



New South Wales

Road Rules Amendment (Slowing Down for Police and Incident Response Vehicles) Bill 2018

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows:

- (a) to require motorists to slow down and not increase speed when passing or overtaking a stationary or slow-moving police vehicle or incident response vehicle (which includes ambulances or other emergency vehicles),
- (b) to require motorists to move over into another lane when approaching a slow-moving police vehicle or incident response vehicle travelling in the same lane as the motorist,
- (c) to require motorists to give way to persons on foot near a stationary police vehicle or incident response vehicle.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 repeals an amending Regulation that has not commenced and that deals with similar matters to those dealt with by the proposed Act.

Schedule 1 amends the *Road Rules 2014* for the purposes described in the above overview.



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New South Wales

Road Rules Amendment (Slowing Down for Police and Incident Response Vehicles) Bill 2018

No. , 2018

A Bill for

An Act to amend the *Road Rules 2014* to require drivers to slow down or move over when approaching or passing police and incident response vehicles; and for other purposes.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Road Rules Amendment (Slowing Down for Police and Incident Response Vehicles) Act 2018*.

2 Commencement

This Act commences on the date of assent to this Act.

3 Repeal of Regulation

The *Road Transport Legislation Amendment (Stationary Emergency Vehicles) Regulation 2018* is repealed.

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Schedule 1 Amendment of Road Rules 2014

Rule 78–1

Insert after rule 78:

78–1 NSW rule: Approaching or passing stationary or slow-moving police or incident response vehicles

(1) For the purposes of this rule:
flashing warning lights do not include yellow direction indicator lights.

incident response vehicle means any of the following:

- (a) an emergency vehicle,
- (b) a motor breakdown service vehicle,
- (c) a tow truck.

Note. *Emergency vehicle*, *motor breakdown service vehicle* and *tow truck* are defined in the Dictionary.

(2) A driver approaching a stationary or slow-moving police vehicle or incident response vehicle that is displaying flashing warning lights must drive at a speed at which the driver can, if necessary, stop safely before passing the vehicle.

Maximum penalty: 20 penalty units.

Note. *Police vehicle* is defined in the Dictionary.

(3) A driver approaching a stationary police vehicle or incident response vehicle that is displaying flashing warning lights and is in the same lane of a multi-lane road as the driver must move to another lane for traffic travelling in the same direction as the driver when it is safe to do so.

Maximum penalty: 20 penalty units.

(4) A driver approaching a stationary police vehicle or incident response vehicle that is displaying flashing warning lights must give way to any person who is on foot in the immediate vicinity of that vehicle.

Maximum penalty: 20 penalty units.

(5) A driver must not drive past or overtake, at a speed exceeding 40 kilometres per hour, a stationary or slow-moving police vehicle or incident response vehicle that is displaying flashing warning lights.

Maximum penalty: 20 penalty units.

Note. *Overtake* is defined in the Dictionary.

(6) A driver who drives past or overtakes a stationary or slow-moving police vehicle or incident response vehicle that is displaying flashing warning lights must not increase speed until the driver is at a sufficient distance from the vehicle so as to avoid causing a danger to any person in the immediate vicinity of that vehicle.

Maximum penalty: 20 penalty units.

- (7) A driver does not commit an offence under this rule if the driver is driving on a road that is divided by a median strip and the police vehicle or incident response vehicle is on the other side of the road beyond the median strip. 1
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Note. *Median strip* is defined in the Dictionary. 4
- (8) This rule applies to a driver despite any other rule of these Rules. 5
Note. This rule is an additional NSW rule. There is no corresponding rule in the *Australian Road Rules*. 6
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