



Victoria Government Gazette

No. S 396 Monday 9 November 2009
By Authority of Victorian Government Printer

Road Safety Act 1986

ROAD SAFETY ROAD RULES 2009

Approved Motor Bike Helmets

1. Purpose

The purpose of this notice is to declare that only certain types of motor bike helmets are approved for use under the Road Safety Road Rules 2009 (in this notice referred to as the **Road Rules**).

2. Authorising provision

This notice is made under rule 270 of the Road Rules which states that an **approved motor bike helmet** means a protective helmet for motor bike riders that is approved by the Roads Corporation by notice in the Government Gazette.

3. Commencement

This notice comes into operation on 9 November 2009.

4. Revocation

The notice published in the Government Gazette No. S 174 on 1 December 1999 regarding approved motor bike helmets is revoked.

5. Expiry

This notice expires on 9 November 2019.

6. Definition

In this notice, **relevant Standard** means Australian Standard AS 1698–1988: Protective helmets for vehicle users.

7. Approval

I, George Mavroyeni, delegate of the Roads Corporation, approve the following motor bike helmets for the purposes of rule 270 of the Road Rules –

- (a) a motor bike helmet manufactured in Australia which –
 - (i) complies with a version of the relevant Standard that was in force at the time of manufacture or any later version; and
 - (ii) is marked with an official standards mark certifying compliance with that version of the relevant Standard; and
- (b) a motor bike helmet imported into Australia which –
 - (i) complies with a version of the relevant Standard that was in force at the time of importation or any later version; and
 - (ii) is marked with an official standards mark certifying compliance with that version of the relevant Standard.

Note: Words and phrases in this notice have the same meaning as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 9 November 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

SPECIAL

Road Safety Act 1986
ROAD SAFETY ROAD RULES 2009
Declaration of School Days Periods

1. Purpose

The purpose of this notice is to declare 'school days periods' during which traffic control devices will apply for the purposes of rule 317A of the Road Safety Road Rules 2009 (in this notice referred to as the **Road Rules**).

2. Authorising provision

This notice is made under rule 317A of the Road Rules, which allows the Roads Corporation to, by notice in the Government Gazette, declare a period to be a 'school days period' for the purposes of that rule.

Rule 317A(1) states that if information on or with a traffic control device indicates that it applies on school days, it only applies –

- (a) on a declared school day; or
- (b) on any day indicated to be a school day by information on or with the traffic control device.

Rule 317A(3) states that a **declared school day** means any day that falls within a period declared by the Roads Corporation, by notice in the Government Gazette, to be a school days period for the purposes of that rule, and that is not one of the following –

- (a) a Saturday or a Sunday; or
- (b) a day appointed under the **Public Holidays Act 1993** as a public holiday in the place in which the traffic control device is located.

Note: Information on or with a traffic control device may indicate times, days or circumstances when it applies or does not apply.

3. Commencement

This notice commences on 9 November 2009.

4. Declaration

I, George Mavroyeni, delegate of the Roads Corporation, declare each of the periods that –

- (a) begins on the dates specified in column two of table 1; and
 - (b) ends on the dates specified in column three of table 1 –
- to be a 'school days period' (start and end dates inclusive) for the purposes of rule 317A of the Road Rules.

Table 1 – School Days Periods

Column 1	Column 2 Start date	Column 3 End date
School Days Period 1	27 January 2010	26 March 2010
School Days Period 2	12 April 2010	25 June 2010
School Days Period 3	12 July 2010	17 September 2010
School Days Period 4	4 October 2010	17 December 2010

Note: Words and phrases in this notice have the same meanings as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 9 November 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

Road Safety Act 1986

ROAD SAFETY ROAD RULES 2009

Tow Trucks in Emergency Stopping Lanes on Freeways

1. Purpose

The purpose of this notice is to provide consent for drivers of a tow truck to use emergency stopping lanes on freeways under certain conditions.

2. Authorising provision

This notice is made under rule 95(2) of the Road Safety Road Rules 2009 (in this notice referred to as the **Road Rules**). Rule 95(2) provides that the Roads Corporation may by written consent allow the driver of a vehicle to drive in an emergency stopping lane, which would otherwise be prohibited under rule 95(1) of the Road Rules.

3. Commencement

This notice comes into operation on 9 November 2009.

4. Revocation

The notice published in Government Gazette No. S 308 on 9 September 2009 entitled 'Allowing drivers of tow trucks to use the emergency stopping lanes on freeways' is revoked.

5. Expiry

This notice expires on 29 October 2012.

6. Definitions

For the purposes of this notice –

tow, in relation to any motor vehicle, includes –

- (a) lifting and towing the motor vehicle; and
- (b) lifting and carrying the motor vehicle; and
- (c) lifting the motor vehicle for the purpose of towing the motor vehicle;

tow truck means –

- (a) any motor vehicle –
 - (i) that is equipped with a crane, winch, ramp or other lifting device; and
 - (ii) that is used or intended to be used for the towing of motor vehicles; and
- (b) any motor vehicle to which is attached, temporarily or otherwise, a trailer or device that is –
 - (i) equipped with a winch or ramp or other lifting device; and
 - (ii) that is used or intended to be used for the towing of motor vehicles.

7. Consent

In accordance with rule 95(2) of the Road Rules, I, George Mavroyeni, delegate of the Roads Corporation, consent to a person driving a tow truck in an emergency stopping lane on a freeway, subject to the following conditions –

- (a) the driver must comply with the **Accident Towing Services Act 2007**, the **Transport Act 1983**, the **Road Safety Act 1986**, and any regulations, codes of practice, rules or standards made under those Acts; and
- (b) the driver must comply with the requirements of any licence or permit issued in relation to the operation of the tow truck, including any permit issued under Chapter 5 of the Road Safety (Vehicles) Regulations 2009; and
- (c) the tow truck must comply with the Australian Design Rules 44/01 2006 or a later edition; and

- (d) the driver must only travel in the emergency stopping lane of a freeway –
 - (i) for the purpose of accessing, removing or towing a damaged or disabled vehicle from that freeway; and
 - (ii) at times when driving in other lanes is not possible due to congestion or obstruction; and
- (e) when travelling in the emergency stopping lane, the driver must –
 - (i) activate the tow truck's yellow flashing or rotating warning lights; and
 - (ii) travel at a speed not exceeding 40 km/h; and
 - (iii) provide clear passage to emergency vehicles at all times.

Note: Words and phrases in this notice have the same meanings as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 9 November 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

Road Safety Act 1986
ROAD SAFETY ROAD RULES 2009
Approved Horse Riding Helmets

1. Purpose

The purpose of this notice is to declare that certain types of horse riding helmets are approved for use under the Road Safety Road Rules 2009 (in this notice referred to as the **Road Rules**).

2. Authorising provision

This notice is made under rule 303A(4) of the Road Rules, which states that an **approved horse riding helmet** means a helmet approved for the purposes of the Road Rules by the Roads Corporation by notice published in the Government Gazette.

3. Commencement

This notice comes into operation on 9 November 2009.

4. Revocation

The notice published in the Government Gazette No. S 174 on 1 December 1999 entitled 'Approved horse riding helmets' is revoked.

5. Expiry

This notice expires on 9 November 2019.

6. Definition

In this notice, relevant Standard means –

- (a) Australian/New Zealand Standard AS/NZS 3838:1998 Helmets for horse riding and horse-related activities; and
- (b) Australian Standard AS 2063 as related to horse riding helmets.

7. Approval

I, George Mavroyeni, delegate of the Roads Corporation, approve the following horse riding helmets for the purposes of rule 303A(4) of the Road Rules –

- (a) a horse riding helmet manufactured in Australia which –
 - (i) complies with a version of a relevant Standard that was in force at the time of manufacture or any later version; and
 - (ii) is marked with an official standards mark certifying compliance with that version of a relevant Standard; and
- (b) a horse riding helmet imported into Australia which –
 - (i) complies with a version of a relevant Standard that was in force at the time of importation or any later version; and
 - (ii) is marked with an official standards mark certifying compliance with that version of a relevant Standard.

Note: Words and phrases in this notice have the same meanings as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 9 November 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

Road Safety Act 1986
ROAD SAFETY ROAD RULES 2009
Approved Bicycle Helmets

1. Purpose

The purpose of this notice is to declare that only certain types of bicycle helmets comply with the Road Safety Road Rules 2009 (in this notice referred to as the **Road Rules**).

2. Authorising provision

This notice is made under the dictionary to the Road Rules, which defines **approved bicycle helmet** as a bicycle helmet of a type that is approved, for the purposes of the Road Rules, by the Roads Corporation by notice in the Government Gazette.

Rule 4 of the Road Rules states that the dictionary is part of the Road Rules, and that a definition applies to each use of the word or expression in the Road Rules, unless the contrary intention appears.

3. Commencement

This notice comes into operation on 9 November 2009.

4. Expiry

This notice expires on 9 November 2019.

5. Revocation

The notice published in Government Gazette No. S 174 on 1 December 1999 entitled 'Approved bicycle helmets' is revoked.

6. Definition

In this notice, relevant Standard means –

- (a) Australian/New Zealand Standard AS/NZS 2063:1996 Pedal cycle helmets, as amended by Amendment No. 1; and
- (b) Australian Standard AS 2063 as related to helmets for pedal cyclists.

7. Approval

I, George Mavroyeni, delegate of the Roads Corporation, approve the following bicycle helmets for the purpose of the definition of **approved bicycle helmet** in the dictionary to the Road Rules –

- (a) a bicycle helmet manufactured in Australia which –
 - (i) complies with the version of a relevant Standard that was in force at the time of manufacture or any later version; and
 - (ii) is marked with an official standards mark certifying compliance with that version of a relevant Standard; and
- (b) a bicycle helmet imported into Australia which –
 - (i) complies with the version of a relevant Standard that was in force at the time of importation or any later version; and
 - (ii) is marked with an official standards mark certifying compliance with that version of a relevant Standard.

Note: Words and phrases in this notice have the same meanings as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 9 November 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

Road Safety Act 1986

ROAD SAFETY ROAD RULES 2009

Approval of Child Restraints, Booster Seats and Child Safety Harnesses

1. Purpose

This notice sets out the child restraints, booster seats and child safety harnesses that are approved for use under the Road Safety Road Rules 2009 (in this notice referred to as the **Road Rules**).

2. Authorising provision

This notice is made under rule 266(7) of the Road Rules which states that an **approved child restraint**, an **approved booster seat**, and an **approved child safety harness** means a child restraint, booster seat and child safety harness, respectively, approved, for the purposes of the Road Rules, by the Roads Corporation by notice in the Government Gazette.

3. Commencement

This notice comes into operation on 9 November 2009.

4. Expiry

This notice expires on 9 November 2019.

5. Revocation

The notice published in Government Gazette No. S 174 on 1 December 1999 entitled 'Approved child restraints' is revoked.

6. Definition

In this notice, **relevant Standard** means Australian Standard AS 1754 – 1991: Child restraint systems for use in motor vehicles.

7. Approval of child restraints

- (1) For the purposes of the term **approved child restraint** in the Road Rules, except in rules 266(4)(a), 266(5)(a), 266(6)(a) and 266(6)(b), I, George Mavroyeni, delegate of the Roads Corporation, approve a rearward or forward facing child restraint with an inbuilt harness which –
 - (a) is designated as a Type A1, Type A2, Type A3, Type B or Type D child restraint under the relevant Standard or any later version; and
 - (b) complies with the version of the relevant Standard that was in force at the time of manufacture in Australia, or importation into Australia, as the case may be, or any later version; and
 - (c) is marked with an official standards mark certifying compliance with that version of the relevant Standard.
- (2) For the purposes of the term **approved child restraint** in rule 266(4)(a), I, George Mavroyeni, delegate of the Roads Corporation, approve –
 - (a) a device (whether or not it has a back) that is forward facing and raises a child's position in a motor vehicle, thereby enabling the existing adult seatbelt to become suitable for the child, which –
 - (i) is designated as a Type E (Booster Seats and Booster Cushions only) child restraint under the relevant Standard or any later version; and
 - (ii) complies with the version of the relevant Standard that was in force at the time of manufacture in Australia, or importation into Australia, as the case may be, or any later version; and
 - (iii) is marked with an official standards mark certifying compliance with that version of the relevant Standard; and

- (b) a forward facing booster cushion, intended by the vehicle manufacturer to form an integrated part of the vehicle, which enables the existing adult lap-sash seatbelt to become suitable for a child, and which is certified as complying with clause 34.8 of Australian Design Rule 34/01 – Child Restraint Anchorages and Child Restraint Fittings.
- (3) For the purposes of the term **approved child restraint** in rules 266(5)(a), 266(6)(a) and 266(6)(b), I, George Mavroyeni, delegate of the Roads Corporation, approve –
 - (a) a rearward or forward facing child restraint with an inbuilt harness which –
 - (i) is designated as a Type A1, Type A2, Type A3, Type B or Type D child restraint under the relevant Standard or any later version; and
 - (ii) complies with the version of the relevant Standard that was in force at the time of manufacture in Australia, or importation into Australia, as the case may be, or any later version; and
 - (iii) is marked with an official standards mark certifying compliance with that version of the relevant Standard; and
 - (b) a device (whether or not it has a back) that is forward facing and raises a child’s position in a motor vehicle thereby enabling the existing adult seatbelt to become suitable for the child, which –
 - (i) is designated as a Type E (Booster Seats and Booster Cushions only) child restraint under the relevant Standard or any later version; and
 - (ii) complies with the version of the relevant Standard that was in force at the time of manufacture in Australia, or importation into Australia, as the case may be, or any later version; and
 - (iii) is marked with an official standards mark certifying compliance with that version of the relevant Standard.

8. Approval of booster seats

For the purposes of the term **approved booster seat** in the Road Rules, I, George Mavroyeni, delegate of the Roads Corporation, approve the following –

- (a) a device (whether or not it has a back) that is forward facing and raises a child’s position in a motor vehicle, thereby enabling the existing adult seatbelt to become suitable for the child, which –
 - (i) is designated as a Type E (Booster Seats and Booster Cushions only) child restraint under the relevant Standard or any later version; and
 - (ii) complies with the version of the relevant Standard that was in force at the time of manufacture in Australia, or importation into Australia, as the case may be, or any later version; and
 - (iii) is marked with an official standards mark certifying compliance with that version of the relevant Standard; and
- (b) a forward facing booster cushion, intended by the vehicle manufacturer to form an integrated part of the vehicle, which enables the existing adult lap-sash seatbelt to become suitable for a child, and which is certified as complying with clause 34.8 of the Australian Design Rule 34/01 – Child Restraint Anchorages and Child Restraint Fittings.

9. Approval of child safety harnesses

For the purposes of the term **approved child safety harness** in the Road Rules, I, George Mavroyeni, delegate of the Roads Corporation, approve a forward facing harness without chair that –

- (a) is suitable for use with an adult seatbelt; and
- (b) is designated as Type C (Approved Child Safety Harness) under the relevant Standard or any later version; and
- (c) complies with the version of the relevant Standard that was in force at the time of manufacture in Australia, or importation into Australia, as the case may be, or any later version; and
- (d) is marked with an official standards mark certifying compliance with that version of the relevant Standard.

Notes:

1. The later versions of the **relevant Standard** are Australian/New Zealand Standard AS/NZS 1754:1995 Child restraint systems for use in motor vehicles; Australian/New Zealand Standard AS/NZS 1754:2000 Child restraint systems for use in motor vehicles; and Australian/New Zealand Standard AS/NZS 1754:2004 Child restraint systems for use in motor vehicles.
2. Words and phrases in this notice have the same meanings as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 9 November 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

Road Safety Act 1986
ROAD SAFETY ROAD RULES 2009
Approved Portable Warning Triangles

1. Purpose

The purpose of this notice is to declare that only certain types of portable warning triangles are approved for use under the Road Safety Road Rules 2009 (in this notice referred to as the **Road Rules**).

2. Authorising provision

This notice is made under the dictionary to the Road Rules, which defines **portable warning triangle** as a portable warning triangle of a type approved by the Roads Corporation, by notice published in the Government Gazette, for the Road Rules, that is capable of –

- (a) producing a clear red warning light visible at a distance of 200 metres from the device; or
- (b) showing a red reflection of light from a headlamp attached to a motor vehicle approaching the portable device between sunset and sunrise visible 200 metres from the device.

Rule 4 of the Road Rules states that the dictionary is part of the Road Rules, and that a definition applies to each use of the word or expression in the Road Rules, unless the contrary intention appears.

3. Commencement

This notice comes into operation on 9 November 2009.

4. Revocation

The notice published in Government Gazette No. G 15 on 12 April 2001 entitled ‘Portable warning triangles’ is revoked.

5. Expiry

This notice expires on 9 November 2019.

6. Definition

In this notice, **relevant Standard** means –

- (a) Australian Standard AS E38: 1962 Portable warning signs for motor vehicles; and
- (b) Australian Standard AS 3790(Int)–1990: Portable warning triangles for motor vehicles; and
- (c) Australian Standard AS 3790: 1992 Portable warning triangles for motor vehicles.

7. Approval

I, George Mavroyeni, delegate of the Roads Corporation, approve the following portable warning triangles for the purposes the definition of **portable warning triangles** in the dictionary to the Road Rules –

- (a) a portable warning triangle manufactured in Australia which complies with a version of a relevant Standard that was in force at the time of manufacture or any later version; and
- (b) a portable warning triangle imported into Australia which complies with a version of a relevant Standard that was in force at the time of importation or any later version.

Notes:

1. Rule 226 states that a person must not drive a vehicle with a GVM over 12 tonnes unless the vehicle is equipped with at least 3 portable warning triangles.
2. Words and phrases in this notice have the same meanings as in the **Road Safety Act 1986** and the Regulations under that Act.

Dated 9 November 2009

GEORGE MAVROYENI
Executive Director
Road Safety and Network Access
Roads Corporation

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