

# ROAD TRAFFIC RULES – ROAD USER RULES 2017

I, the Honourable Westly Nukundi Nukundj, Minister for Transport & Infrastructure, by the powers conferred on me by the Road Traffic Act 2014 and pursuant to Section 56 of the Act, make the following Ordinary Rule.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Hon. Westly Nukundi Nukundj, MP**

Minister for Transport & Infrastructure

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## **DIVISION 1 - PRELIMINARY PROVISIONS**

### **1 OBJECTIVE**

This Rule sets out the requirements for use of public streets in Papua New Guinea. The rule applies to all road users, whether they are drivers, riders, passengers, pedestrians, or leading or droving animals.

The rule retains the provisions in the Motor Traffic Act 1950 and Part III of the Motor Traffic Regulation 1967 with changes to reflect the establishment of the Road Traffic Authority.

The overarching objective of the Rule is to promote the safe and efficient use of roads by providing a legal framework to support consistent and predictable responses by road users. The Rule fulfils the following functions:

- (a) resolving conflicts (for example, giving way);
- (b) prescribing behaviour (for example, keeping left);
- (c) prohibiting detrimental behaviour (for example, driving on a footpath);
- (d) defining the meaning of, and required response to, traffic control devices (for example, stopping for red traffic signals).

### **2 COMMENCEMENT**

This Rule comes into force on the date notified in the National Gazette.

### **3 CONSULTATION**

This draft rule has been prepared in consultation with officials of the Department of Transport, including from the Land Transport Division, members of the Royal Papua New Guinea Constabulary, and with personnel from Motor Vehicles Insurance Limited, which currently administers motor vehicle registration and driver's licensing on behalf of the Secretary for Transport for the NCD and under subcontract and sub-delegation from a number of Provincial governments.

Intention to make this rule was notified as required by section 57(1) of the Act, in the National and Post Courier newspapers on 9, 12 & 14 January 2015. Following advertisement of the making of the rule, ten interested parties were provided with copies of the rule. These included government departments, transport sector statutory authorities and private companies. No written submissions were received from the stakeholders within the response period, which ended on 28 February 2015.

### **4 INTERPRETATION**

(1) In this Rule, unless the contrary intention appears—

“**Act**” means the *Road Traffic Act 2014*;

“**anchorage point**” means an anchorage point for a seat belt;

“**Authority**” means the Road Traffic Authority established under Section 4 of the Act;

“**breath screening device**” means a device of a kind approved for the purpose of breath screening tests by the Minister for Transport, by notice in the National Gazette;

“**breath screening test**” means a test carried out by means of a breath screening device in a manner prescribed in respect of that device by the Minister for Transport, by notice in the National Gazette;

“**child**” means a person who has attained the age of one year but has not attained the age of 8 years;

“**drink**” means alcoholic drink;

**“driver”** means a person driving a motor vehicle;

**“evidential breath test”** means a test carried out by means of an evidential breath-testing device in a manner prescribed in respect of that device by the Minister for Transport, by notice in the National Gazette;

**“evidential breath-testing device”** means a device of a kind approved for the purpose of evidential breath tests by the Minister for Transport, by notice in the National Gazette;

**“footpath”** means a path or way principally designed for, and used by, pedestrians; and includes a footbridge;

**“lane line”** means a line marked, by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, along the carriageway of a public street to indicate the boundary of a traffic lane;

**“mobile phone”**—

- (a) includes a portable electronic device whose functions include being a telephone;
- (b) does not include an earpiece or mouthpiece that is connected, physically or otherwise, to a mobile phone to allow a driver to use the phone without holding or manipulating it;

**“motor car”** means a motor vehicle constructed principally for the carriage of persons equipped to seat not more than eight adult persons including the driver, but does not include a motor cycle;

**“motor cycle”** includes a motor vehicle with less than four wheels and an unladen weight of less than 750kg;

**“motor tractor”** means a road, oil or steam engine constructed to be used—

- (a) for agricultural purposes; or
- (b) in connection with agricultural implements and machinery; or
- (c) for haulage or earth-moving purposes,

but does not include a vehicle used on a railway or tramway;

**“motor truck”** means a motor vehicle used principally—

- (a) for the carriage of goods, wares or merchandise; or
- (b) for the conveyance of any kind of materials used in any trade, business or industry; or
- (c) for use in any work other than the conveyance of passengers,

but does not include a motor tractor;

**“motor vehicle”** means a vehicle drawn or propelled by mechanical power, including a trailer, but does not include—

- (a) a vehicle running on rails; or
- (b) a pedestrian-controlled machine;

**“office of the Authority”** refers at all times in this Rule to any of the offices of the Road Traffic Authority or any of the offices of an agent authorised by the Authority;

**“operate”**, in relation to a motor vehicle means—

- (a) to use, drive or ride that motor vehicle; or
- (b) to cause or permit the use, driving or riding of, that motor vehicle; or
- (c) to cause or permit that motor vehicle to be, on a public street;

**“owner”** in relation to a motor vehicle means—

- (a) the person lawfully entitled to possession of the vehicle; or
- (b) in the case of a motor vehicle that is the subject of a hire-purchase agreement, the person who has use of the motor vehicle under the hire purchase agreement;

**“park”**, in relation to a motor vehicle, means to stand or wait with a stationary vehicle on a public street whether or not–

- (a) the engine is idling or stopped; or
- (b) the driver is present,

but does not include standing or waiting in obedience to a traffic sign, a control light signal, a signal or an order or direction authorized, issued, made or given under this Rule;

**“passenger”**, in relation to a motor vehicle, does not include the driver of the vehicle;

**“passive breath-testing device”** means a passive breath-testing device of a kind approved by the Minister for Transport, by notice in the National Gazette;

**“pedestrian”** includes a person running, walking, sitting, standing or otherwise being on a public street;

**“pedestrian crossing”** means that portion of the carriageway of a public street–

- (a) on which there is marked, by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, along or in the general direction of the carriageway, a series of lines parallel and near to each other, of equal or approximately equal length and breadth; or
- (b) between a pair of parallel broken or unbroken lines so marked across or partly across the carriageway,

and–

- (c) in a case referred to in Paragraph (a)– includes the portion of the carriageway between each line and between each boundary of the carriageway and the nearest line; and
- (d) in a case referred to in Paragraph (b), where the lines are marked partly across the carriageway– includes the portion of the carriageway between the prolongation of the lines;

**“public street”** means a street, road, lane, thoroughfare, footpath, bridge or place to which the public have permitted access;

**“road controlling authority”** means the national, provincial or local level government agency that is in control of the public street;

**“seat belt”** means a restraining device used in a motor car which provides restraint for the upper and lower torso of the wearer whilst the motor car is in motion;

**“separation line”** means one of a pair of lines–

- (a) both of which are unbroken; or
- (b) one of which is broken and the other unbroken,

marked by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, in close proximity to each other along the carriageway of a public street on or near the centre line or to one side of the centre line;

**“speed-measuring device”** means a device of a kind approved for the purpose of measuring the speed of motor vehicles by the Minister for Transport, by notice in the National Gazette;

**“stop line”**, in relation to a motor vehicle facing a traffic control light, signal or sign displaying the word ‘STOP’, means an unbroken line 300mm to 600mm wide, marked across the traffic lanes approaching the control device at which traffic is legally required to stop and which unbroken line–

- (a) indicates the point behind which traffic shall stop when required; and
- (b) shall be white; and
- (c) may be indicated by means of plates, markers, paint, lacquer or a plastic substance, or similar object or material;

**“tip truck”** means a motor truck with a rear platform that can be raised at the front end to enable the load to be discharged by gravity;

**“traffic control device”** includes any—

- (a) sign, signal, or notice; or
- (b) traffic calming device; or
- (c) traffic marking or road surface treatment—

used on a road for the purpose of traffic control;

**“traffic lane”** means a path or way for the passage of vehicles marked along the carriageway, the boundaries of which path or way are indicated by means of studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, and includes any such path or way where one boundary is so indicated and the other is a lateral edge of the carriageway or of an island, strip, platform, plot or other division in the carriageway;

**“traffic marking”** means studs, plates, markers, paint, lacquer or a plastic substance, or similar objects or material, on the carriageway of a public street;

**“traffic sign”** means a sign referred to in Section 6;

**“vehicle”** means any device with wheels, tracks or revolving runners on which it moves or is moved.

## **DIVISION 2 - TRAFFIC CONTROL DEVICES**

### **5 GENERAL REQUIREMENTS**

- (1) Traffic control devices shall be in accordance with PNGS/AS 1742 - 2009 Manual of Uniform Traffic Control Devices, unless approved otherwise by the Authority.
- (2) Retro-reflective materials and devices for road traffic control purposes must be in accordance with AS 1906.
- (3) Except as provided in Section 6(4), (5) and (7), a person must not provide or operate a traffic control device on a public street without first obtaining the approval of the Authority or being authorised by the Authority.
- (4) The Authority may, at any time, by notice in writing to the Road Controlling Authority, prohibit the installation, or require the modification or removal, of a traffic control device that does not comply with this Rule, or that presents, or may present, a hazard to road safety, and the Road Controlling Authority must act accordingly.
- (5) A person must not install on a public street, or in a place visible from a public street, a sign, device or object that is not a traffic control device, but that may be mistaken for a traffic control device.
- (6) A person must not—
  - (a) damage or otherwise interfere with a traffic control device in any way; or
  - (b) remove or obscure a traffic control device unless authorised by—
    - (i) the Road Controlling Authority; or
    - (ii) the Authority; or
    - (iii) a Traffic Enforcement Officer.

### **6 TRAFFIC SIGNS**

- (1) Traffic signs shall be in accordance with PNGS/AS 1743 – 1989 Road Signs Specifications and Standard Alphabets for Road Signs AS1744 – 1975, unless approved otherwise by the Authority.
- (2) A traffic sign may be—
  - (a) regulatory (including speed limit and parking signs), that is, it instructs road users by requiring or prohibiting specified actions when using a public street; or
  - (b) warning, that is, it informs road users of hazards or other features requiring a safe response on or near a public street; or
  - (c) advisory, that is, it provides road users with information or guidance (including information about destinations, routes, amenities, distances, street names and places).
- (3) The Authority or a person authorized by it may—
  - (a) erect, display or cause to be erected or displayed a traffic sign in accordance with this Rule; or
  - (b) remove, or cause to be removed, an existing traffic sign.
- (4) The Road Controlling Authority must install temporary warning signs if it considers that there is, or is likely to arise, at any place on a public street, a temporary risk of –
  - (a) danger to the public or to road workers; or
  - (b) damage to the road.
- (5) For a temporary hazard, such as a disabled vehicle on the public street, a slip, a washout or a broken transmission line, an appropriate temporary warning sign may be erected by—
  - (a) emergency services personnel; or
  - (b) a worker involved in removing the temporary hazard, or in making the hazard safe.



(6) A temporary sign under Subsections (4) or (5) must be removed as soon as the need for it has ended.

(7) Any person may erect a warning triangle sign on a public road to inform approaching road users of an accident or a broken down vehicle.

Cf MTR r126A & 127

## 7 PARKING & STANDING RESTRICTIONS

(1) The Authority, or a person authorised by it, may, by means of a sign erected under this Rule, regulate or restrict the parking or standing of vehicles, or of certain vehicles or classes of vehicles, in a public street or place or a part of a public street or place.

(2) A person must not park or stand a motor vehicle, or cause or permit a motor vehicle to be parked or to stand, in contravention of a sign referred to in Subsection (1).

Cf MTR r132

## 8 CONTROL LIGHT SIGNALS

(1) In this section “pedestrian control light signal” means a signal of a kind referred to in Subsection (4)(i) and (j).

(2) The Authority may erect or authorize the erection of traffic control light signals and pedestrian control light signals for the control of drivers of motor vehicles and pedestrians.

(3) Control light signals shall be in accordance with PNGS/AS 1742 - 2009 Manual of Uniform Traffic Control Devices, unless approved otherwise by the Authority.

(4) The display of the following light signal is a direction to do the following:

Light Signal	Direction
(a) Steady green circle	(i) a <b>driver</b> facing the signal may— (A) subject to this Section, proceed straight ahead, turn right or turn left, as the case may be; and (B) where such a turn may be made with safety to the public, turn right or turn left, as the case may be, even though a signal is displaying a red circle in respect of the carriageway that he is about to enter; and (ii) a <b>pedestrian</b> facing the signal may, subject to this Section and in the absence of pedestrian control light signals, leave the kerb and proceed straight ahead.
(b) Green arrow	(i) a <b>driver</b> facing the signal may, subject to the Act and this Rule and notwithstanding that the signal may also be displaying a red circle— (A) proceed in the direction indicated by the arrow; and (B) where the movement may be made with safety to the public, proceed even though a signal is displaying a red circle in respect of the carriageway that he is about to enter.
(c) Steady amber circle	(i) a <b>driver</b> facing the signal shall not in the case of a signal erected at or near an intersection or junction— (A) proceed beyond the stop line in respect of the signal; or (B) if there is no stop line, enter the intersection or junction, unless when the amber circle first appears his or her vehicle is so close to the stop line, or if there is no stop line the intersection or junction, that he or she cannot safely stop his or her vehicle before passing the stop line or entering the intersection or junction, as the case may be; or



Light Signal	Direction
	(ii) a <b>pedestrian</b> facing the signal shall not, in the absence of pedestrian control light signals, leave the kerb.
(d) Steady amber arrow	(i) a <b>driver</b> facing the signal shall not, for the purpose of proceeding in a direction indicated by the arrow— (A) proceed beyond the stop line in respect of the signal; or (B) if there is no stop line, enter the intersection or junction, unless when the amber arrow first appears his or her vehicle is so close to the stop line, or if there is no stop line the intersection or junction, that he or she cannot safely stop his or her vehicle before passing the stop line or entering the intersection or junction, as the case may be.
(e) Steady red circle	(i) a <b>driver</b> facing the signal shall not in the case of a signal erected at or near an intersection or junction— (A) proceed beyond the stop line in respect of the signal; or (B) if there is no stop line, enter the intersection or junction; (ii) a <b>pedestrian</b> facing the signal shall not, in the absence of pedestrian control light signals, leave the kerb.
(f) Steady red arrow	(i) a <b>driver</b> facing the signal shall not, for the purpose of proceeding in a direction indicated by the arrow— (A) proceed beyond the stop line in respect of the signal; or (B) if there is no stop line, enter the intersection or junction.
(g) Flashing amber circle	(i) a <b>driver</b> facing the signal may, where it can be done with safety to the public, proceed straight ahead, turn right or turn left, as the case may be; and (ii) a <b>pedestrian</b> facing the signal may, in the absence of pedestrian control light signals, leave the kerb and proceed straight ahead.
(h) Flashing red circle	(i) a <b>driver</b> facing the signal shall not in the case of a signal erected at or near an intersection or junction— (A) proceed beyond the stop line in respect of the signal; or (B) if there is no stop line, enter the intersection or junction.
(i) Green “GO” or green symbol of walking man	a <b>pedestrian</b> facing the signal may, subject to the Act and this Rule, proceed straight ahead.
(j) “WAIT” or red symbol of walking man	a <b>pedestrian</b> facing the signal shall not leave the kerb.
(k) Arrow pointing upwards	the arrow shall, for the purposes of this section, be deemed to indicate the direction in which a vehicle facing the signal would proceed if it moved ahead without turning left or right.

Cf MTR r128

## 9 OFFENCES IN RELATION TO TRAFFIC SIGNS & SIGNALS

(1) A person who drives a motor vehicle on a public street—

- (a) when approaching an intersection or junction where a stop sign is exhibited, must stop his or her vehicle as near as is safely practicable to, and before entering on, the intersection or junction; and
- (b) where a stop line is exhibited, must stop behind the stop line before crossing

- it; and
  - (c) where a give way sign is exhibited to face the driver approaching a one-lane bridge, must give way to every vehicle on the bridge or approaching it from the opposite direction; and
  - (d) where a give way sign is exhibited to face the driver approaching an intersection or joining carriageway, must give way to every vehicle travelling along or turning from or into the intersection or joining carriageway; and
  - (e) must comply with a no entry sign; and
  - (f) where a no overtaking sign is exhibited, must not overtake a vehicle; and
  - (g) where a one way traffic sign is exhibited, must not proceed in the opposite direction to that indicated on the sign; and
  - (h) where a keep left sign is exhibited, must keep left; and
  - (i) where a hospital sign is exhibited, must not create an unnecessary noise; and
  - (j) where a speed limit sign is exhibited, must not drive in excess of the speed limit indicated by the sign; and
  - (k) on which there is a pedestrian crossing—
    - (i) must not drive through the crossing at a speed in excess of 25km/h; and
    - (ii) must stop to allow a person on the crossing to cross; and
    - (iii) must not pass or overtake a motor vehicle passing through or stationary at the crossing; and
    - (iv) must not approach the crossing at such a speed that he or she is unable to stop or to reduce speed to 25km/h, as the case requires; and
  - (l) where a stock crossing sign is exhibited, must give way to sheep or cattle crossing the street; and
  - (m) where a children crossing sign is exhibited on both sides of the street—
    - (i) must not drive through the crossing at a speed in excess of 25km/h; and
    - (ii) must stop to allow any person who wishes to cross between the flags to do so; and
    - (iii) must remain stationary until all children crossing the street have completed the passage of the crossing; and
    - (iv) must not pass or overtake a motor vehicle passing through, or stationary at, the crossing; and
  - (n) where any other sign prescribed under Section 6 is exhibited, must comply with a direction on the sign.
- (2) Subject to Subsections (3) and (4), a driver of a motor vehicle or a pedestrian must comply with the direction of a traffic control light signal referred to in Section 8.
- (3) A pedestrian must comply with the direction of any pedestrian control light signal referred to in Section 8.
- (4) Where pedestrian control light signals and other traffic control light signals are both erected at an intersection, junction or other place, a pedestrian must comply with the direction of the pedestrian control light signal.

Cf MTR r129

## **10 TRAFFIC MARKINGS**

- (1) Traffic markings shall be in accordance with PNGS/AS 1742 - 2009 Manual of Uniform Traffic Control Devices.
- (2) Subject to Subsections (3) and (4), a person who drives a motor vehicle on a public street—
- (a) where there are double separation lines, both of which are unbroken— must keep them on the right-hand side of his or her vehicle; and
  - (b) where—

- (i) there are double separation lines, one of which is broken and the other unbroken; and
  - (ii) the unbroken line is between the broken line and the boundary of the carriageway that is on his or her left,  
must keep the unbroken line on the right-hand side of his or her vehicle; and
  - (c) when travelling along a traffic lane at a point where a boundary of the lane is a single unbroken line– must not cross or straddle the line; and
  - (d) when travelling along a traffic lane– must keep his or her vehicle and any load on it wholly within the lane, unless he or she may lawfully do otherwise under this Rule; and
  - (e) must not cross a lane line or fail to keep a separation line on the right-hand side of the vehicle, unless he or she can do so with safety to the public.
- (3) It is not an offence against Subsection (2) for a person–
- (a) to drive with a separation line on the left-hand side of his or her vehicle, or to cross a lane line or separation line, in conformity with any direction in or on–
    - (i) a standard, notice or device erected or displayed under this Rule; or
    - (ii) any other marking on the roadway; or
  - (b) to cross a lane line or separation line when turning his or her vehicle–
    - (i) to his or her right or left from one public street into another, at an intersection, in conformity with this Rule; or
    - (ii) to his or her right–
      - (A) at a point where he or she is leaving by the shortest route the street in which he or she is driving; or
      - (B) when entering by the shortest route the street in which he or she intends to drive.
- (4) Subsection (2)(c), (d) and (e) do not apply where the only longitudinal marking on the carriageway of a public street consists of a single broken or unbroken line on or near the centre line of the carriageway.
- Cf MTR r131

## **DIVISION 3 - METERED PARKING.**

### **11 METERED ZONES.**

(1) The Authority may–

- (a) declare a public street or a portion of a public street to be a metered zone; and
  - (b) cause a traffic sign–
    - (i) indicating where metered parking is authorized; or
    - (ii) defining a metered space in a metered zone; or
    - (iii) indicating the maximum period during which a motor vehicle may be parked in a metered zone; or
    - (iv) indicating the hours in which or the days on which metered parking only is permitted in a metered zone; or
    - (v) defining a loading zone; or
    - (vi) defining a vehicle stand; or
    - (vii) necessary or desirable for the safe and effective regulation of traffic,
- to be constructed, marked, placed, erected or affixed in or near a public street or part of a public street that is in a metered zone or that is a metered zone; and
- (c) alter or remove a traffic sign constructed, marked, placed, erected or affixed under Paragraph (b); and
  - (d) fix by notice in the National Gazette the tariff for parking in a metered space.

(2) A person must not park, or cause or permit another person to park, a motor vehicle in a metered zone or a metered space without paying the tariff.

Cf MTA s12

### **12 COUNCIL PARKING METERS.**

(1) A Local-level Government may install in a metered zone, and maintain, parking meters in accordance with this Division.

(2) A Local-level Government that has installed a parking meter in the area administered by the Local-level Government shall–

- (a) collect the money inserted in the meter; and
- (b) pay the amounts collected into the general revenue of the Council.

Cf MTA s13

### **13 GOVERNMENT PARKING METERS.**

(1) In an area where there is no Local-level Government, or no Local-level Government prepared to install and maintain parking meters in accordance with this Division, parking meters may be installed and maintained in a metered zone by the Authority.

(2) The amounts collected from the parking meters installed and maintained under Subsection (1) shall be paid into the Funds of the Authority.

Cf MTA s14

### **14 INSTALLATION OF PARKING METERS.**

A parking meter installed under Section 11 shall be placed in a metered space defined under Section 10(b)(ii) in a position approved by the Authority.

Cf MTA s15

## **DIVISION 4 - SPEED LIMITS**

### **15 GENERAL SPEED LIMITS**

(1) Subject to Subsection (2), a person must not drive a motor vehicle on a public street—

- (a) in a town— at a speed greater than 60km/h; and
- (b) outside a town or village— at a speed greater than 100km/h; and
- (c) outside a town, but within a village— at a speed greater than 40km/h,

except where a greater speed is permitted by a speed limit sign under this Rule.

(2) Subsection (1) does not apply in respect of a motor vehicle that—

- (a) is carrying a member of the Police Force on urgent duty; or
- (b) is a fire engine or other similar vehicle on urgent duty; or
- (c) is an ambulance on urgent duty; or
- (d) is a Red Cross vehicle conveying blood for an urgent transfusion,

if the driver of the vehicle gives the best practicable warning to enable way to be made for it.

Cf MTR r133

### **16 SPEED ON INTERSECTIONS**

A person must not drive a motor vehicle at the approaches to, or on, an intersection of two public streets at a speed greater than 25km/h.

Cf MTR r134

### **17 SPEED PAST SCHOOLS AND PLAY-GROUNDS**

(1) Subject to Subsection (2), a person must not drive or ride a motor vehicle at a speed greater than 25km/h while passing a school, school play-ground or children's play-ground at a time when children are going into or coming out of the school or play-ground.

(2) A person shall not be convicted of an offence against Subsection (1) unless the prosecution proves that on or near the road on which the defendant drove or rode a vehicle or animal there was a sign bearing in clear letters the word "School", "School Play-ground" or "Children's Play-ground" erected in such a position as to give reasonable warning to the defendant of the existence of the school or play-ground.

Cf MTR r135

### **18 SPEED MEASURING DEVICES**

(1) Every speed-measuring device shall be tested for accuracy, calibrated and sealed by a certified laboratory in accordance with—

- (a) the appropriate PNG or Australian Standard for the device; or
- (b) if there is no appropriate PNG or Australian Standard for the device— the manufacturer's specifications for the device.

(2) A person using a speed-measuring device to determine the speed at which a motor vehicle is travelling must comply with—

- (a) the appropriate PNG or Australian Standard for the device; or
- (b) if there is no appropriate PNG or Australian Standard for the device— the manufacturer's specifications for the device.

(3) No person shall, without authority, wilfully tamper or interfere with the mechanism or operation of a speed-measuring device.

Cf MTR r136

## **DIVISION 5 - USE OF ALCOHOL OR DRUGS**

### **19 DRIVERS NOT TO BE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS**

- (1) A person shall not drive or attempt to drive a motor vehicle while under the influence of alcohol or a drug to the degree that mental or motor skills are impaired.
- (2) To establish whether mental or motor skills are impaired, a Traffic Enforcement Officer may require a person to undergo an impairment test.
- (3) An impairment test shall be administered in the following manner—
  - (a) assess whether the driver has slurred speech; and
  - (b) assess whether the driver has a flushed face, blood-shot eyes or droopy eyelids; and
  - (c) have the driver exit the motor vehicle and balance on one leg for 30 seconds with arms by his or her side; and
  - (d) have the driver take 9 steps heel-to-toe in a straight line, turn 180 degrees and take 9 steps back.

### **20 DRIVERS NOT TO EXCEED SPECIFIED ALCOHOL LIMITS**

A person must not drive or attempt to drive a motor vehicle while—

- (a) the proportion of alcohol in the person's breath, as ascertained by an evidential breath test subsequently undergone by the person under Section 22, exceeds 400 micrograms of alcohol per litre of breath.; or
- (b) if the person holds the following permit or driver's licence—
  - (i) a learners permit; or
  - (ii) a provisional license; or
  - (iii) a full driver's licence with an endorsement or permit to drive a public motor vehicle, taxicab, private hire car or licensed goods transport vehicle,

the person's breath, as ascertained by an evidential breath test subsequently undergone by the person under section 22, contains alcohol.

### **21 WHO MUST UNDERGO BREATH SCREENING TEST**

(1) A Traffic Enforcement Officer may require any of the following persons to undergo a breath screening test without delay:

- (a) a driver of, or a person attempting to drive, a motor vehicle on a public street; and
- (b) a person whom the officer has good cause to suspect has recently committed an offence against the Act, the Regulations or the Rules that involves the driving of a motor vehicle; and
- (c) if an accident has occurred involving a motor vehicle—
  - (i) the driver of the vehicle at the time of the accident; or
  - (ii) if the officer is unable to ascertain who the driver of the vehicle was at the time of the accident, a person whom the officer has good cause to suspect was in the motor vehicle at the time of the accident.

(2) A Traffic Enforcement Officer may not require a person who is in a hospital or doctor's surgery as a result of an accident involving a motor vehicle to undergo a breath screening test.

(3) A person who has undergone a breath screening test under this section must remain at the place where the person underwent the test until after the result of the test is ascertained.

(4) If a Traffic Enforcement Officer is entitled to require a person to undergo a breath screening test, the officer may also require that person to undergo a test using a passive

breath-testing device, which test is one where the officer holds a passive breath-testing device near the person's mouth for the purpose of ascertaining whether or not there is any alcohol in the person's breath.

(5) The use or non-use of a passive breath-testing device does not of itself affect the validity of a breath screening test.

## **22 WHO MUST UNDERGO EVIDENTIAL BREATH TEST**

(1) A Traffic Enforcement Officer may require a person to undergo an evidential breath test if–

- (a) in the case of a person who holds a permit or licence as listed in Section 20(b), the person has undergone a breath screening test under section 21 and it appears to the officer that the breath of the person who underwent the test contains alcohol; or
- (b) in the case of any other person, the person has undergone a breath screening test under section 21 and it appears to the officer that the proportion of alcohol in the breath of the person who underwent the test exceeds 400 micrograms of alcohol per litre of breath.

(2) A person who has undergone an evidential breath test under this section must remain at the place where the person underwent the test until after the result of the test is ascertained.

## **23 ALCOHOL INFRINGEMENT OFFENCES**

A person commits an infringement offence–

- (a) if the person drives or attempts to drive a motor vehicle on a public street while the proportion of alcohol in the person's breath, as ascertained by an evidential breath test subsequently undergone by the person under section 22, exceeds 400 micrograms of alcohol per litre of breath but does not exceed 600 micrograms of alcohol per litre of breath; or
- (b) if the person holds the following permit or driver's licence–
  - (i) a learners permit; or
  - (ii) a provisional license; or
  - (iii) a full driver's licence with an endorsement or permit to drive a public motor vehicle, taxicab, private hire car or licensed goods transport vehicle, andthe person's breath, as ascertained by an evidential breath test subsequently undergone by the person under section 22, contains alcohol but does not exceed 250 micrograms of alcohol per litre of breath.

## **24 MEDICAL EXAMINATION OF ARRESTED PERSONS.**

A person who is arrested for an offence against this Division is entitled, on request made by him her, or on his or her behalf, to be examined by a medical practitioner, and where any such request is made the member of the Police Force making the arrest shall afford all reasonable facilities for the holding of the examination.

Cf MTA s20

## **25 BREATH TESTING DEVICES**

(1) Every breath screening device and every evidential breath testing device shall be tested for accuracy, calibrated and sealed by a certified laboratory in accordance with–

- (a) the appropriate PNG or Australian Standard for the device; or
- (b) if there is no appropriate PNG or Australian Standard for the device– the manufacturer's specifications for the device.

(2) A person using a breath screening device or evidential breath testing device to



determine the breath alcohol of a person must undertake the test in the prescribed manner.

(3) No person shall, without authority, wilfully tamper or interfere with the mechanism or operation of a breath screening device or evidential breath testing device.

## **DIVISION 6 - SEAT BELTS.**

### **26 WEARING OF SEAT BELTS**

(1) A person who occupies a seat position in a motor car to which a seat belt has been fitted, shall not drive or travel in such motor car upon a public street unless—

- (a) the person is wearing the seat belt appropriate to the seat which he or she occupies; and
- (b) the seat belt is properly adjusted and securely fastened.

(2) A person who travels upon a public street as a passenger in a motor car to which seat belts are fitted shall not occupy a seat position to which a seat belt is not fitted unless—

- (a) all seat positions to which seat belts are fitted are occupied by other persons; or
- (b) he or she is seated in the rear compartment of such motor car where there are no seat positions to which seat belts are fitted.

(3) A person who drives a motor car, to which seat belts are fitted, on a public street must not cause or permit a child to be carried on any front seat unless the child is wearing a seat belt properly adjusted and securely fastened.

(4) The provisions of this section shall not apply to a person who is—

- (a) driving a motor car in reverse; or
- (b) the holder of a certificate signed by a medical practitioner certifying that the person is, for the period stated in such certificate, unable for medical reasons to wear a seat belt; or
- (c) the holder of a certificate signed by a medical practitioner certifying that because of the person's size, build or other physical characteristics, it would be unreasonable to require him or her to wear a seat belt; or
- (d) engaged on work that requires him or her to alight from and re-enter a motor car at frequent intervals and who, while so engaged, does not drive or is not travelling in such motor car at a speed exceeding 25 kilometres per hour.

Cf MTR r136B

### **27 *Repealed***

## **DIVISION 7 - TRAFFIC RULES GENERALLY.**

### **28 GENERAL DRIVING RULES**

- (1) In this section, “footpath” includes, where a footpath is not defined or is not clearly defined, the portion of the street on the left of the carriageway.
- (2) The driver of a motor vehicle on a public street must not–
- (a) drive without due care and attention; or
  - (b) go on a public street that is closed against traffic; or
  - (c) cause or permit any person to drive the vehicle without the consent of the owner; or
  - (d) cause the vehicle to travel backwards for a greater distance or time than is required for safety or reasonable convenience; or
  - (e) while driving the vehicle, be in such a position that he or she does not have full control of the vehicle or does not have a clear view of the traffic; or
  - (f) race with another vehicle.
- (3) The driver of a motor vehicle on a public street must–
- (a) except when travelling within one of a number of traffic lanes available for traffic proceeding in the same direction as that in which the vehicle is being driven– keep the vehicle as near as practicable to the footpath on his or her left-hand side; and
  - (b) when meeting a vehicle proceeding in the opposite direction– pass with it on his or her right-hand side; and
  - (c) before stopping– drive the vehicle close to the footpath on his or her left-hand side; and
  - (d) subject to Subsection (4), when he or she is about to stop or reduce speed–
    - (i) raise his or her right hand in such a manner as to be visible to any person immediately following; or
    - (ii) give such other signal as is prescribed; and
  - (e) comply with any directions given by a Traffic Enforcement Officer as to–
    - (i) the manner of approaching and departing from any place; or
    - (ii) the manner of taking up or setting down passengers, or of loading or unloading goods; or
    - (iii) the control of traffic; and
  - (f) when necessary, give, by sounding a bell, horn or other alarm, sufficient warning of the approach of the vehicle to any person walking, riding or driving on a public street; and
  - (g) when the vehicle is in a position where it is likely to obstruct an overtaking vehicle, and whether or not the horn or alarm of the overtaking vehicle has been sounded, cause his or her vehicle to move to the left, as soon as he or she can do so with safety, so as to allow the overtaking vehicle a reasonable space in which to pass; and
  - (h) when being overtaken by another vehicle, not deviate to the right or left or increase the speed of the vehicle until the overtaking vehicle has had a reasonable opportunity to pass and draw clear; and
  - (i) exercise due care not to splash mud or water on any person–
    - (i) in or on, or entering or leaving, a stationary vehicle; or
    - (ii) crossing a public street.
- (4) The driver of a motor vehicle is not required to observe Subsection (3)(d) if there is fixed to the rear of the vehicle, in such a position as to be visible to any person immediately following, a lamp or other apparatus that clearly indicates to a person

following that he is about to stop or reduce speed, as the case may be.

(5) When two motor vehicles are approaching an intersection or junction, the driver of the vehicle having the other on his or her right must give way to the other vehicle and allow it to pass in front of his or her vehicle.

Cf MTR r137

## **29 OVERTAKING AND TURNING**

(1) The driver of a motor vehicle on a public street, when overtaking a vehicle or animal—

- (a) must pass with it on his or her left-hand side unless there is a separate marked traffic lane to the left of the vehicle or animal being overtaken; and
- (b) must not cross in front of the vehicle or animal being overtaken until his or her vehicle is clear of that vehicle or animal; and
- (c) the driver or rider of which has signalled his or her intention to turn to the right, must pass on its left-hand side; and
- (d) travelling along a traffic lane on his or her right-hand side, may remain in the left-hand lane and pass the vehicle or animal on its left-hand side.

(2) When the driver of a motor vehicle on a public street is about to turn or diverge to the right, he or she must, when the vehicle is at least 30 metres from the point at which it is intended to turn or diverge—

- (a) drive the vehicle out towards his or her right, to a point just to the left of the centre-line of the carriageway; and
- (b) give a clear signal of his or her intention to turn or diverge to the right—
  - (i) by extending his or her right arm and his or her hand, with the palm turned to the front, and holding them in a horizontal position straight out on the right-hand side of the vehicle; or
  - (ii) by giving a “Turn Right” signal by means of a flashing direction indicator light; and
- (c) continue to give the signal required by Paragraph (b) for so long as is necessary to give to other users of the road a clear indication of the intention to turn or diverge to the right; and
- (d) before turning to the right from one public street into another, drive parallel to the footpath and as near as possible to the left-hand side of the centre of the street that the vehicle is leaving until the front of the vehicle is past the centre of the intersection of the two streets.

(3) When the driver of a motor vehicle on a public street is about to turn or diverge to the left, he or she must—

- (a) when the vehicle is at least 30 metres from the point at which it is intended to turn—
  - (i) raise his or her right hand in such a manner as to be visible to any person immediately following; or
  - (ii) give a “Turn Left” signal by means of a flashing direction indicator light; and
- (b) drive the vehicle in such a manner that when it reaches the point at which it is intended to turn—
  - (i) the vehicle is—
    - (A) on the left-hand side of any vehicle proceeding in the same direction; and
    - (B) as near as practicable to the left-hand boundary of the carriageway; or
  - (ii) if the vehicle is—
    - (A) in a traffic lane in respect of which there is erected or displayed a

- sign; or
- (B) on a carriageway on which there is marked a directional arrow or other traffic marking, indicating that traffic proceeding in the same direction as the vehicle may make a left-hand turn from that lane– the vehicle may make such a left-hand turn; and
- (c) take adequate precautions to avoid any danger of the vehicle colliding with any pedestrian who, or any other vehicle or animal that, is on any portion of the intersection of the streets.

Cf MTR r137

### **30 STOPPING AND PARKING**

The driver of a motor vehicle on a public street must not–

- (a) wilfully stop the vehicle–
  - (i) between the footpath and the near side of any vehicle that is stopped for the purpose of taking up or setting down passengers or goods; or
  - (ii) opposite the entrance to a public street; or
  - (iii) across a passage, thoroughfare or foot-crossing; or
  - (iv) on the intersection of a public street; or
- (b) except in a place where a sign, notice or traffic marking is exhibited indicating that angle parking is permitted, park the vehicle, or cause or permit the vehicle to be parked, on a one-way street unless it is–
  - (i) as near as practicable to and parallel with a boundary of the carriageway; and
  - (ii) facing the direction in which the traffic is allowed to proceed; or
- (c) except–
  - (i) in a one-way street; or
  - (ii) in a place in which a sign, notice or traffic marking is exhibited indicating that angle parking is permitted, park the vehicle, or cause or permit the vehicle to be parked, in the street unless it is as near as practicable to, and parallel with, the boundary of the carriageway that is on the left-hand side of the vehicle; or
- (d) where a traffic sign, notice or traffic marking is exhibited indicating that angle parking is permitted, park the vehicle, or cause or permit the vehicle to be parked, in the street unless it is placed at an angle of 45°, or at such other angle as is indicated by the sign, notice or marking, to the boundary of the carriageway, and as near as practicable to the boundary; or
- (e) park the vehicle, or cause or permit the vehicle to be parked, abreast of any other vehicle unless–
  - (i) he or she is directed to do so by a Traffic Enforcement Officer in the course of his or her duty; or
  - (ii) a notice or traffic marking is exhibited indicating that angle parking is permitted; or
- (f) park the vehicle, or cause or permit the vehicle to be parked, less than 1 metre from any other vehicle unless the other vehicle is parked at an angle to the boundary of the carriageway in a place where a sign, notice or traffic marking is exhibited indicating that angle parking is permitted; or
- (g) park the vehicle, or cause or permit the vehicle to be parked, so that it is within a distance of 6 metres on the approach side of a pedestrian crossing; or
- (h) park the vehicle, or cause or permit the vehicle to be parked, within a distance of 4 metres from any separation line marked along the carriageway of the street;

- or
- (i) park the vehicle, or cause or permit the vehicle to be parked, within a distance of 6 metres measured at right angles from the prolongation of the nearest alignment of any intersecting street; or
- (j) park the vehicle, or cause or permit the vehicle to be parked, in such a manner that any portion of it is on the carriageway in a position where, by reason of any grade or curve in the street, the driver or rider of a vehicle or horse approaching it from the rear will not have a clear view of it for a distance of at least 50 metres; or
- (k) leave the vehicle without having taken due precautions against it being started in his or her absence.

Cf MTR r137

### **31 OBSTRUCTION OF TRAFFIC**

- (1) The driver of a motor vehicle on a public street must not wilfully or negligently obstruct, hinder or prevent the free passage of any person, vehicle or animal.
- (2) A person must not cause or permit a vehicle to stand on a public street in such a position as to obstruct traffic or unreasonably cause inconvenience to any person.
- (3) A person must not cause or permit an obstacle to be placed in a public street in such a position as to obstruct traffic or unreasonably cause inconvenience to any person.

Cf MTR r138

### **32 MAKING WAY FOR EMERGENCY VEHICLES**

At the sounding of a siren or horn on the approach of, and during the passage of—

- (a) a motor vehicle apparently conveying a member of the Police Force on urgent duty; or
- (b) a fire engine or other similar vehicle apparently proceeding on urgent duty; or
- (c) an ambulance apparently proceeding on urgent duty; or
- (d) a Red Cross vehicle apparently proceeding on urgent duty,

any person driving a motor vehicle on a public street must cause his or her vehicle—

- (a) to be drawn as near as practicable to and parallel with the boundary of the carriageway on his or her left-hand side; and
- (b) to be brought to a standstill; and
- (c) to remain stationary as long as is reasonably necessary.

Cf MTR r139

### **33 STOPPING AND REPORTING IN CASE OF ACCIDENTS.**

Where injury or damage is caused to a person or to an animal or vehicle in the charge of a person because of an accident in which a motor vehicle is concerned, the driver of the motor vehicle must—

- (a) stop his or her vehicle; and
- (b) when required—
  - (i) by the person who is injured or whose animal or vehicle is injured or damaged; or
  - (ii) by a Traffic Enforcement Officer,
- give—
  - (iii) his or her name and address; and
  - (iv) the name and address of the owner of the motor vehicle; and
  - (v) the registration number of the motor vehicle; and
- (c) report the accident to a Traffic Enforcement Officer or to the officer-in-charge of the police station nearest the scene of the accident as soon as practicable, and

in any case within 24 hours.

Cf MTA s24

### **34 MOBILE PHONE USE PROHIBITED WHILE DRIVING**

(1) Subject to Subsection (2) a person, while driving a motor vehicle on a public street, must not use a mobile phone or two-way radio without the use of a hands-free device.

(2) A member of an emergency service, acting in his or her capacity as a member of an emergency service may use a mobile phone or two-way radio while driving in the execution of their work tasks.

### **35 LEFT-HAND DRIVE VEHICLES**

Except with the written permission of the Authority, a person must not drive, or cause or permit another person to drive, on a public street, a motor vehicle with left-hand drive—

- (a) without having the words “left-hand drive” clearly painted in letters at least 75mm high on the rear of the vehicle; and
- (b) that is not fitted with flashing direction indicator lights.

Cf MTR r140

### **36 TOWING**

(1) A person must not drive on a public street a motor vehicle that has a vehicle (not being a trailer) attached to it for the purpose of being towed—

- (a) so that the space between the vehicles exceeds 4m; or
- (b) when the vehicle towed is a motor vehicle not supported by the towing vehicle— without a competent person in charge of the vehicle towed; or
- (c) where the two vehicles are joined by means of a tow-rope, chain or wire— without a conspicuous piece of red cloth tied midway between both vehicles; or
- (d) between sunset and sunrise— without a lighted lamp affixed at the rear of the vehicle being towed; or
- (e) with the towed vehicle so attached to the towing vehicle as to force the towed vehicle to deviate from the route taken by the towing vehicle.

(2) A person must not tow agricultural machinery on a public street within a town without the prior written permission of the Authority, which permission is subject to any instructions or directions given by the Authority.

Cf MTR r141

### **37 FASTENING OF LOADS**

A person must not drive a motor vehicle, or cause or permit a motor vehicle to be driven, on a public street when the load or equipment on the vehicle, or on a trailer drawn by it—

- (a) is insecurely fastened or loaded; or
- (b) is not so arranged, contained or covered that no part of it can fall from the vehicle or trailer.

Cf MTR r142

### **37A RESTRICTIONS ON CARRIAGE OF PASSENGERS**

(1) Subject to Subsection (4) and Section 38, a person shall not operate a motor vehicle that carries more than eight passengers.

(2) Where a motor vehicle carries more than eight passengers the burden of proving whether or not those passengers are carried for hire or reward is on the owner and on the driver.

(3) Where, under Subsection (1)—



- (a) the owner or driver of a motor vehicle is, on more than two occasions, convicted of an offence; and
  - (b) the convictions are in respect of the same motor vehicle,
- the Authority may, for a period not exceeding six months, suspend the certificate of registration issued in respect of that vehicle.
- (4) The Authority may, on the application of the operator of a motor vehicle, by written notice, exempt a motor vehicle from the provisions of Subsection (1).
- (5) An exemption under Subsection (4) may be granted in respect of–
- (a) vehicles transporting members of a disciplined force; and
  - (b) vehicles owned by a fire brigade; and
  - (c) an ambulance; and
  - (d) vehicles owned by the State;
  - (e) vehicles owned by a Provincial Government; and
  - (f) vehicles owned by a Local-level Government Special Purposes Authority; and
  - (g) vehicles owned by a Local-level Government; and
  - (h) a vehicle used by a business to transport employees if such transportation is provided free of charge; and
  - (i) a vehicle owned by a person, if that vehicle is used to transport members of that person's immediate family; and
  - (j) a vehicle owned by a village–
    - (i) if that vehicle does not ply for hire or reward; and
    - (ii) if that vehicle is used to transport members of the village that owns the vehicle; and
  - (k) such other vehicle as the Authority may from time to time determine.
- (6) For the purposes of Subsection (5)(i), "immediate family" includes the owner's spouse, children, parents and parents of his or her spouse.
- (7) Where the Authority grants an exemption under Subsection (4), the Authority shall, in accordance with Section 38, specify in the notice the maximum number of passengers that may be carried on the vehicle the subject of the exemption.
- (8) Nothing in this section shall be construed as–
- (a) applying to a motor-vehicle in respect of which a current licence for a public motor vehicle, taxicab or private hire car has been issued; and
  - (b) authorizing the carriage on a motor vehicle of fare paying passengers.

Cf MTR r145

### **38 NUMBER OF PASSENGERS TO BE CARRIED IN A VEHICLE**

- (1) The number of passengers that may be carried in a motor vehicle shall be determined–
- (a) where seats are fitted to the vehicle, by allowing one passenger in respect of each 40cm of seat width; and
  - (b) in the area where seats are not fitted to the vehicle, by allowing not less than 0.4m<sup>2</sup> of clear floor space in respect of each passenger.
- (2) The Authority may–
- (a) require a motor vehicle to be measured; and
  - (b) in accordance with Subsection (1), determine the number of passengers that may be carried in the vehicle.
- (3) Where, pursuant to Subsection (2), the Authority determines that a motor vehicle may lawfully carry more than eight passengers, the Authority may authorize the carriage–
- (a) in or on that vehicle; or
  - (b) in or on a part of that vehicle,
- of such number of passengers as the Authority pursuant to that subsection determines.
- (4) The operator of a motor vehicle the subject of an authorisation under Subsection (3)

shall cause to be painted and maintained—

(a) in a legible condition; and

(b) in a position on the vehicle, and in a form, approved by the Authority,  
a notice of the number of passengers authorized to be carried under that subsection.

(5) A person must not operate a motor vehicle carrying more than the number of passengers determined by Subsection (1) or authorised under Subsection (3).

(6) A person must not operate a motor vehicle that carries passengers in or on a part of the vehicle designed primarily for the carriage of goods unless—

(a) at least 50% of the vehicle is free of goods; and

(b) the provisions of Subsection (1) are complied with.

Cf MTR r145A

### **39 PASSENGERS STANDING ETC IN MOTOR TRUCKS**

(1) A person must not drive, or cause or permit a person to drive, on a public street a motor truck while any person is standing in it.

(2) A person must not stand in a motor truck while it is being driven on a public street.

Cf MTR r146

### **40 PASSENGERS IN TIP-TRUCKS**

A person must not drive, or cause or permit a person to drive, on a public street a tip-truck carrying a passenger in the tray unless—

(a) the truck has a locking device, approved by the Authority, fitted to the tipping mechanism; and

(b) that mechanism is kept locked while the passenger is so carried.

Cf MTR r147

### **41 PASSENGERS IN TRAYS OF VEHICLES**

(1) A person must not drive, or cause or permit a person to drive, on a public street a motor vehicle carrying passengers on the tray unless the tray is fitted with rails, 380mm high above the tray, and so constructed as to—

(a) remain erect under any normal pressure exerted on them; and

(b) prevent any person from falling from the vehicle.

(2) A person must not drive, or cause or permit a person to drive, on a public street a motor vehicle carrying a child under the age of six years on the tray unless at all times supervised by an adult.

### **42 PERSONS ON RUNNING BOARDS OR PARTLY OUTSIDE OF VEHICLES**

A person must not drive, or cause or permit a person to drive, on a public street a motor vehicle—

(a) that is carrying a person on its running board; or

(b) in which a person, without lawful and reasonable excuse, allows part of his or her body to project beyond the side of the vehicle.

Cf MTR r149

### **43 MOTOR CYCLE RIDERS**

(1) In this section, “passenger” means a person, other than the driver, riding on a motor cycle.

(2) One passenger may ride on a motor cycle if—

(a) he or she rides astride the motor cycle, behind the driver; and

(b) the motor cycle is equipped with proper footrests for the accommodation of the passenger, and the footrests—

- (i) are rigidly affixed to the frame of the motor cycle not further than 150mm from the axle of the rear wheel; and
    - (ii) project outwards at right angles to the motor cycle for at least 115mm.
  - (3) A motor cycle must not be ridden in a public street unless the driver and any passenger are each wearing, securely fastened on their head, a protective helmet of a type approved by the Authority.
  - (4) Where a contravention of Subsection (3) occurs, the driver and the passenger are each guilty of an offence.
- Cf MTR r150

#### **44 RIDING HANDS-OFF**

A person must not ride a motor cycle on a public street without having at least one hand on the handle bars in such a position as to have adequate control of the steering.

Cf MTR r151

#### **45 *Repealed***

#### **46 OWNER PERMITTING ANOTHER PERSON TO DRIVE**

The owner of a motor vehicle must, before permitting a person to drive the vehicle—

- (a) require the driver's licence of the person to be produced to him or her; or
- (b) otherwise satisfy himself or herself that the person has a driver's licence of the class required for the motor vehicle.

Cf MTR r153

#### **47 UNAUTHORIZED USE OF VEHICLES**

(1) Subject to Subsection (2), a person must not drive or use a motor vehicle without first obtaining the consent of the owner.

(2) Notwithstanding anything in this Rule, Subsection (1) does not apply to a Traffic Enforcement Officer in the execution of his or her duty.

Cf MTA s25

#### **48 UNAUTHORIZED INTERFERENCE WITH VEHICLES**

A person must not interfere with or tamper with a motor vehicle or any part of a motor vehicle without the consent of the owner of the vehicle.

Cf MTA s26