



Australian Capital Territory

Road Transport Legislation Amendment Regulation 2017 (No 1)

Subordinate Law SL2017-14

The Australian Capital Territory Executive makes the following regulation under the *Road Transport (General) Act 1999*, the *Road Transport (Safety and Traffic Management) Act 1999* and the *Road Transport (Vehicle Registration) Act 1999*.

Dated 7 June 2017.

SHANE RATTENBURY
Minister

MEEGAN FITZHARRIS
Minister



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Part 1 Preliminary

1 Name of regulation

This regulation is the *Road Transport Legislation Amendment Regulation 2017 (No 1)*.

2 Commencement

- (1) This regulation (other than sections 11, 15 and 19) commences on 1 July 2017.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

- (2) Sections 11, 15 and 19 commence on the commencement of the *Road Transport Reform (Light Rail) Legislation Amendment Act 2017*, section 3.

3 Legislation amended

This regulation amends the following legislation:

- *Road Transport (Offences) Regulation 2005*
- *Road Transport (Safety and Traffic Management) Regulation 2000*
- *Road Transport (Vehicle Registration) Regulation 2000*.

Part 2 Road Transport (Offences) Regulation 2005

4 Schedule 1, part 1.13, new items 10A to 10G

insert

10A	38F	person on segway not wear bicycle helmet/fitted/fastened	20	132	
10B	38G	segway not fitted with warning device	20	132	
10C	38H				
10C.1	<ul style="list-style-type: none">by contravening 38H (b) (i)	white light not fitted/visible on segway/user	20	132	
10C.2	<ul style="list-style-type: none">by contravening 38H (b) (ii)	red light not fitted/visible on segway/user	20	132	
10C.3	<ul style="list-style-type: none">by contravening 38H (b) (iii)	red reflectors not fitted/visible on segway/user	20	132	

10D	38I				
10D.1	<ul style="list-style-type: none"> by contravening 38I (1) (b) (i) 	person on segway not keep left of footpath/shared path	20	132	
10D.2	<ul style="list-style-type: none"> by contravening 38I (1) (b) (ii) 	person on segway not give way	20	132	
10E	38K	person on segway travel in bicycle lane	20	132	
10F	38L				
10F.1	<ul style="list-style-type: none"> by contravening 38L (1) (a) 	person on segway approach crossing faster than 10km/h	20	132	
10F.2	<ul style="list-style-type: none"> by contravening 38L (1) (b) 	person on segway not enter crossing safely	20	132	
10F.3	<ul style="list-style-type: none"> by contravening 38L (1) (c) 	person on segway travel on crossing faster than 10km/h	20	132	
10F.4	<ul style="list-style-type: none"> by contravening 38L (1) (d) 	person on segway not give way to pedestrian on crossing	20	132	

Part 2 Road Transport (Offences) Regulation 2005

Section 4

10F.5	<ul style="list-style-type: none">by contravening 38L (1) (e)	person on segway not keep left on crossing	20	132	
10F.6	<ul style="list-style-type: none">by contravening 38L (1) (f)	person on segway proceed on marked foot crossing before allowed	20	132	
10G	38M	person on segway travel alongside more than 1 other person on another segway	20	132	

Part 3 Road Transport (Safety and Traffic Management) Regulation 2000

5 Division 2.2.1 heading, note 2

substitute

Note 2 The following table sets out the provisions of the [Australian Road Rules](#) for which provision is made by this part:

column 1 item	column 2 ARR provision	column 3 provision of this regulation
1	10 (2)	8
2	18	8A
3	95	9
4	104	10
5	151 (3) (b)	11
6	158 (2) (c)	12
7	176	12A
8	179 (1) (c)	13
9	179 (1) (c) and (2) (c)	13A
10	183	13B
11	189	13BA
12	195	13C
13	199 (2)	14
14	206 (2) (b) and (c)	15
15	207 (2) (a)	16
16	213 (5)	16A

Part 3 Road Transport (Safety and Traffic Management) Regulation 2000

Section 5

column 1 item	column 2 ARR provision	column 3 provision of this regulation
17	215 (4)	17
18	216 (3)	18
19	220 (3)	19
20	221 (f)	20
21	222	21
22	225	22
23	236 (6)	22A
24	244C	23
25	266 (7)	24
26	270 (3)	26
27	271 (6)	27
28	280 (2) (a)	27A
29	287 (3) (e) and (4)	28
30	289 (1) (g)	29
31	298	30
32	299	30A
33	300 (1) (c)	30B
34	310 (3) and (4)	31
35	313	32
36	dict, def <i>approved bicycle helmet</i>	33 (1)
37	dict, def <i>approved seatbelt</i>	33 (1)
38	dict, def <i>authorised person</i>	33 (1)
39	dict, def <i>emergency worker</i>	33 (1)
40	dict, def <i>GVM</i>	33 (2)
41	dict, def <i>hazard warning lights</i>	33 (3)

column 1 item	column 2 ARR provision	column 3 provision of this regulation
42	dict, def <i>mechanical signalling device</i>	33 (1)
43	dict, def <i>oversize vehicle</i>	33 (1)
44	dict, def <i>police officer</i>	33 (1)
45	dict, def <i>portable warning triangle</i>	33 (4)
46	dict, def <i>postal worker</i>	33 (1)
47	dict, def <i>public bus</i>	33 (1)
48	dict, def <i>taxi</i>	33 (1)
49	dict, def <i>wheeled recreational vehicle</i>	33 (1)

6 New section 8A

insert

8A ARR r 18—who is a pedestrian

Despite the [Australian Road Rules](#), rule 18, a *pedestrian* includes—

- (a) a person driving a motorised wheelchair that cannot travel at over 10 km/h (on level ground); and
- (b) a person in a non-motorised wheelchair; and
- (c) a person pushing a motorised or non-motorised wheelchair; and
- (d) a person in or on a wheeled recreational device or wheeled toy; and
- (e) a person in or on a segway.

7 Section 22A (2), new definition of *pedestrian*

insert

pedestrian does not include a person in or on a segway, wheeled recreational device or wheeled toy.

8 New section 22B

insert

22B ARR r 238—pedestrians travelling along a road (except in or on a wheeled recreational device or toy)

Despite the [Australian Road Rules](#), rule 238 (2) (ab), a person in or on a segway travelling along a road must not, when moving forward, face approaching traffic that is moving in the direction opposite to which the person is travelling.

9 Section 33 (1), new definition of *wheeled recreational device*

insert

wheeled recreational device means a wheeled device, built to transport a person, propelled by human power or gravity, and ordinarily used for recreation or play, and—

- (a) includes rollerblades, rollerskates, a skateboard, scooter (including a motorised scooter, whether or not the motor is operating), unicycle or similar wheeled device; but
- (b) does not include a golf buggy, pram, stroller or trolley, segway or other motor-assisted device (other than a motorised scooter, whether or not the motor is operating), a bicycle, wheelchair or wheeled toy.

10 New division 2.3.1B*insert***Division 2.3.1B People using segways****38E Definitions—div 2.3.1B**

In this division:

footpath—see the [Australian Road Rules](#), dictionary.

shared path—see the [Australian Road Rules](#), rule 242 (2).

use, a segway, means travel in or on the segway.

38F Person using segway must wear bicycle helmet

A person using a segway must wear an approved bicycle helmet securely fitted and fastened on the user's head.

Maximum penalty: 20 penalty units.

Note *Approved bicycle helmet*—see s 33 (1).

38G Warning device on segway

A person must not use a segway if the segway is not fitted with a bell, horn or similar warning device that is in working order.

Maximum penalty: 20 penalty units.

38H Segway use at night

A person commits an offence if—

- (a) the person uses a segway at night or in hazardous weather conditions causing reduced visibility; and

- (b) the person fails to display, on themselves or the segway—
 - (i) a flashing or steady white light that is clearly visible for at least 200m from the front of the segway; or
 - (ii) a flashing or steady red light that is clearly visible for at least 200m from the rear of the segway; or
 - (iii) a red reflector that is clearly visible for at least 50m from the rear of the segway when light is projected onto it by a vehicle's headlight on low-beam.

Maximum penalty: 20 penalty units.

38I Segway use on footpaths or shared paths

- (1) A person commits an offence if—
 - (a) the person uses a segway on a footpath or shared path; and
 - (b) the person fails to—
 - (i) keep to the left of the footpath or shared path; or
 - (ii) give way to another pedestrian (except another pedestrian using a segway) who is on the footpath or shared path.

Maximum penalty: 20 penalty units.

- (2) Subsection (1) (b) (i) does not apply if it is not practicable to travel on the left of the footpath or shared path.

38K Segway not to be used in bicycle lane on a road

- (1) A person must not use a segway in a bicycle lane on a length of road.

Maximum penalty: 20 penalty units.

- (2) Subsection (1) does not apply if—
 - (a) there is no footpath, nature strip or shared path adjacent to the road (an *adjacent area*); or

- (b) it is impracticable to travel on the adjacent area.

38L Segway used to cross road on crossing

- (1) A person using a segway to cross a road, or part of a road, on a crossing commits an offence if the person—
- (a) approaches the crossing faster than 10km/h; or
 - (b) fails to look for approaching traffic and has not prepared to stop before starting to cross at the crossing; or
 - (c) travels faster than 10km/h on the crossing; or
 - (d) fails to give way to other pedestrians on the crossing; or
 - (e) fails to keep to the left of any oncoming bicycle or other pedestrian; or
 - (f) on a marked foot crossing—starts to cross the road if the crossing is not showing a green pedestrian crossing light.

Maximum penalty: 20 penalty units.

- (2) In this section:

crossing means any of the following:

- (a) a children's crossing;
- (b) a marked foot crossing;
- (c) a pedestrian crossing.

38M Segway use alongside more than 1 other person using segway

- (1) A person must not use a segway on a road or crossing alongside 2 or more other people using segways.

Maximum penalty: 20 penalty units.

(2) Subsection (1) does not apply if the person is overtaking the other people.

(3) In this section:

crossing—see section 38L (2).

line of traffic—see the [Australian Road Rules](#), dictionary.

marked lane—see the [Australian Road Rules](#), dictionary.

overtake, for a segway user, means the action of—

- (a) approaching from behind another segway user travelling in the same marked lane or line of traffic; and
- (b) moving into an adjacent marked lane or part of the road on which there is room for a line of traffic (whether or not the lane or part of the road is for segway users travelling in the same direction); and
- (c) passing the other segway user while travelling in the adjacent marked lane or line of traffic.

road does not include a road-related area, but includes a bicycle path, footpath, shared path and a shoulder of a road.

11 Dictionary, note 4

insert

- segway

12 Dictionary, new definitions

insert

children's crossing—see the [Australian Road Rules](#), rule 80 (6).

footpath, for division 2.3.1B (People using segways)—see section 38E.

marked foot crossing—see the [Australian Road Rules](#), dictionary.

13 Dictionary, definition of *pedestrian*

substitute

pedestrian—see section 8A.

14 Dictionary, new definitions

insert

pedestrian crossing—see the [Australian Road Rules](#), rule 81 (3).

segway means a vehicle that—

- (a) is designed to be self-balancing while a person travels in or on the vehicle; and
- (b) is propelled by an electric motor; and
- (c) has 2 wheels that operate on a single axis; and
- (d) has a platform anywhere between the 2 wheels for the person's feet; and
- (e) has handles mounted on an upright post.

15 Dictionary, definition of *segway*

omit

16 Dictionary, new definitions

insert

shared path, for division 2.3.1B (People using segways)—see section 38E.

use, of a segway, for division 2.3.1B (People using segways)—see section 38E.

17 Dictionary, definition of *wheeled recreational device*

substitute

wheeled recreational device—see section 33 (1).

Part 4 Road Transport (Vehicle Registration) Regulation 2000

18 New section 20A

insert

20A Segways

- (1) The registration provisions do not apply to a segway.
- (2) In this section:

segway—see the *Road Transport (Safety and Traffic Management) Regulation 2000*, dictionary.

19 Section 20A

omit

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 13 June 2017.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
