

South Australia

## Road Traffic (Miscellaneous) Variation Regulations 2016

under the *Road Traffic Act 1961*

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### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) Variation Regulations 2016*.

#### 2—Commencement

These regulations will come into operation on 28 April 2016.

#### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### Part 2—Variation of *Road Traffic (Miscellaneous) Regulations 2014*

#### 4—Variation of regulation 51—Safety helmets for riders of motor bikes and bicycles (section 162B of Act)

- (1) Regulation 51(1) and (2)—delete subregulations (1) and (2) and substitute:
  - (1) A helmet is approved for motor bike riders if—
    - (a) it complies with a prescribed standard as in force—
      - (i) at the time the helmet was manufactured in, or imported into, Australia (as the case may be); or
      - (ii) at any later time; and
    - (b) bears a relevant certification mark.

- (2) A person must not sell, or offer for sale, a helmet for use by a motor bike rider or passenger on a motor bike unless the helmet complies with subregulation (1)(a).

Maximum penalty: \$2 500.

- (2) Regulation 51(5)—delete subregulation (5) and substitute:

- (5) In this regulation—

***prescribed standard*** means—

- (a) Australian Standard 1698—1988—*Protective helmets for vehicle users (AS 1698—1988)*; or
- (b) Australian/New Zealand Standard 1698:2006—*Protective helmets for vehicle users (AS/NZS 1698:2006)*; or
- (c) United Nations Economic Commission for Europe Regulation No 22 *Uniform provisions concerning the approval of protective helmets and their visors for drivers and passengers of motor cycles and mopeds*, incorporating the 05 series of amendments, (**ECE 22.05**),

as in force from time to time;

***relevant certification mark*** means—

- (a) where the mark relates to compliance with AS 1698—1988 or AS/NZS 1698:2006—
- (i) a prescribed certification mark; or
- (ii) the certification mark of a body declared by the Minister by notice in the Gazette to be an approved body for the purpose of certifying compliance with the relevant standard; or
- (b) where the mark relates to compliance with ECE 22.05—an international approval mark in accordance with ECE 22.05.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 28 April 2016

No 25 of 2016

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