

LEGISLATIVE COUNCIL

Road Transport Amendment (Obstruction and Hazard Safety) Bill 2013

First print

Proposed amendments

No. 1 Page 2. Insert after line 16:

Schedule 1 Amendment of Road Rules 2008

[1] Rule 25–2

Insert after rule 25–1:

25–2 NSW rule: speed limits when approaching accidents, emergencies or breakdowns

- (1) This rule applies to a driver if:
 - (a) the vehicle being driven by the driver is approaching a police or emergency vehicle that is displaying a flashing blue or red light (whether or not it is also displaying other lights) or a tow truck that is displaying a flashing light, and
 - (b) it appears to the driver that the police or emergency vehicle or tow truck is attending the scene of an accident or other emergency or a breakdown, and
 - (c) the speed limit applying to a driver for the length of road concerned is 80 kilometres per hour or more.
- (2) This rule also applies to a driver if:
 - (a) the vehicle being driven by the driver is approaching a stationary vehicle that is displaying flashing hazard lights, and
 - (b) it appears to the driver that:
 - (i) a vehicle has been involved in an accident or other emergency or has broken down, and
 - (ii) any person is outside any such vehicle, and
 - (c) the speed limit applying to a driver for the length of road concerned is 80 kilometres per hour or more.
- (3) The speed limit applying to a driver to whom this rule applies is 30 kilometres per hour less than the speed limit

that applies to the driver for the length of road under another rule of this Part.

- (4) This rule has effect despite any other rule in this Part that specifies a speed limit applying to a driver for a length of road that is greater than the speed limit applying to the driver under this rule.

[2] Rule 139–1

Insert after rule 139:

139–1 NSW rule: driver on multi-lane road must move over when approaching accidents, emergencies or breakdowns

- (1) This rule applies to a driver driving in a lane on a multi-lane road (*the first lane*) if:

- (a) the speed limit applying to the driver for the length of road where the driver is driving is 80 kilometres per hour or more, or
- (b) a *keep left unless overtaking sign* applies to the length of road where the driver is driving.

- (2) If:

- (a) the vehicle being driven by the driver is approaching any of the following vehicles in the first lane or on the side of the road that is next to the first lane:

- (i) a police or emergency vehicle that is displaying a flashing blue or red light (whether or not it is also displaying other lights),
- (ii) a tow truck that is displaying a flashing light, and

- (b) it appears to the driver that the police or emergency vehicle or tow truck is attending the scene of an accident or other emergency or a breakdown,

the driver must move from the first lane to another lane on the multi-lane road away from the police or emergency vehicle or tow truck, but only if, in all the circumstances, it is safe for the driver to do so.

Maximum penalty: 20 penalty units.

- (3) If:

- (a) the vehicle being driven by the driver is approaching a stationary vehicle that is displaying flashing hazard lights, and

- (b) it appears to the driver that:

- (i) a vehicle has been involved in an accident or other emergency or has broken down, and
- (ii) any person is outside any such vehicle,

the driver must move from the first lane to another lane on the multi-lane road away from the stationary vehicle, but only if, in all the circumstances, it is safe for the driver to do so.

Maximum penalty: 20 penalty units.

- (4) A *keep left unless overtaking sign* on a multi-lane road applies to the length of road beginning at the sign and ending at the nearest of the following:

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- (a) an *end keep left unless overtaking sign* on the road,
 - (b) a traffic sign or road marking on the road that indicates that the road is no longer a multi-lane road,
 - (c) if the road ends at a T-intersection or dead end—the end of the road.

Note. *Road marking*, *T-intersection* and *traffic sign* are defined in the Dictionary.

- (5) In this rule:

lane, for a driver, means a marked lane for vehicles travelling in the same direction as the driver, but does not include a special purpose lane in which the driver is not permitted to drive.

Note 1. *Marked lane* and *special purpose lane* are defined in the Dictionary.

Note 2. Rule 95 deals with driving in emergency stopping lanes, and Division 6 of this Part deals with driving in other special purpose lanes.

- No. 2 Long title. Insert “and to amend the *Road Rules 2008* to create offences requiring drivers to slow down and move over when approaching accidents, emergencies or breakdowns” after “roads”.