

TASMANIA

ROAD AMENDMENT (QUAD BIKES) RULES 2021 **STATUTORY RULES 2021, No. 128**

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ROAD AMENDMENT (QUAD BIKES) RULES 2021

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following rules under the *Traffic Act 1925*.

Dated 13 December 2021.

B. BAKER
Governor

By Her Excellency's Command,

MICHAEL DARREL JOSEPH FERGUSON
Minister for Infrastructure and Transport

1. Short title

These rules may be cited as the *Road Amendment (Quad Bikes) Rules 2021*.

2. Commencement

These rules take effect on the day on which their making is notified in the *Gazette*.

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3. Principal Rules

In these rules, the *Road Rules 2019** are referred to as the Principal Rules.

4. Rule 16 amended (Who is a driver)

Rule 16(1) of the Principal Rules is amended as follows:

- (a) by inserting “quad bike,” after “bike,”;
- (b) by omitting from note 1 “*Bicycle and motor bike*” and substituting “*Bicycle, motor bike and quad bike*”;
- (c) by inserting the following note after note 2:

Note 3 Subrule (1) has been amended to include quad bikes and is no longer uniform with the model road rules of Australia.

5. Rule 17 amended (Who is a rider)

Rule 17(1) of the Principal Rules is amended as follows:

- (a) by inserting “quad bike,” after “riding a motor bike,”;
- (b) by omitting from note 1 “*Bicycle and motor bike*” and substituting “*Bicycle, motor bike and quad bike*”;

*S.R. 2019, No. 61

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(c) by omitting from note 2 “bike” and substituting “bike, quad bike”;

(d) by inserting the following note after note 2:

Note 3 Subrule (1) has been amended to include quad bikes and is no longer uniform with the model road rules of Australia.

6. Rule 55 amended (How to give a stop signal by giving a hand signal)

Rule 55(2) of the Principal Rules is amended as follows:

(a) by inserting “or quad bike” after “motor bike”;

(b) by omitting “motor” second occurring.

7. Rule 138 amended (Keeping off a painted island)

Note 2 to rule 138(1) of the Principal Rules is amended by inserting before the image in note 2 the following :

“Example”

8. Rule 266 amended (Wearing of seatbelts by passengers under 16 years old)

Rule 266(1) of the Principal Rules is amended as follows:

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- (a) by omitting “bus or motor bike” and substituting “bus, motor bike or quad bike”;
- (b) by omitting from the note “*motor vehicle and park*” and substituting “*motor vehicle, park and quad bike*”;
- (c) by inserting the following note after the note:

Note 2 Subrule (1) has been amended to include quad bikes and is no longer uniform with the model road rules of Australia.

9. Rule 268 amended (How persons must travel in or on a motor vehicle)

Rule 268(5) of the Principal Rules is amended as follows:

- (a) by inserting in paragraph (b) “or quad bike” after “bike”;
- (b) by omitting from the note “*motor bike and police vehicle*” and substituting “*motor bike, police vehicle and quad bike*”;
- (c) by inserting the following note after the note:

Note 2 Subrule (5) has been amended to include quad bikes and is no longer uniform with the model road rules of Australia.

10. Rule 270 amended (Wearing motor bike helmets)

Rule 270 of the Principal Rules is amended as follows:

- (a) by omitting from subrule (1) “motor bike” first occurring and substituting “motor bike, or quad bike,”;
- (b) by omitting from the note to subrule (1) “*Motor bike* and *park*” and substituting “*Motor bike, park* and *quad bike*”;
- (c) by inserting the following note after the note in subrule (1):

Note 2 This rule has been amended to include quad bikes and is no longer uniform with the model road rules of Australia.

- (d) by omitting from subrule (1A) “motor bike” first occurring and substituting “motor bike, or quad bike,”;
- (e) by omitting from subrule (1A)(a) “motor”;
- (f) by omitting from subrule (1A)(b) “motor”;
- (g) by omitting from subrule (2) “motor bike” first occurring and substituting “motor bike, or quad bike,”;
- (h) by inserting “or quad bike” after “a motor bike” in the definition of *passenger* in subrule (3).

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11. Rule 271 amended (Riding on motor bikes and quad bikes)

Rule 271 of the Principal Rules is amended as follows:

- (a) by omitting from subrule (1) “of a motor bike” twice occurring and substituting “of a motor bike, or quad bike,”;
- (b) by omitting from subrule (1) “motor” second occurring;
- (c) by omitting from subrule (1)(b) “motorbike” and substituting “bike”;
- (d) by inserting the following note after the note in subrule (1):

Note 2 This rule has been amended to include quad bikes and is no longer uniform with the model road rules of Australia.

- (e) by omitting from subrule (1A) “motor bike” and substituting “motor bike, or quad bike,”;
- (f) by omitting from subrule (1A)(a) “motor”;
- (g) by omitting from subrule (2) “motor bike” first occurring and substituting “motor bike, or quad bike,”;
- (h) by omitting from subrule (2)(b) “motor”;
- (i) by omitting from subrule (3) “motor bike” and substituting “motor bike, or quad bike,”;

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(j) by omitting from subrule (4) “motor bike” and substituting “motor bike, or quad bike,”;

(k) by omitting from subrule (5) “motor bike” and substituting “motor bike, or quad bike,”;

(l) by inserting the following subrule after subrule (5C):

(5D) The rider of a quad bike must not ride with a passenger unless the passenger –

(a) is 6 years old or older;
and

(b) keeps both feet on the footrests designed for use by a pillion passenger on the quad bike; and

(c) keeps at least one hand, while the passenger is seated, on the handrail of the bike, if any.

Penalty: Fine not exceeding 20 penalty units.

12. Rule 295 amended (Motor vehicle towing another vehicle with a towline)

Rule 295 of the Principal Rules is amended as follows:

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- (a) by inserting in subrule (2) “or quad bike” after “motor bike”;
- (b) by omitting from the note to subrule (2) “is” and substituting “and *quad bike* are”;
- (c) by inserting the following note after the note in subrule (2):

Note 2 Subrules (2) and (3) have been amended to include quad bikes and are no longer uniform with the model road rules of Australia.

- (d) by inserting in subrule (3) “or quad bike” after “bike”.

13. Rule 297 amended (Driver to have proper control of a vehicle, &c.)

Rule 297 of the Principal Rules is amended as follows:

- (a) by omitting from subrule (3) “motor bike” first occurring and substituting “motor bike, or quad bike,”;
- (b) by omitting from subrule (3) “motor” second occurring;
- (c) by omitting from subrule (3) “motor” third occurring;
- (d) by omitting from the note to subrule (3) “is” and substituting “and *quad bike* are”;
- (e) by inserting the following note after the note in subrule (3):

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Note 2 Subrules (3) and (4) have been amended to include quad bikes and are no longer uniform with the model road rules of Australia.

- (f) by omitting from subrule (4) “motor bike” and substituting “motor bike, or quad bike,”.

14. Rule 299 amended (Television receivers and visual display units in motor vehicles)

Rule 299 of the Principal Rules is amended as follows:

- (a) by omitting from the note to subrule (1) “*Motor vehicle and park*” and substituting “*Motor vehicle, park and quad bike*”;
- (b) by inserting the following note after the note in subrule (1):

Note 2 This rule has been amended to include quad bikes and is no longer uniform with the model road rules of Australia.

- (c) by inserting in subrule (2)(aa) “or quad bike” after “bike”;
- (d) by omitting from subrule (2)(b) “motor bike” and substituting “motor bike, or quad bike,”.

15. Schedule 5 amended (Dictionary)

Clause 1 of Schedule 5 to the Principal Rules is amended as follows:

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- (a) by inserting the following definition after the definition of *public holiday*:

quad bike means a motor vehicle with
4 wheels that is ridden in the
same way as a motor bike;

Note This definition is not part of the model road rules of Australia.

- (b) by omitting “motor bike” from the definition of *ride* and substituting “motor bike, quad bike”.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 22 December 2021.

These rules are administered in the Department of State Growth.

EXPLANATORY NOTE

(This note is not part of the rules)

These rules amend the *Road Rules 2019* by –

- (a) defining what a quad bike is for the purposes of those rules; and
- (b) specifying certain rules on the use of quad bikes on roads and road related areas; and
- (c) effecting minor statute law revision.