



Submission to

**Australian Road Rules 10th Amendment
Package 2013**

Conducted by the
NTC

5 September 2013

RACV Submission to Australian Road Rules 10th Amendment Package 2013

Rule 70 – Giving way at a give way sign at a bridge or length of narrow road

RACV supports the proposed change.

Rule 120 – What is a level crossing – cross hatching

RACV supports the proposed change to the Australian Road Rules that will bring consistency across states. The proposed amendment is already in effect in Victoria as Rule 120(3) of the Victorian Road Safety Road Rules 2009.

Rule 134 – Exceptions to keeping to the left of a dividing line - wide centre lines

The proposed change to 134(2) and 134(3) clarify the legal status of broken double lines by explicitly permitting permit overtaking and U-turns over broken double lines. This change is supported by RACV.

Rule 134 – Exceptions to keeping to the left of a dividing line – parking in angle parking on the opposite side of the road

When turning right into a car parking space (whether marked or not), the rules are currently not clear on whether the parking area is considered “a part of the road of another kind”. While it is generally considered that turning right across a dividing line to enter a car parking space is not illegal, it is also not clearly allowed by the current rules. RACV has received a number of queries from members requesting clarification on this issue. In addition, the definition of U-turn makes it uncertain whether a driver is permitted to turn right across a dividing line to park in shallow (30-60 degree) angle parking. The change is supported, but perhaps does not go far enough in clarifying what manoeuvres are permitted.

Rule 138 – Keeping off a painted island

The proposed change has same effect as the proposed changes to Rule 134, and the same comments from RACV would apply.

Rule 147 – Moving from one marked lane to another marked lane across a continuous line separating the lane

The proposed change will permit lane changes across continuous lane lines where the driver is entitled to use the part time special purpose lane or for all drivers where the part time special purpose lane is not in operation. RACV supports this logical change.

Rule 153 – Bicycle lanes

The proposed change allows the use of pavement markings to mark the start and end of bicycle lanes, rather than requiring signs as in the current situation. RACV supports this logical change.

Rule 171 and 172 – Entering blocked crossings

The proposed change closes an inconsistency between the above rules and Rule 128A and is supported by RACV.

Rule 197 – Stopping on a traffic island

The proposed change will prohibit stopping on a traffic island, which is consistent with the existing prohibition on stopping on a painted island, except that bicycle and animal riders may stop on a traffic island. RACV supports this logical change.

Rule 227 – Using portable warning devices

RACV supports the proposed change to the Australian Road Rules that will bring consistency across states. The intent of the proposed amendment is already in effect in Victoria as Rule 227 of the Victorian Road Safety Road Rules 2009.

Rule 238 – Pedestrians travelling along a road (except in or on a wheeled recreational device or toy)

The proposed amendment will permit pedestrians in a shared zone to walk anywhere they please, rather than having to keep far left or right as practicable, walk facing oncoming traffic unless impracticable and walk more than 2 abreast unless overtaking. This is a logical change and is supported by RACV as long as Rule 236(2) (which outlines the requirement for pedestrians to not unreasonably obstruct vehicles) remains in force.

Rule 260 and 261 – Stopping for a red bicycle crossing light and Rule 261 – Stopping for a yellow bicycle crossing light

RACV supports the proposed rewording of the rules that will bring consistency between pedestrian signals and bicycle signals.

Rule 265 and 266 – Wearing of seatbelts by passengers *

266(5B) and 265(4) RACV has concerns about the safety implications of this rule change. Although travelling without the use of a child restraint may be the only practical option in some non-typical situations, this practice is discouraged. The forces involved in a crash are considered so great that even in a low speed crash the strength needed to hold onto a child would be similar to lifting one end of a small car. For example, in a 60 km/hr crash the child's weight would be the equivalent of trying to stop half a tonne weight from moving forward. Tests have shown that the child would be thrown around the vehicle's interior or thrown out of the vehicle, possibly through the windscreen. Therefore parents and carers are encouraged to find alternative transport options where no appropriate child restraint is available.

RACV would support the proposed change if the exemption provided to taxis was removed. This would also bring the road rules in line with the final recommendations adopted by the Victorian Taxi Industry Inquiry in May 2013.

RACV also recommends that the exemption for tow trucks only apply to tow trucks providing a service in response to a crash or break down, and not under any other circumstances.

266(2B)(b) The Australian Standard for child restraints (AS/NZS1754) outlines that a booster seat is to be used with either an approved seatbelt comprising a lap and sash belt or an approved child safety harness. RACV is supportive of the Standard and therefore also supports this rule change.

Rule 267 – Exemptions from wearing seatbelts by children at low speed *

This rule change ensures that children under the age of 7 years travelling in vehicles are appropriately restrained, regardless of the speed at which the vehicle is travelling. RACV supports this rule change.

Rule 271 – Riding on motorbikes

RACV supports the proposed change.

Rule 288 – Driving on a path – postal vehicle exemption

RACV supports the proposed change to the Australian Road Rules that will bring consistency across states. The intent of the proposed amendment is already in effect in Victoria as Rule 288(2) (c) of the Victorian Road Safety Road Rules 2009, albeit with minor detail differences.

Rule 288 – Driving on a nature strip – postal vehicle exemption

RACV supports the proposed change to the Australian Road Rules that will bring consistency across states. The intent of the proposed amendment is already in effect in Victoria as Rule 289(1) (g) of the Victorian Road Safety Road Rules 2009, albeit with minor detail differences.

Rule 299 – Television receivers and visual display units in motor vehicles

RACV supports the proposed change to the Australian Road Rules that will bring consistency across states. The intent of the proposed amendment is already in effect in Victoria as Rule 299(2) (b) of the Victorian Road Safety Road Rules 2009.

Rule 300 – Use of mobile phones

RACV supports allowing drivers to use the driver's aid function located on a mobile phone as long as it can be operated by the driver without touching any part of the phone and the phone is secured in a commercially designed holder fixed to the vehicle. Drivers should still be able to touch a mobile phone when using it to make or receive calls only if the device is secured in a commercially designed holder fixed to the vehicle.

Rule 313 – Exemption for postal vehicles

This change is necessary to retain consistency with the changes proposed to Rule 288 outlined above, and is supported by RACV.

Rule 316 – When do traffic control devices comply substantially with the Australian road rules?

The proposed amendment adds three examples after Rule 316(3). Of these, RACV does not support the example of a speed-limited area with a missing "end area speed-limit" sign still being considered a speed-limited area. An area speed limit is defined only by the start and end signs forming a complete cordon as outlined in Rule 22(2), so the presence of well-maintained speed limit signage is critical to the enforceability of the area speed limit. It would be unacceptable to RACV that a driver could be fined for not obeying a missing regulatory traffic control device.

RACV supports the other two examples provided.

End.