

Part 18 Miscellaneous road rules

Division 1 Miscellaneous rules for drivers

287 Duties of a driver involved in a crash

- (1) A driver involved in a crash must comply with this rule.

Offence provision.

Note 1 **Crash** is defined in the dictionary.

Note 2 The law of this jurisdiction also requires a driver involved in a crash to stop and give assistance to anyone who is injured.

- (2) The driver (or the driver's representative) must give the driver's required particulars, within the required time and, if practicable, at the scene of the crash, to:
- (a) any other driver (or that driver's representative) involved in the crash; and
 - (b) any other person involved in the crash who is injured, or the person's representative; and
 - (c) the owner of any property (including any vehicle) damaged in the crash (or the owner's representative), unless, in the case of damage to a vehicle, the particulars are given to the driver of the vehicle (or the driver's representative).
- (3) The driver (or the driver's representative) must also give the driver's required particulars, within the required time, to a police officer if:
- (a) anyone is killed or injured in the crash; or
 - (b) the driver does not, for any reason, give the driver's required particulars to each person mentioned in subrule (2); or
 - (c) the required particulars for any other driver involved in the crash are not given to the driver; or
 - (d) a vehicle involved in the crash is towed or carried away by another vehicle (except if another law of this jurisdiction provides that the crash is not required to be reported); or

- (e) the crash is required to be reported to a police officer under another law of this jurisdiction.

Note **Police officer** is defined in the dictionary.

- (4) For this rule:

required particulars, for a driver involved in a crash, means:

- (a) the driver's name and address; and
- (b) the name and address of the owner of the driver's vehicle; and
- (c) the vehicle's registration number (if any); and
- (d) any other information necessary to identify the vehicle;

and, for subrule (3), includes any other information required to be given to a police officer about the crash under another law of this jurisdiction.

Note **Driver's vehicle** is defined in the dictionary.

required time, for a driver involved in a crash, means as soon as possible but, except in exceptional circumstances, within 24 hours after the crash.

288 Driving on a path

- (1) A driver (except the rider of a bicycle) must not drive on a path, unless subrule (2) or (3) applies to the driver.

Offence provision.

Note **Bicycle** is defined in the dictionary, and **path** is defined in subrule (6).

- (2) A driver may drive on a path if the driver is:
 - (a) driving on a part of the path indicated by information on or with a traffic control device as a part where vehicles may drive; or
 - (b) driving on the path to enter or leave, by the shortest practicable route, a road-related area or adjacent land and there is not a part of the path indicated by information on or with a traffic control device as a part where vehicles may drive; or

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- (c) permitted to drive on the path under another law of this jurisdiction.

Note **Adjacent land**, **traffic control device** and **with** are defined in the dictionary, and **road-related area** is defined in rule 13.

- (3) A driver may drive a motorised wheelchair on a path if:

- (a) the unladen mass of the wheelchair is not over 110 kilograms; and
(b) the wheelchair is not travelling over 10 kilometres per hour; and
(c) because of the driver's physical condition, the driver has a reasonable need to use a wheelchair.

Note **Wheelchair** is defined in the dictionary.

- (4) A driver on a path (except the rider of a bicycle, or a driver driving on the path to enter a road from a road-related area or adjacent land, or to enter a road-related area or adjacent land from a road) must give way to all other road users, and to animals, on the path.

Offence provision.

Note 1 **Road user** is defined in rule 14.

Note 2 For this subrule, **give way** means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

Note 3 Rules 74 and 75 deal with drivers giving way when crossing a footpath or other path to enter or leave a road-related area or adjacent land.

Note 4 Rules 249 to 251 deal with bicycle riders riding on footpaths, separated paths and shared paths.

- (5) This rule does not apply to the rider of an animal riding the animal on a footpath.

Note 1 **Footpath** is defined in the dictionary.

Note 2 The rider of an animal on a footpath must give way to a pedestrian on the path — see rule 302.

- (6) In this rule:

path means a bicycle path, footpath or shared path.

Note **Bicycle path** is defined in rule 239, **footpath** is defined in the dictionary and **shared path** is defined in rule 242.

289 Driving on a nature strip

- (1) A driver must not drive on a nature strip adjacent to a length of road in a built-up area, unless the driver is:
- (a) entering or leaving, by the shortest practicable route, an area on the nature strip indicated by information on or with a traffic control device as an area where vehicles may drive; or
 - (b) driving on a part of the nature strip indicated by information on or with a traffic control device as a part where vehicles may drive; or
 - (c) driving on the nature strip to enter or leave, by the shortest practicable route, a road-related area or adjacent land and there is not a part of the nature strip indicated by information on or with a traffic control device as a part where vehicles may drive; or
 - (d) riding a bicycle or animal, and there is not another law of this jurisdiction prohibiting the rider from riding a bicycle or animal on the nature strip; or
 - (e) driving a ride-on lawnmower that is cutting grass on the nature strip; or
 - (f) driving a motorised wheelchair; or
 - (g) permitted to drive on the nature strip under another law of this jurisdiction.

Offence provision.

Note **Adjacent land**, **bicycle**, **built-up area**, **length** of road, **nature strip**, **traffic control device**, **wheelchair** and **with** are defined in the dictionary, and **road-related area** is defined in rule 13.

- (2) A driver driving on a nature strip (except the rider of an animal, or a driver driving on the nature strip to enter a road from a road-related area or adjacent land, or to enter a road-related area or adjacent land from a road) must give way to all other road users, and to animals, on the nature strip.

Offence provision.

Note 1 **Road user** is defined in the dictionary.

Note 2 For subrule (2), **give way** means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

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Note 3 Rules 74 and 75 deal with drivers giving way when crossing a nature strip adjacent to a road to enter or leave a road-related area or adjacent land.

Note 4 The rider of an animal on a nature strip must give way to any pedestrian on the nature strip — see rule 302.

290 Driving on a traffic island

A driver must not drive on a traffic island (except the central traffic island in a roundabout), unless:

- (a) the traffic island is designed to allow vehicles to be driven on it; or
- (b) the driver is permitted to drive on the traffic island under another law of this jurisdiction.

Offence provision.

Note 1 **Roundabout** is defined in rule 109, and **traffic island** is defined in the dictionary.

Note 2 A driver must drive to the left of the central traffic island in a roundabout except in certain circumstances — see rule 115.

291 Making unnecessary noise or smoke

A person must not start a vehicle, or drive a vehicle, in a way that makes unnecessary noise or smoke.

Offence provision.

Example

Causing the wheels of the driver's vehicle to lose traction and spin on the road surface may make unnecessary noise or smoke.

Note Other laws of this jurisdiction also deal with vehicles and equipment that make noise or smoke.

292 Insecure or overhanging load

A driver must not drive or tow a vehicle if the vehicle is carrying a load that:

- (a) is not properly secured to the vehicle; or
- (b) is placed on the vehicle in a way that causes the vehicle to be unstable; or

- (c) projects from the vehicle in a way that is likely to injure a person, obstruct the path of other drivers or pedestrians, or damage a vehicle or anything else (for example, the road surface).

Offence provision.

Note Other laws of this jurisdiction may deal with the loading of vehicles and carrying loads on vehicles.

293 Removing fallen etc things from the road

- (1) This rule applies to a driver if:
 - (a) something falls onto the road from the driver's vehicle, or the driver, or a passenger in or on the driver's vehicle, puts something on the road; and
 - (b) there is a possibility that the thing, if left on the road, may injure a person, obstruct the path of other drivers or pedestrians, or damage a vehicle or anything else (for example, the road surface).

Note **Driver's vehicle** is defined in the dictionary.

- (2) The driver must remove the thing, or take action to have the thing removed, from the road as soon as the driver can do so safely.

Offence provision.

Examples of things

- 1 Fallen loads.
- 2 Oil or grease.
- 3 Debris from an accident.
- 4 Wheel chocks.

Note Rule 165 (e) provides a defence to the prosecution of a driver for an offence against a provision of Part 12 (Restrictions on stopping and parking) if the driver stops to comply with another provision of the Australian Road Rules (including this rule).

- (3) In this rule:
 - put**, something onto the road, includes:
 - (a) throw, drop or propel the thing onto the road; and
 - (b) otherwise cause the thing to be on the road.

Rule 294

294 Keeping control of a vehicle being towed

- (1) The driver of a motor vehicle must not tow another motor vehicle unless:
 - (a) either:
 - (i) the driver can control the movement of the towed vehicle; or
 - (ii) the brakes and steering of the towed vehicle are in working order and a person who is licensed to drive the towed vehicle is sitting in the driver's seat of the towed vehicle, and is in control of its brakes and steering; and
 - (b) it is safe to tow the towed vehicle.

Offence provision.

Note **Motor vehicle** is defined in the dictionary.

- (2) The driver of a motor vehicle must not tow a trailer unless:
 - (a) the driver can control the movement of the trailer; and
 - (b) it is safe to tow the trailer.

Offence provision.

Note **Trailer** is defined in the dictionary.

295 Motor vehicle towing another vehicle with a towline

- (1) The driver of a motor vehicle towing another vehicle using a chain, rope, fabric, strap or wire (the **towline**) must comply with this rule.

Offence provision.

Note **Motor vehicle** is defined in the dictionary, and **vehicle** is defined in rule 15.

- (2) If neither of the vehicles is a motor bike, the driver must keep a distance of not over 4 metres between the vehicles.

Note **Motor bike** is defined in the dictionary.

- (3) If at least 1 of the vehicles is a motor bike, the driver must keep a distance of not over 2.5 metres between the vehicles.

- (4) If the towline is longer than 2 metres, the driver must attach a white or brightly coloured flag, piece of cloth or other similar material (the *warning material*) to the towline in accordance with subrule (5).
- (5) The warning material must:
 - (a) be substantially square or rectangular with 2 adjacent sides at least 300 millimetres long; and
 - (b) be attached midway along the towline; and
 - (c) be visible for at least 100 metres from either side of the warning material.
- (6) Subrule (2), (3) or (4) does not apply to a driver if the driver is exempt from the subrule under another law of this jurisdiction and is complying with the conditions (if any) of the exemption.

296 Driving a vehicle in reverse

- (1) The driver of a vehicle must not reverse the vehicle unless the driver can do so safely.

Offence provision.

- (2) The driver of a vehicle must not reverse the vehicle further than is reasonable in the circumstances.

Offence provision.

297 Driver to have proper control of a vehicle etc

- (1) A driver must not drive a vehicle unless the driver has proper control of the vehicle.

Offence provision.

- (2) A driver must not drive a motor vehicle unless the driver has a clear view of the road, and traffic, ahead, behind and to each side of the driver.

Offence provision.

Note **Motor vehicle** is defined in the dictionary.

Rule 298

298 Driving with a person in a trailer

A driver must not drive a motor vehicle towing a trailer with a person in or on the trailer, unless the trailer is exempt from this rule under another law of this jurisdiction.

Offence provision.

Note 1 **Motor vehicle** and **trailer** are defined in the dictionary.

Note 2 Rule 257 deals with persons travelling in or on bicycle trailers.

299 Television receivers and visual display units in motor vehicles

- (1) A driver must not drive a motor vehicle that has a television receiver or visual display unit in or on the vehicle operating while the vehicle is moving, or is stationary but not parked, if any part of the image on the screen:
- (a) is visible to the driver from the normal driving position; or
 - (b) is likely to distract another driver.

Offence provision.

Note **Motor vehicle** and **park** are defined in the dictionary, and **vehicle** is defined in rule 15.

- (2) This rule does not apply to the driver if:
- (a) the driver is driving a bus and the visual display unit is, or displays, a destination sign or other bus sign; or
 - (b) the visual display unit is, or is part of, a driver's aid; or
 - (c) the driver or vehicle is exempt from this rule under another law of this jurisdiction.

Examples of driver's aids

- 1 Closed-circuit television security cameras.
- 2 Dispatch systems.
- 3 Navigational or intelligent highway and vehicle system equipment.
- 4 Rearview screens.
- 5 Ticket-issuing machines.
- 6 Vehicle monitoring devices.

Note **Bus** is defined in the dictionary.

300 Use of hand-held mobile phones

- (1) The driver of a vehicle (except an emergency vehicle or police vehicle) must not use a hand-held mobile phone while the vehicle is moving, or is stationary but not parked, unless the driver is exempt from this rule under another law of this jurisdiction.

Offence provision.

Note **Emergency vehicle**, **park** and **police vehicle** are defined in the dictionary.

- (2) In this rule:
mobile phone does not include a CB radio or any other two-way radio.

Division 2 Rules for people in charge of animals

301 Leading an animal while driving a vehicle

A person must not lead an animal while driving a motor vehicle or riding a bicycle, unless the person is permitted to do so under another law of this jurisdiction.

Offence provision.

Note **Bicycle** and **motor vehicle** are defined in the dictionary.

302 Rider of an animal on a footpath or nature strip to give way to pedestrians

The rider of an animal must give way to any pedestrian on a footpath or nature strip.

Offence provision.

Note 1 **Footpath** and **nature strip** are defined in the dictionary, and **pedestrian** is defined in rule 18.

Note 2 For this rule, **give way** means the rider must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

303 Riding an animal alongside more than 1 other rider

- (1) The rider of an animal must not ride on a road that is not a multi-lane road alongside more than 1 other rider, unless subrule (3) applies to the rider.

Offence provision.

Note **Multi-lane road** is defined in the dictionary, and **rider** is defined in rule 17.

- (2) The rider of an animal must not ride in a marked lane alongside more than 1 other rider in the marked lane, unless subrule (3) applies to the rider.

Offence provision.

Note **Marked lane** is defined in the dictionary.

- (3) The rider of an animal may ride alongside more than 1 other rider if the rider is:
- (a) overtaking the other riders or droving stock; or
 - (b) permitted to do so under another law of this jurisdiction.

Note **Overtake** is defined in the dictionary.

- (4) If the rider of an animal is riding on a road that is not a multi-lane road alongside another rider, or in a marked lane alongside another rider in the marked lane, the rider must ride not over 1.5 metres from the other rider.

Offence provision.

- (5) In this rule:

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

Note **Bicycle path** is defined in rule 239, **road-related area** is defined in rule 13, **shared path** is defined in rule 242, and **shoulder** is defined in rule 12.

Division 3 Obeying directions

304 Direction by a police officer or authorised person

- (1) A person must obey any reasonable direction for the safe and efficient regulation of traffic given to the person by a police officer or authorised person, whether or not the person may contravene another provision of the Australian Road Rules by obeying the direction.

Offence provision.

Note **Authorised person** and **police officer** are defined in the dictionary.

- (2) It is a defence to the prosecution of a person for an offence against a provision of the Australian Road Rules if, at the time of the offence, the person was obeying a direction given to the person under subrule (1).