelling more slowly than other pedestrians.

237 Getting on or into a moving vehicle (\$44 fine)

- (1) A person must not get on, or into, a moving vehicle unless:
- (a) the person is engaged in the door-to-door delivery or collection of goods, or in the collection of waste or garbage, and is required to get in or out of the vehicle, or on or off the vehicle, at frequent intervals; and
 - (b) the vehicle is not travelling at a speed over 5 kilometres per hour.
- (2) This rule does not apply to a person who is getting on or off a **bicycle** or animal.

238 Pedestrians travelling along a road (except in or on a wheeled recreational device or toy) (\$44 fine)

- (1) A pedestrian must not travel along a road if there is a footpath or nature strip adjacent to the road, unless it is impracticable to travel on the footpath or nature strip.
- (2) A pedestrian travelling along a road:
- (a) must keep as far to the left or right side of the road as is practicable; and
 - (b) must not travel on the road alongside more than 1 other pedestrian or vehicle travelling on the road in the same direction as the pedestrian, unless the pedestrian is overtaking other pedestrians.
- (3) In this rule: pedestrian does not include a person travelling in or on a wheeled recreational device or wheeled toy; road does not include a road-related area, but includes any shoulder of the road.

239 Pedestrians on a **bicycle** path or separated footpath (\$44)

- (1) A pedestrian must not be on a bicycle path, or a part of a separated footpath designated for the use of bicycles, unless the pedestrian:
- (a) is crossing the bicycle path or separated footpath by the shortest safe route; and
 - (b) does not stay on the bicycle path or separated footpath for longer than necessary to cross the bicycle path or separated footpath safely.
- (2) However, a pedestrian may be on a bicycle path, or a part of a separated footpath designated for the use of bicycles, if:
- (a) the pedestrian is:
 - (i) in or pushing a wheelchair; or
 - (ii) on rollerblades, rollerskates or a similar wheeled recreational device; and
 - (b) there is no traffic control device, or information on or with a traffic control device, applying to the bicycle path or separated footpath that indicates that the pedestrian is not permitted to be on the bicycle path or the part of the separated footpath designated for the use of bicycles.
- (3) A pedestrian who is crossing a bicycle path, or a part of a separated footpath designated for the use of bicycles, must keep out of the path of any bicycle, or any pedestrian who is permitted under subrule (2) to be on the bicycle path, or the part of the separated footpath designated for the use of bicycles.



Division 2 Rules for persons travelling in or on wheeled recreational devices and wheeled toys

240 Wheeled recreational devices and toys not to be used on certain roads (\$44 fine)

- (1) A person must not travel in or on a wheeled recreational device or wheeled toy on a road with a dividing line or median strip, or on a one-way road with more than 1 marked lane.
- (2) A person must not travel in or on a wheeled recreational device:
- (a) on a road that is declared, under another law of this jurisdiction, to be a road on which wheeled recreational devices are prohibited; or
 - (b) on a road at a particular time if another law of this jurisdiction prohibits wheeled recreational devices from being on all roads, or that road, at that time. *NSW: a person must not travel in or on a wheeled recreation device on any road between sunset and sunrise on successive days.*
- (3) A person must not travel in or on a wheeled toy:
- (a) on a road that is declared, under another law of this jurisdiction, to be a road on which wheeled toys are prohibited; or
 - (b) on a road at a particular time if another law of this jurisdiction prohibits wheeled toys on all roads, or that road, at that time.
- (4) In subrule (1), road does not include a road-related area but includes any shoulder of the road.

241 Travelling in or on a wheeled recreational device or toy on a road (\$44 fine)

- (1) A person travelling in or on a wheeled recreational device or wheeled toy on a road:
- (a) must keep as far to the left side of the road as practicable; &
 - (b) must not travel alongside more than 1 other **pedestrian** or vehicle travelling on the road in the same direction as the person, unless the person is overtaking other pedestrians.
- (2) In this rule road does not include a road-related area, but, in subrule (1) (b), includes any shoulder of the road.

242 Travelling in or on a wheeled recreational device or toy on a footpath or shared path (\$44 fine)

- (1) A person travelling in or on a wheeled recreational device or wheeled toy on a footpath or shared path must:
- (a) keep to the left of the footpath or shared path unless it is impracticable to do so; and
 - (b) give way to any **pedestrian** (except a person travelling in or on a wheeled recreational device or wheeled toy) who is on the footpath or shared path.

Note: **Bicycle** riders on footpaths and shared paths must give way to persons travelling in or on wheeled recreational devices or toys, as well as other **pedestrians** — see rule 250 (2).

- (2) A shared path is an area open to the public (except a separated footpath) that is designated for, or has as one of its main uses, use by both the riders of bicycles and pedestrians, and includes a length of path for use by both bicycles and pedestrians.

243 Travelling on rollerblades etc on a bicycle path or separated footpath (\$44 fine)

- (1) A person travelling on rollerblades, rollerskates, or a similar wheeled recreational device, must not be on a part of a separated footpath designated for the use of pedestrians unless the person:
- (a) is crossing the separated footpath by the shortest safe route; and
 - (b) does not stay on the separated footpath for longer than necessary to cross the separated footpath safely.
- (2) A person travelling on rollerblades, rollerskates, or a similar wheeled recreational device, on a bicycle path, or a part of a separated footpath designated for the use of bicycles, must keep out of the path of any bicycle.

244 Holding onto a moving vehicle (\$44 fine)

A person travelling in or on a wheeled recreational device or wheeled toy must not hold onto a vehicle while the vehicle is moving.

The Bike Saint's Favourite Road Rules



Part 15 Additional rules for bicycle riders

245 Riding a bicycle (\$44 fine)

The rider of a bicycle must:

- (a) sit astride the rider's seat facing forwards (except if the bicycle is not built to be ridden astride); and
- (b) ride with at least 1 hand on the handlebars; and
- (c) if the bicycle is equipped with a seat — not ride the bicycle seated in any other position on the bicycle.

246 Carrying people on a bicycle (\$44 fine)

The rider of a bicycle must not carry more persons on the bicycle than the bicycle is designed to carry.

247 Riding in a bicycle lane on a road (\$44 fine)

- (1) The rider of a bicycle riding on a length of road with a bicycle lane designed for bicycles travelling in the same direction as the rider must ride in the bicycle lane unless it is impracticable to do so. *NSW: Only applies where there is a bike lane sign (bike logo above 'LANE') beside the road. NOT where only bike logo on road.*
- (2) In this rule road does not include a road-related area.

248 No riding across a road on a crossing (\$44 fine)

The rider of a bicycle must not ride across a road, or part of a road, on a children's crossing, marked foot crossing or **pedestrian** crossing.

249 Riding on a separated footpath (\$44 fine)

The rider of a bicycle must not ride on a part of a separated footpath designated for the use of **pedestrians**.

250 Riding on a footpath or shared path (\$44 fine)

- (1) The rider of a bicycle who is 12 years old or older must not ride on a footpath if another law of this jurisdiction prohibits the rider from riding on the footpath.

NSW: a rider of a bicycle who is 12 years of age or older must not ride on a footpath unless:

- (a) if the rider is an adult—the rider is accompanying a child under 12 years of age who is riding on the footpath and the child is under the rider's supervision, or
 - (b) if the rider is not an adult—the rider is under the supervision of an accompanying adult as referred to in paragraph (a), or
 - (c) the rider is a postal worker who is riding the bicycle in the course of his or her duties as a postal worker.
- (2) The rider of a bicycle riding on a footpath or shared path must:
 - (a) keep to the left of the footpath or shared path unless it is impracticable to do so; and
 - (b) give way to any **pedestrian** on the footpath or shared path.
 - (3) In this rule footpath does not include a separated footpath.

251 Riding to the left of oncoming bicycle riders on a path (\$44)

The rider of a bicycle riding on a bicycle path, footpath, separated footpath or shared path must keep to the left of any oncoming bicycle rider on the path.

252 No bicycles signs and markings (\$44 fine)

- (1) The rider of a bicycle must not ride on a length of road or footpath to which a no bicycles sign, or a no bicycles road marking, applies.

253 Bicycle riders not to cause a traffic hazard (\$44 fine)

The rider of a bicycle must not cause a traffic hazard by moving into the path of a driver or **pedestrian**.

254 Bicycles being towed etc (\$44 fine)

- (1) A person must not ride on a bicycle that is being towed by another vehicle.
- (2) The rider of a bicycle must not hold onto another vehicle while the vehicle is moving.

255 Riding too close to the rear of a motor vehicle (\$44 fine)

The rider of a bicycle must not ride within 2 metres of the rear of a moving motor vehicle continuously for more than 200 metres.

256 Bicycle helmets (\$44 fine)

(1) The rider of a bicycle must wear an approved bicycle helmet securely fitted and fastened on the rider's head, unless the rider is exempt from wearing a bicycle helmet under another law of this jurisdiction.

(2) The rider of a bicycle must not carry a passenger on the bicycle unless:

- (a) the passenger is wearing an approved bicycle helmet securely fitted and fastened on the passenger's head; or
- (b) the passenger is exempt from wearing a bicycle helmet under another law of this jurisdiction.

(3) Subrule (2) does not apply to the rider of a three or four-wheeled bicycle who is carrying a paying passenger.

257 Riding with a person on a bicycle trailer (\$44 fine)

(1) The rider of a bicycle must not tow a bicycle trailer with a person in or on the bicycle trailer, unless:

- (a) the rider is 16 years old, or older; and
- (b) the person in or on the bicycle trailer is under 10 years old, or as otherwise provided under another law of this jurisdiction; and
- (c) the bicycle trailer can safely carry the person; and
- (d) the person in or on the bicycle trailer is wearing an approved bicycle helmet securely fitted and fastened on the person's head, unless the person is exempt from wearing a bicycle helmet under another law of this jurisdiction.

(2) In this rule bicycle trailer means a vehicle that is built to be towed, or is towed, by a bicycle.

258 Equipment on a bicycle (\$44 fine)

A person must not ride a bicycle that does not have:

- (a) at least 1 effective brake; and
- (b) a bell, horn, or similar warning device, in working order.

259 Riding at night (\$44 fine)

The rider of a bicycle must not ride at night, or in hazardous weather conditions causing reduced visibility, unless the bicycle, or the rider, displays:

- (a) a flashing or steady white light that is clearly visible for at least 200 metres from the front of the bicycle; and
- (b) a flashing or steady red light that is clearly visible for at least 200 metres from the rear of the bicycle; and
- (c) a red reflector that is clearly visible for at least 50 metres from the rear of the bicycle when light is projected onto it by a vehicle's headlight on low-beam.

260 Stopping for a red bicycle crossing light (\$44 fine)

(1) The rider of a bicycle approaching or at bicycle crossing lights showing a red bicycle crossing light must stop before reaching the bicycle crossing lights.

(2) The rider must not proceed until:

- (a) the bicycle crossing lights change to green; or
- (b) there is no red bicycle crossing light showing.

261 Stopping for a yellow bicycle crossing light (\$44 fine)

(1) The rider of a bicycle approaching bicycle crossing lights showing a yellow bicycle crossing light must comply with this rule.

(2) If the rider can stop safely before reaching the bicycle crossing lights, the bicycle rider must stop before reaching the lights.

(3) If the rider stops before reaching the bicycle crossing lights, and the lights change to red, the bicycle rider must not proceed until:

- (a) the bicycle crossing lights change to green; or
- (b) there is no red or yellow bicycle crossing light showing.

262 Proceeding when bicycle crossing lights change to yellow or red (\$44 fine)

(1) If bicycle crossing lights at an intersection change from green to yellow or red while the rider of a bicycle is in the intersection, the rider must finish crossing the intersection as soon as the rider can do so safely.

(2) If bicycle crossing lights at a place on a road where the rider of a bicycle is crossing the road change from green to yellow or red while the rider is on the road, the rider must cross the road as soon as the rider can do so safely.

(3) In this rule road does not include a road-related area.

The Bike Saint's Favourite Road Rules

268 How persons must travel in or on a motor vehicle (\$68 fine)

(3) A person must not travel in or on a motor vehicle with any part of the person's body outside a window or door of the vehicle, unless the person is the driver of the vehicle and is giving a hand signal:

- (a) for changing direction to the right in accordance with rule 50; or
- (b) for stopping or slowing in accordance with rule 55.

269 Opening doors and getting out of a vehicle etc (\$68 fine)

(1) A person must not get off, or out of, a moving vehicle, unless the person is engaged in the door-to-door delivery or collection of goods, or in the collection of waste or garbage, and the vehicle is not travelling over 5 kilometres per hour.

Offence provision.

(2) Subrule (1) does not apply to a person getting off a **bicycle** or animal.

(3) A person must not cause a hazard to any person or vehicle by opening a door of a vehicle, leaving a door of a vehicle open, or getting off, or out of, a vehicle.

287 Duties of a driver involved in a crash (\$114 fine)

(1) A driver involved in a crash must comply with this rule.

Note: The law of this jurisdiction also requires a driver involved in a crash to stop and give assistance to anyone who is injured.

(2) The driver (or the driver's representative) must give the driver's required particulars, within the required time and, if practicable, at the scene of the crash, to:

- (a) any other driver (or that driver's representative) involved in the crash; and
- (b) any other person involved in the crash who is injured, or the person's representative; and
- (c) the owner of any property (including any vehicle) damaged in the crash (or the owner's representative), unless, in the case of damage to a vehicle, the particulars are given to the driver of the vehicle (or the driver's representative).

(3) The driver (or the driver's representative) must also give the driver's required particulars, within the required time, to a police officer if:

- (a) anyone is killed or injured in the crash; or
- (b) the driver does not, for any reason, give the driver's required particulars to each person mentioned in subrule (2); or
- (c) the required particulars for any other driver involved in the crash are not given to the driver; or
- (d) a vehicle involved in the crash is towed or carried away by another vehicle (except if another law of this jurisdiction provides that the crash is not required to be reported); or under another law of this jurisdiction. *NSW: if requested to do so by a police officer.*

(4) For this rule required particulars, for a driver involved in a crash, means:

- (a) the driver's name and address; and
- (b) the name & address of the owner of the driver's vehicle; &
- (c) the vehicle's registration number (if any); and
- (d) any other information necessary to identify the vehicle; and, for subrule (3), includes any other information required to be given to a police officer about the crash under another law of this jurisdiction. *NSW: an explanation of the circumstances of the crash.*

288 Driving on a path (\$114 fine)

(1) A driver (except the rider of a **bicycle**) must not drive on a path, unless subrule (2) or (3) applies to the driver.

(2) A driver may drive on a path if the driver is:

- (a) driving on a part of the path indicated by information on or with a traffic control device as a part where vehicles may drive; or
- (b) driving on the path to enter or leave, by the shortest practicable route, a road-related area or adjacent land and there is not a part of the path indicated by information on or with a traffic control device as a part where vehicles may drive; or
- (c) permitted to drive on the path under another law of this jurisdiction.

(3) A driver may drive a motorised wheelchair on a path if:

- (a) the unladen mass of the wheelchair is not over 110 kilograms; and
- (b) the wheelchair is not travelling over 10 kilometres per hour; and
- (c) because of the driver's physical condition, the driver has a reasonable need to use a wheelchair.

(4) A driver on a path (except the rider of a **bicycle**, or a driver driving on the path to enter a road from a road-related area or adjacent land, or to enter a road-related area or adjacent land from a road) must give way to all other road users, and to animals, on the path.

(5) This rule does not apply to the rider of an animal riding the animal on a footpath.

(6) In this rule path means a **bicycle** path, footpath or shared path.

289 Driving on a nature strip (\$114 fine)

(1) A driver must not drive on a nature strip adjacent to a length of road in a built-up area, unless the driver is:

- (a) entering or leaving, by the shortest practicable route, an area on the nature strip indicated by information on or with a traffic control device as an area where vehicles may drive; or
- (b) driving on a part of the nature strip indicated by information on or with a traffic control device as a part where vehicles may drive; or
- (c) driving on the nature strip to enter or leave, by the shortest practicable route, a road-related area or adjacent land and there is not a part of the nature strip indicated by information on or with a traffic control device as a part where vehicles may drive; or
- (d) riding a **bicycle** or animal, and there is not another law of this jurisdiction prohibiting the rider from riding a bicycle or animal on the nature strip; or
- (e) driving a ride-on lawnmower that is cutting grass on the nature strip; or
- (f) driving a motorised wheelchair; or
- (g) permitted to drive on the nature strip under another law of this jurisdiction. *NSW: if it is a vehicle for lawn mowing, cleaning or maintenance.*

(2) A driver driving on a nature strip (except the rider of an animal, or a driver driving on the nature strip to enter a road from a road-related area or adjacent land, or to enter a road-related area or adjacent land from a road) must give way to all other road users, and to animals, on the nature strip.

291 Making unnecessary noise or smoke (\$91 fine)

A person must not start a vehicle, or drive a vehicle, in a way that makes unnecessary noise or smoke.

Example: Causing the wheels of the driver's vehicle to lose traction and spin on the road surface may make unnecessary noise or smoke.

292 Insecure or overhanging load

A driver must not drive or tow a vehicle if the vehicle is carrying a load that:

- (a) is not properly secured to the vehicle (\$253 fine); or
- (b) is placed on the vehicle in a way that causes the vehicle to be unstable (\$253 fine); or
- (c) projects from the vehicle in a way that is likely to injure a person, obstruct the path of other drivers or **pedestrians**, or damage a vehicle or anything else (for example, the road surface) (\$114 fine)

293 Removing fallen etc things from the road

(1) This rule applies to a driver if:

- (a) something falls onto the road from the driver's vehicle, or the driver, or a passenger in or on the driver's vehicle, puts something on the road; and
- (b) there is a possibility that the thing, if left on the road, may injure a person, obstruct the path of other drivers or **pedestrians**, or damage a vehicle or anything else (for example, the road surface).

(2) The driver must remove the thing, or take action to have the thing removed, from the road as soon as the driver can do so safely. (\$114 fine)

Examples: 1 Fallen loads; 2 Oil or grease; 3 Debris from an accident; 4 Wheel chocks.

(3) In this rule put, something onto the road, includes:

- (a) throw, drop or propel the thing onto the road; and
- (b) otherwise cause the thing to be on the road.

296 Driving a vehicle in reverse

(1) The driver of a vehicle must not reverse the vehicle unless the driver can do so safely. (\$114 fine)

(2) The driver of a vehicle must not reverse the vehicle further than is reasonable in the circumstances. (\$68 fine)

The Bike Saint's Favourite Road Rules

297 Driver to have proper control of a vehicle etc

(1) A driver must not drive a vehicle unless the driver has proper control of the vehicle. (\$114 fine)

(2) A driver must not drive a motor vehicle unless the driver has a clear view of the road, and traffic, ahead, behind and to each side of the driver. (\$68 fine)

300 Use of hand-held mobile phones (\$114 fine)

(1) The driver of a vehicle (except an emergency vehicle or police vehicle) must not use a hand-held mobile phone while the vehicle is moving, or is stationary but not parked, unless the driver is exempt from this rule under another law of this jurisdiction.

(2) In this rule mobile phone does not include a CB radio or any other two-way radio.



301 Leading an animal while driving a vehicle (\$44 fine)

A person must not lead an animal while driving a motor vehicle or riding a **bicycle**, unless the person is permitted to do so under another law of this jurisdiction.

304 Direction by a police officer or authorised person (\$44 fine)

(1) A person must obey any reasonable direction for the safe and efficient regulation of traffic given to the person by a police officer or authorised person, whether or not the person may contravene another provision of the Australian Road Rules by obeying the direction.

(2) It is a defence to the prosecution of a person for an offence against a provision of the Australian Road Rules if, at the time of the offence, the person was obeying a direction given to the person under subrule (1).

Additional clauses from the NSW Road Transport (Safety & Traffic Management) Regulation 1999.

Clause 35 General defence of accident or reasonable effort

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

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

Clause 42 Engine to be stopped where necessary (\$91 fine)

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

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

Clause 43 Emission of waste oil, grease and exhaust (\$91 fine)

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

Clause 44 Prevention of splashing of mud (\$91 fine)

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

- (a) any person in or on a bus, or
- (b) any person entering or leaving any stationary bus, or
- (c) any person waiting at any bus stop, if the bus concerned is being used to provide a public passenger service or the bus stop concerned is a stop relating to buses used for that purpose.

Clause 83 Children under 12 years must not ride on certain footpaths

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

Cl. 84 Precedence of funeral cortege or authorised procession

The driver of a motor vehicle on a road must not negligently or wilfully interfere with, or interrupt, the free passage along the road of any funeral cortege or authorised procession, or of any vehicle or person apparently forming part of the cortege or procession. (\$68 fine)

Clause 86 Driving on roads temporarily closed to traffic

A person must not drive a **motor** vehicle on any road that is closed to traffic under section 74 of the Act. (\$68 fine)

Additional sections from the NSW Road Transport (Safety & Traffic Management) Act 1999.

Section 42 Negligent, furious or reckless driving

(1) A person must not drive a motor vehicle negligently on a road or road related area. Maximum penalty:

- (a) if the driving occasions death 30 penalty units or imprisonment for 18 months or both (first offence) or 50 penalty units, imprisonment for 2 years or both (subsequent offence), or
- (b) if the driving occasions grievous bodily harm 20 penalty units or imprisonment for 9 months or both (first offence) or 30 penalty units or imprisonment for 12 months or both (subsequent offence), or
- (c) if the driving does not occasion death or grievous bodily harm. (\$159 fine)

(2) A person must not drive a motor vehicle furiously, recklessly or at a speed or in a manner dangerous to the public, on a road or road related area. Maximum penalty: 20 penalty units or imprisonment for 9 months or both (first offence) or 30 penalty units or imprisonment for 12 months or both (subsequent offence).

(3) In considering whether an offence has been committed under this section, the court is to have regard to all the circumstances of the case, including the following:

- (a) the nature, condition and use of the road or road related area on which the offence is alleged to have been committed,
- (b) the amount of traffic that actually is at the time, or which might reasonably be expected to be, on the road or road related area.

(4) In this section: grievous bodily harm includes any permanent or serious disfigurement.

Section 43 Menacing driving

(1) Offence intent to menace

A person must not drive a motor vehicle on a road or road related area in a manner that menaces another person with the intention of menacing that other person. Maximum penalty: 30 penalty units or imprisonment for 18 months or both (first offence) or 50 penalty units or imprisonment for 2 years or both (subsequent offence).

(2) Offence possibility of menace

A person must not drive a motor vehicle on a road or road related area in a manner that menaces another person if the person ought to have known that the other person might be menaced.

Maximum penalty: 20 penalty units or imprisonment for 12 months or both (first offence) or 30 penalty units or imprisonment for 18 months or both (subsequent offence).

(3) Application of section This section applies:

- (a) whether the other person is menaced by a threat of personal injury or by a threat of damage to property, and
- (b) whether or not that person or that property is on a road or road related area.

(4) Defence. A person is not guilty of an offence under this section if the person could not, in the circumstances, reasonably avoid menacing the other person.

(5) Double jeopardy. A person is not liable to be convicted of:

- (a) both an offence under subsection (1) and an offence under subsection (2), or
- (b) both an offence under this section and an offence under section 42, arising out of a single incident.

Section 70 Duty to stop and give assistance where person killed or injured in road accident

The driver or rider of a vehicle or horse concerned in an accident that occurs because of the presence of the vehicle or horse on a road or road related area and that causes the death of or injury to any person must not knowingly fail to stop and give any assistance that may be necessary and that it is in his or her power to give. Maximum penalty: 30 penalty units or imprisonment for 18 months or both (first offence) or 50 penalty units or imprisonment for 2 years or both (subsequent offence).

Definitions

13 What is a road-related area

(1) A road-related area is any of the following:

- (a) an area that divides a road;
- (b) a footpath or nature strip adjacent to a road;
- (c) an area that is not a road and that is open to the public and designated for use by cyclists or animals;
- (d) an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles.

(2) However, unless the contrary intention appears, a reference in the Australian Road Rules (except in this Division) to a road-related area includes a reference to:

- (a) an area so far as the area is declared, under another law of this jurisdiction, to be a road-related area for the Australian Road Rules; or
- (b) any shoulder of a road; or
- (c) any other area that is a footpath or nature strip as defined in the dictionary; but does not include a reference to an area so far as the area is declared, under another law of this jurisdiction, not to be a road-related area for the Australian Road Rules.

14 Road users

A road user is a driver, rider, passenger or pedestrian.

15 What is a vehicle

A vehicle includes:

- (a) a motor vehicle, trailer and tram; and
- (b) a **bicycle**; and
- (c) an animal-drawn vehicle, and an animal that is being ridden or drawing a vehicle; and
- (d) a combination; and
- (e) a motorised wheelchair that can travel at over 10 kilometres per hour (on level ground);

but does not include another kind of wheelchair, a train, or a wheeled recreational device or wheeled toy.

17 Who is a rider

(1) A rider is the person who is riding a motor bike, bicycle, animal or animal-drawn vehicle.

(2) A rider does not include:

- (a) a passenger; or
- (b) a person walking beside and pushing a bicycle.

18 Who is a **pedestrian**

A pedestrian includes:

- (a) a person driving a motorised wheelchair that cannot travel at over 10 kilometres per hour; and
- (b) a person in a non-motorised wheelchair; and
- (c) a person pushing a motorised or non-motorised wheelchair; &
- (d) a person in/on a wheeled recreational device or wheeled toy.

19 References to driver includes **rider** etc

Unless otherwise expressly stated in the Australian Road Rules, each reference in the Rules to a driver includes a reference to a rider, and each reference in the Rules to driving includes a reference to riding.

Dictionary

- **Bicycle** means a vehicle with 1 or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor), and:
 - includes a pedicab, penny-farthing, scooter, tricycle and unicycle; but
 - does not include a wheelchair, wheeled recreational device, wheeled toy, or any vehicle with an auxiliary motor capable of generating a power output over 200 watts (whether or not the motor is operating).
- **Bicycle** crossing light means a green, yellow or red bicycle crossing light.
- **Bicycle** crossing lights means a device designed to show a **bicycle** crossing light, or 2 or more bicycle crossing lights at different times.
- **Bicycle** lane see rule 153.
- **Bicycle** path see rule 239.
- **Bicycle** path road marking see rule 239.
- **Bicycle** symbol means a symbol consisting of a picture of a **bicycle**.
- **marked foot crossing** means an area of a road:
 - (a) at a place with pedestrian lights facing pedestrians crossing the road and traffic lights facing vehicles driving on the road; &
 - (b) indicated by a different road surface, or between 2 parallel continuous or broken lines, or rows of studs or markers, on the road surface substantially from one side of the road to the other. (Example of a different road surface: The area of road could be indicated by brick paving across a bitumen road.)
- **traffic** includes vehicles and **pedestrians**.