

1991—No. 529–530

TRAFFIC ACT 1909—REGULATION

(Extending to buses the application of certain speed and other limitations now
in force in relation to trucks)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council,
and in pursuance of the Traffic Act 1909, has been pleased to make the
Regulation set forth hereunder.

WAL MURRAY
Minister for Roads.

Commencement

1. This Regulation commences on 4 October 1991.

Amendments

2. The Motor Traffic Regulations 1935 are amended:

- (a) by inserting in Regulation 2 (1) in alphabetical order the following definition:

“**Bus**” means a motor car constructed primarily for the carriage of persons and equipped to seat more than 8 adult persons (counting the driver).

- (b) by omitting Regulation 54 (6) (ae), (af) and (ag) and by inserting instead the following paragraphs:

- (ae) the words “truck & bus lane” mean, and the direction represented by the traffic control sign on which they appear is, that the driver of a motor lorry or bus having in either case a manufacturer’s gross vehicle mass exceeding 4.5 tonnes who approaches that sign from the direction in which it is facing must not, between that sign and the next traffic control sign facing the driver on which appear the

1991—No. 529–530

words “end truck & bus lane”, drive the motor lorry or bus on any part of that public street other than in a traffic lane adjacent to, above or on which that first sign is erected, displayed or marked;

(af) the words “trucks & buses must use low gear” mean, and the direction represented by the traffic control sign on which they appear is, that the driver of a motor lorry or bus having in either case a manufacturer’s gross vehicle mass exceeding 4.5 tonnes who is approaching that sign from the direction in which it is facing must:

(i) before passing that sign, engage a gear that will enable the driver, in the absence of unexpected circumstances, to control the speed of the motor lorry or bus without the use of its braking system between that sign and the next traffic control sign facing the driver on which appear the words “end truck & bus low gear area”; and

(ii) not disengage that gear until the motor lorry or bus has passed that next traffic control sign unless it is necessary to do so because of unexpected circumstances;

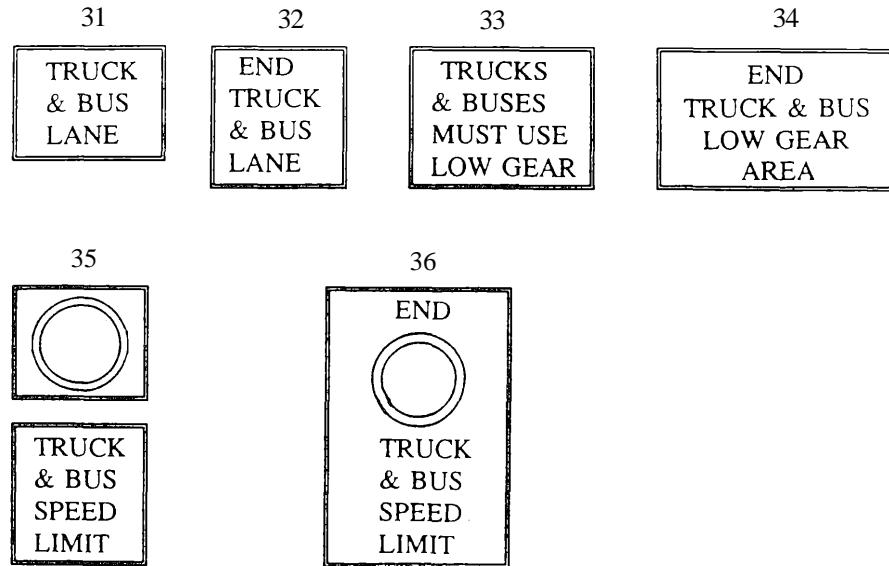
(ag) the words “truck & bus speed limit” appearing below numerals within a circle mean, and the direction represented by the traffic control sign on which they appear is, that the driver of a motor lorry or bus having in either case a manufacturer’s gross vehicle mass exceeding 4.5 tonnes who approaches that sign from the direction in which it is facing must not, between that sign and the next traffic control sign facing the driver:

(i) on which appear both a circle with the same numerals as appear on the first sign and the words “end truck & bus speed limit”; or

(ii) on which appear the same words and symbol as appear on the first sign, whether the same numerals appear on it or not,

drive the motor lorry or bus at a speed in excess of the number of kilometres per hour denoted by the numerals on that first sign;

(c) by omitting Diagrams 31–36 from the Schedule to Regulation 54 and by inserting instead the following diagrams:



(d) by omitting from Table B of Part 2 of Schedule K paragraph (a) (iii) and (iv) of the matter relating to Regulation 54 (7) and by inserting instead the following matter:

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| (iii) | contrary to a “truck & bus lane” or “trucks & buses must use low gear” sign | 153 |
| (iv) | contrary to a “truck & bus speed limit” sign | 263 |

Saving

3. (1) A sign depicted in any of Diagrams 31–36 of the Schedule to Regulation 54 of the Motor Traffic Regulations 1935, as in force immediately before 4 October 1991, continues, until 31 October 1991, to have the meaning and to give the direction that, immediately before that date, were prescribed in respect of it.

(2) Until 31 October 1991:

- (a) such a sign is taken still to be a traffic control sign for the purposes of Regulation 54 (7); and
- (b) the penalties prescribed by Schedule K to the Motor Traffic Regulations 1935, as in force immediately before 4 October 1991, for a contravention of Regulation 54 (7) in respect of such a sign are taken to continue in force.

EXPLANATORY NOTE

The object of this Regulation is to amend the law supporting certain traffic control signs applying to trucks so as to enable them to be replaced with similar signs that apply to both trucks and buses.

The signs concerned are those that now require trucks to drive in the left-hand lane or to engage low gear or to observe a special speed limit.

The amendment also changes the weight criterion for application of the signs concerned, so that they will now apply to trucks or buses having a manufacturer's gross vehicle mass exceeding 4.5 tonnes. Previously they were expressed to apply to trucks having an unladen weight in excess of 2 tonnes.
