Road Traffic Code Amendment Regulations
(No. 8) 2017

Made by the Governor in Executive Council.

1. Citation
These regulations are the *Road Traffic Code Amendment Regulations (No. 8) 2017*.

2. Commencement
These regulations come into operation as follows —
(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
(b) the rest of the regulations — on the 56th day after that day.

3. Regulations amended
These regulations amend the *Road Traffic Code 2000*.

4. Part 11 Division 6A inserted
After Part 11 Division 6 insert:

**Division 6A — Stationary incident response vehicles**

137A. Approaching and passing stationary incident response vehicles
(1) In this regulation —

*hazard warning light* has the same meaning as in regulation 188;

*incident response vehicle* means any of the following vehicles if the vehicle is displaying a flashing light other than a turn indicator light or hazard warning light —
(a) an emergency vehicle;
(b) a motor break-down service vehicle;
(c) a tow truck;
(d) a vehicle that is being used to provide an incident response service on behalf of the Commissioner of Main Roads.
(2) A driver approaching a stationary incident response vehicle must drive at a speed at which the driver can, if necessary, stop safely before passing the incident response vehicle.
Points: 3 Modified penalty: 6 PU

(3) A driver approaching a stationary incident response vehicle that is in the same lane of a multi-lane carriageway as the driver must move to another lane for vehicular traffic travelling in the same direction as the driver, if it is safe to do so.
Points: 3 Modified penalty: 6 PU

(4) A driver must not pass a stationary incident response vehicle at a speed exceeding 40 km/h.
Points: 3 Modified penalty: 6 PU

(5) Subregulations (2) and (4) do not apply if the driver —
(a) is on a two-way carriageway; and
(b) the incident response vehicle is on the side of the carriageway used by vehicular traffic travelling in the opposite direction to the driver.

R. KENNEDY, Clerk of the Executive Council.