
Part 19 Exemptions

305 Exemption for drivers of police vehicles

- (1) A provision of the Australian Road Rules does not apply to the driver of a police vehicle if:
 - (a) in the circumstances:
 - (i) the driver is taking reasonable care; and
 - (ii) it is reasonable that the provision should not apply; and
 - (b) if the vehicle is a motor vehicle that is moving — the vehicle is displaying a blue or red flashing light or sounding an alarm.

Note **Motor vehicle** and **police vehicle** are defined in the dictionary.

- (2) Subrule (1)(b) does not apply to the driver if, in the circumstances, it is reasonable:
 - (a) not to display the light or sound the alarm; or
 - (b) for the vehicle not to be fitted or equipped with a blue or red flashing light or an alarm.

306 Exemption for drivers of emergency vehicles

A provision of the Australian Road Rules does not apply to the driver of an emergency vehicle if:

- (a) in the circumstances:
 - (i) the driver is taking reasonable care; and
 - (ii) it is reasonable that the rule should not apply; and
- (b) if the vehicle is a motor vehicle that is moving — the vehicle is displaying a blue or red flashing light or sounding an alarm.

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

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307 Stopping and parking exemption for police and emergency vehicles and authorised persons

- (1) A provision of Part 12 does not apply to the driver of a police vehicle or emergency vehicle if, in the circumstances:
- (a) the driver is taking reasonable care; and
 - (b) it is reasonable that the provision should not apply.

Note 1 **Emergency vehicle** and **police vehicle** are defined in the dictionary.

Note 2 Part 12 deals with restrictions on stopping and parking.

- (2) A provision of Part 12 does not apply to a driver who is an authorised person driving a vehicle in the course of his or her duty as an authorised person if, in the circumstances:
- (a) the driver is taking reasonable care; and
 - (b) it is reasonable that the provision should not apply.

Note **Authorised person** is defined in the dictionary.

308 Exemption for police officers and emergency workers on foot

A provision in Part 14 does not apply to a police officer or emergency worker acting in the course of his or her duty if, in the circumstances:

- (a) the police officer or emergency worker is taking reasonable care; and
- (b) it is reasonable that the provision should not apply.

Note 1 **Emergency worker** and **police officer** are defined in the dictionary.

Note 2 Part 14 provides rules for pedestrians.

309 Exemption for drivers of trams etc

The following provisions do not apply to the driver of a tram, or a public bus travelling along tram tracks:

- Part 4 (Making turns), Division 1 (Left turns at intersections)
- rule 88 (Left turn signs)
- rule 89 (Right turn signs)
- rule 90 (No turns signs)
- rule 91 (No left turn and no right turn signs)

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- rule 92 (Traffic lane arrows)
- rule 99 (Keep left and keep right signs)
- rule 100 (No entry signs)
- Part 9 (Roundabouts)
- Part 11 (Keeping left, overtaking and other driving rules), Divisions 2 (Keeping to the left), 3 (Overtaking), and 7 (Passing trams and safety zones)
- Part 12 (Restrictions on stopping and parking).

Note **Public bus**, **tram** and **travelling along tram tracks** are defined in the dictionary.

310 Exemption for road workers etc

- (1) A provision mentioned in subrule (2) does not apply to a person at the site of, and engaged in, roadworks if, in the circumstances:
- (a) it is not practicable for the person to comply with the provision; and
 - (b) sufficient warning of the roadworks has been given to other road users.

Note **Roadworks** is defined in subrule (4).

- (2) Subrule (1) applies to the following provisions:
- Part 4 (Making turns), Division 1 (Left turns at intersections) and Division 2 (Right turns (except hook turns) at intersections)
 - Part 7 (Giving way), except:
 - rule 67 (Stopping and giving way at a *stop sign* or stop line at an intersection without traffic lights)
 - rule 68 (Stopping and giving way at a *stop sign* or stop line at other places)
 - rule 69 (Giving way at a *give way sign* or give way line at an intersection)
 - rule 70 (Giving way at a *give way sign* at a bridge or length of narrow road)

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- rule 71 (Giving way at a *give way sign* or give way line at other places)
 - Part 8 (Traffic signs and road markings), except:
 - rule 102 (Clearance and low clearance signs)
 - rule 103 (Load limit signs)
 - Part 11 (Keeping left, overtaking and other driving rules)
 - Part 12 (Restrictions on stopping and parking)
 - rule 224 (Using horns and similar warning devices)
 - Part 14 (Rules for pedestrians), except rule 236 (1) (which is about causing a traffic hazard by moving into the path of an approaching vehicle)
 - rule 264 (Wearing of seatbelts by drivers)
 - rule 265 (Wearing of seatbelts by passengers 16 years old, or older)
 - rule 268 (How persons must travel in or on a motor vehicle)
 - rule 288 (Driving on a path)
 - rule 289 (Driving on a nature strip)
 - rule 290 (Driving on a traffic island)
 - rule 295 (Motor vehicle towing another vehicle with a towline)
 - rule 296 (Driving a vehicle in reverse)
 - rule 297 (2) (which requires a driver to have a clear view of the surrounding road and traffic)
 - rule 298 (Driving with a person in a trailer).
- (3) Rule 20 (Obeying the speed-limit) does not apply to a driver:
- (a) driving a snow-clearing vehicle and engaged in snow-clearing; or
 - (b) driving a motor vehicle and engaged in speed zoning tests authorised under another law of this jurisdiction.
- (4) In this rule:
- roadworks*** means:
- (a) construction or maintenance of a road; or
 - (b) road cleaning; or

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- (c) installation or maintenance work authorised under another law of this jurisdiction on, above or below a road; or
- (d) installation or maintenance of a traffic control device, traffic-related item or traffic monitoring device; or
- (e) a traffic survey authorised under another law of this jurisdiction; or
- (f) a road surface survey test.

Note 1 **Traffic control device** and **traffic-related item** are defined in the dictionary.

Note 2 A person may need to be authorised under another law of this jurisdiction to carry out roadworks or tests mentioned in this rule.

311 Exemption for oversize vehicles

- (1) A provision mentioned in subrule (2) does not apply to the driver of an oversize vehicle, or the driver of a vehicle escorting or piloting an oversize vehicle, if:
 - (a) it is not practicable for the driver to comply with the provision; and
 - (b) the driver is taking reasonable care; and
 - (c) the driver is complying with any other relevant law of this jurisdiction relating to oversize vehicles, including the conditions of any permit or authority issued in relation to the oversize vehicle.

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

- (2) For subrule (1), the provisions are as follows:
 - Part 7 (Giving way), except:
 - rule 67 (Stopping and giving way at a *stop sign* or stop line at an intersection without traffic lights)
 - rule 68 (Stopping and giving way at a *stop sign* or stop line at other places)
 - rule 69 (Giving way at a *give way sign* or give way line at an intersection)
 - rule 70 (Giving way at a *give way sign* at a bridge or length of narrow road)

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- rule 71 (Giving way at a *give way sign* or give way line at other places)
- Part 8 (Traffic signs and road markings), except:
 - rule 102 (Clearance and low clearance signs)
 - rule 103 (Load limit signs)
- rule 111 (3) (which is about entering a roundabout from the right marked lane or line of traffic)
- rule 116 (Obeying traffic lane arrows when driving in or leaving a roundabout)
- Part 11 (Keeping left, overtaking and other driving rules)
- Part 12 (Restrictions on stopping and parking)
- rule 268 (How persons must travel in or on a motor vehicle)
- rule 288 (Driving on a path)
- rule 289 (Driving on a nature strip)
- rule 290 (Driving on a traffic island)
- rule 296 (Driving a vehicle in reverse)
- rule 297 (2) (which requires a driver to have a clear view of the surrounding road and traffic).

312 Exemption for tow truck drivers

- (1) It is a defence to the prosecution of the driver of a tow truck for an offence against a provision mentioned in subrule (2) if, at the time of the offence:
 - (a) the driver is engaged in loading, or connecting to, a vehicle to which this rule applies; and
 - (b) the driver is unable to comply with the provision; and
 - (c) the tow truck is displaying a flashing light; and
 - (d) the driver is acting safely.
- (2) For subrule (1), the provisions are as follows:
 - Part 4 (Making turns)
 - Part 6 (Traffic lights and twin red lights)
 - Part 7 (Giving way), Division 1 (Places with *stop signs*, stop lines, *give way signs* or give way lines)
 - Part 8 (Traffic signs and road markings)

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- Part 9 (Roundabouts)
- Part 11 (Keeping left, overtaking and other driving rules)
- Part 12 (Restrictions on stopping and parking)
- rule 288 (Driving on a path)
- rule 289 (Driving on a nature strip)
- rule 290 (Driving on a traffic island).

(3) This rule applies to the following vehicles:

- (a) a vehicle at the scene of a crash;
- (b) a disabled vehicle;
- (c) a vehicle unsafely or unlawfully parked that the driver is authorised to tow away under another law of this jurisdiction.

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

313 Exemption for postal vehicles

(1) Another law of this jurisdiction may provide that a provision mentioned in subrule (2) does not apply to the driver of a postal vehicle.

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

(2) This rule applies to the following provisions:

- rule 179 (Stopping in a loading zone)
- rule 180 (Stopping in a truck zone)
- rule 182 (Stopping in a taxi zone)
- rule 184 (Stopping in a minibus zone)
- rule 185 (Stopping in a permit zone)
- rule 186 (Stopping in a mail zone)
- rule 189 (Double parking)
- rule 190 (Stopping in or near a safety zone)
- rule 191 (Stopping near an obstruction)
- rule 192 (Stopping on a bridge or in a tunnel etc)
- rule 193 (Stopping on a crest or curve outside a built-up area)

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- rule 198 (Obstructing access to and from a footpath, driveway etc)
- rule 288 (Driving on a path).