

Australian Road Rules (Personal Mobility Devices) Amendment 2021

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1 Name of Rules

These Rules are the *Australian Road Rules (Personal Mobility Devices) Amendment 2021*.

2 Rules amended

Schedule 1 amends the *Australian Road Rules*.

Schedule 1 Amendment of Australian Road Rules

[1] Rule 15 What is a vehicle

Insert “a personal mobility device,” before “a train”.

[2] Rule 18 Who is a pedestrian

Insert at the end of rule 18(d)—

; and

- (e) a person in or on a personal mobility device, unless otherwise expressly stated.

[3] Rule 18, note

Omit “*Wheelchair*”. Insert instead “*Personal mobility device, wheelchair*”.

[4] Part 14 Rules for pedestrians

Omit the last bullet point from Part 14, Division 1, note 1. Insert instead—

- a person in or on a wheeled recreational device or wheeled toy
- a person in or on a personal mobility device (see rule 18).

[5] Part 14, Division 1, note 2

Omit “*Wheelchair*”. Insert instead “*Personal mobility device, wheelchair*”.

[6] Rule 238

Insert “personal mobility device,” after “in or on a” wherever occurring.

[7] Rule 238, note 1

Insert “*personal mobility device,*” before “*wheeled recreational*”.

[8] Rule 238, note 3

Insert after note 2—

Note 3: Persons travelling on roads in or on a personal mobility device are dealt with in rule 244G.

[9] Rule 239 Pedestrians on a bicycle path or separated footpath

Omit “and” from rule 239(2)(a)(ii). Insert instead “or”.

[10] Rule 239(2)(a)(iii)

Insert after rule 239(2)(a)(ii)—

- (iii) travelling in or on a personal mobility device; and

[11] Rule 239(2), note 1

Omit “*Traffic*”. Insert instead “*Personal mobility device, traffic*”.

[12] Rule 239(2), note 3

Insert after note 2—

Note 3: Rule 244J provides that a person travelling in or on a personal mobility device on a bicycle path, or on a part of a separated footpath designated for the use of bicycles, must keep to the left.

[13] Part 14, Division 3

Insert after Division 2—

Division 3 Rules for persons travelling in or on personal mobility devices

Note 1: For the Australian Road Rules, a person in or on a personal mobility device is a pedestrian, not a rider—see rule 18(e). This Division contains rules that apply only to persons travelling in or on personal mobility devices.

Note 2: *Personal mobility device* is defined in the dictionary.

244D Application of Division

- (1) This Division applies to a PMD user.
- (2) In this Division:

PMD user means a person travelling in or on a personal mobility device.

244E No personal mobility devices sign

A PMD user must not travel past a *no personal mobility devices sign*.
Offence provision.

244F Personal mobility devices not to be used on certain roads

- (1) A PMD user must not travel on:
 - (a) a road with a dividing line or median strip; or
 - (b) a road on which the speed-limit is greater than 50 kilometres per hour; or
 - (c) a one-way road with more than 1 marked lane.

Offence provision.

Note: *Dividing line*, *marked lane*, *median strip* and *one-way road* are defined in the dictionary.

- (2) Subrule (1) does not apply to a PMD user if:
 - (a) there is an obstruction on a footpath, nature strip, bicycle path or shared path adjacent to the road (the *adjacent area*); and
 - (b) because of the obstruction, it is impracticable to travel on the adjacent area; and
 - (c) the PMD user travels less than 50 metres along the road to avoid the obstruction.
- (3) A PMD user must not travel on a road:
 - (a) that is declared, under another law of this jurisdiction, to be a road on which personal mobility devices are prohibited; or
 - (b) at another time if another law of this jurisdiction prohibits personal mobility devices from being on all roads, or that road, at that time.

Offence provision.

- (4) Subrules (1) and (3) do not apply to a PMD user who is crossing a road if the PMD user:
 - (a) crosses the road by the shortest safest route; and
 - (b) does not stay on the road for longer than is necessary to cross the road safely; and

(c) is not prohibited, under another law of this jurisdiction, from crossing the road in or on the personal mobility device.

(5) In this rule:

road does not include a road-related area, but includes the shoulder of the road.

Note: **Road-related area** is defined in rule 13, and **shoulder** is defined in rule 12.

244G Travelling in or on a personal mobility device on a road

(1) A PMD user travelling on a road:

(a) must keep as far to the left side of the road as is practicable; and

(b) must not travel alongside more than 1 other pedestrian or vehicle travelling on the road in the same direction as the PMD user unless the PMD user is overtaking other pedestrians or vehicles.

Offence provision.

(2) In this rule:

road does not include a road-related area, but, in subrule (1)(b), includes the shoulder of the road.

Note: **Road-related area** is defined in rule 13, and **shoulder** is defined in rule 12.

244H Travelling in or on a personal mobility device on a crossing, footpath or shared path

(1) A PMD user travelling on a crossing, footpath or shared path must:

(a) give way to a pedestrian who is on the crossing, footpath or shared path; and

(b) travel a sufficient distance from a pedestrian so that the PMD user can, if necessary, stop safely to avoid a collision with the pedestrian.

Offence provision.

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

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

(2) A PMD user travelling on a crossing, footpath or shared path must keep to the left of the crossing, footpath or shared path unless it is impracticable to do so.

Offence provision.

(3) This rule does not apply if another law of this jurisdiction prohibits travelling in or on a personal mobility device on the footpath.

(4) In this rule:

pedestrian does not include a person in or on a personal mobility device.

244I Travelling in or on a personal mobility device on separated footpath

(1) A PMD user must not travel on the part of a separated footpath designated for the use of pedestrians unless the PMD user:

(a) is crossing the separated footpath by the shortest safest route; and

(b) does not stay on the separated footpath for longer than is necessary to cross the separated footpath safely.

Offence provision.

(2) In this rule:

pedestrian does not include a person in or on a personal mobility device.

Note: *Separated footpath* is defined in rule 239.

244J Travel to left of oncoming PMD users or bicycle riders on a path

A PMD user travelling on a bicycle path, footpath, separated footpath or shared path must keep to the left of oncoming bicycle riders or other PMD users on the path.

Offence provision.

Note: *Separated footpath* and *bicycle path* are defined in rule 239 and *bicycle* is defined in the dictionary.

244K Personal mobility devices being towed etc

- (1) A person must not travel in or on a personal mobility device that is being towed by a vehicle.

Offence provision.

- (2) A PMD user must not hold onto a vehicle while the vehicle is moving.

Offence provision.

- (3) A PMD user must not travel within 2 metres of the rear of a moving motor vehicle continuously for more than 200 metres.

Offence provision.

Note: *Vehicle* is defined in rule 15.

244L Wearing of helmets by PMD users

A PMD user must wear an approved bicycle helmet securely fitted and fastened on the PMD user's head, unless the PMD user is exempt from wearing a bicycle helmet under another law of this jurisdiction.

Offence provision.

Note: *Approved bicycle helmet* is defined in the dictionary.

244M Carrying people or animals on a personal mobility device

A PMD user must not carry another person or animal while using the personal mobility device.

Offence provision.

244N Minimum age of PMD user

A PMD user must be 16 years old or older.

Offence provision.

244O Speed limits

A PMD user must not travel at a speed over the speed specified by another law of this jurisdiction as the maximum speed for the road or path on which the PMD user is travelling.

Offence provision.

244P Travelling at night

A PMD user must not travel at night, or in hazardous weather conditions causing reduced visibility, unless the personal mobility device, or the PMD user, displays:

- (a) a flashing or steady white light that is clearly visible for at least 200 metres from the front of the personal mobility device; and
- (b) a flashing or steady red light that is clearly visible for at least 200 metres from the rear of the personal mobility device; and
- (c) a red reflector that is clearly visible for at least 50 metres from the rear of the personal mobility device when light is projected onto it by a vehicle's headlight on low-beam.

Offence provision.

Note: *Low-beam* and *night* are defined in the dictionary.

244Q Bicycle crossing lights provisions apply to PMD users

- (1) Rules 260–262 apply to a PMD user as if the PMD user were the rider of a bicycle.
- (2) If this rule and rule 231, 232 or 235A apply to a PMD user, the PMD user must comply with subrule (1).

Note 1: *Bicycle* is defined in the dictionary, and *rider* is defined in rule 17.

Note 2: Rules 231, 232 and 235A specify requirements for pedestrians crossing roads or pedestrian level crossings at pedestrian lights or traffic lights.

244R No sharp protrusions

A personal mobility device must not be fitted with any object or fitting that, because it is pointed or has a sharp edge, is likely to increase the risk of bodily harm or injury to a person.

Offence provision.

244S Using mobile phones on personal mobility devices

- (1) A person must not use a mobile phone that the person is holding in the person's hands while the person is using a personal mobility device.

Offence provision.

- (2) In this rule:

use, in relation to a mobile phone, includes any of the following—

- (a) holding the phone to, or near, the ear, whether or not engaged in a phone call;
- (b) writing, sending or reading a text message on the phone;
- (c) turning the phone on or off;
- (d) operating any other function of the phone.

[14] Rule 248 Riding across a crossing

Insert after rule 248(2)—

- (3) In this rule:

pedestrian does not include a person in or on a personal mobility device.

Note: *Personal mobility device* is defined in the dictionary.

[15] Rule 250 Riding on a footpath or shared path

Insert after the definition of *footpath*, including the note, in rule 250(3)—

pedestrian does not include a person in or on a personal mobility device.

Note: *Personal mobility device* is defined in the dictionary.

[16] Rule 251

Omit the rule. Insert instead—

251 Riding to the left of oncoming bicycle riders or personal mobility device users on a path

The rider of a bicycle riding on a bicycle path, footpath, separated footpath or shared path must keep to the left of an oncoming bicycle rider and a person using a personal mobility device on the path.

Offence provision.

Note: *Bicycle path* and *separated footpath* are defined in rule 239, *footpath* and *personal mobility device* are defined in the dictionary, and *shared path* is defined in rule 242.

[17] Rule 308, heading

Insert “in or on a personal mobility device or” after “workers”.

[18] Rule 336 How separated footpath signs and separated footpath road markings apply

Insert after rule 336(3)—

(4) In this rule:

pedestrian does not include a person in or on a personal mobility device.

Note: *Personal mobility device* is defined in the dictionary.

[19] Schedule 3 Other permitted traffic signs

Insert the following graphics in appropriate order:

No personal mobility devices sign
(rule 244E)



No personal mobility devices sign
(rule 244E)



[20] Dictionary

Omit “a power-assisted pedal cycle” from the definition of *bicycle*, paragraph (b).

Insert instead “an electrically power-assisted cycle”.

[21] Dictionary, definition of “bicycle”, paragraph (c)

Insert “personal mobility device,” before “wheelchair,”.

[22] Dictionary, definition of “bicycle”, note 1

Insert “*personal mobility device*,” before “*wheelchair*”.

[23] Dictionary, definition of “bicycle”, note 2

Omit the note. Insert instead—

Note 2: *Electrically power-assisted cycle* is defined in the Australian Design Rules - Definitions and Vehicle Categories, which are vehicle standards determined under the *Road Vehicle Standards Act 2018* of the Commonwealth.

[24] Dictionary

Insert in alphabetical order—

personal mobility device means a device that—

- (a) has at least 1 wheel; and
- (b) is designed to be used by 1 person; and
- (c) is propelled by an electric motor or motors; and
- (d) when propelled only by the motor or motors, is not capable of travelling over 25km/h on level ground; and
- (e) is fitted with an effective stopping system controlled by using brakes, gears or motor control; and
- (f) is not more than—
 - (i) 1,250 millimetres in length by 700 millimetres in width by 1,350 millimetres in height and, when the device is not carrying a person or other load, 25 kilograms in weight; or
 - (ii) 700 millimetres in length by 1,250 millimetres in width by 1,350 millimetres in height and, when the device is not carrying a person or other load, 60 kilograms in weight;

but does not include a bicycle, motorised scooter, motorised wheelchair or wheeled recreational device.

Note: *Bicycle*, *wheelchair* and *wheeled recreational device* are defined in this dictionary, and ***motorised scooter*** is defined in rule 244A.

[25] Dictionary, definition of “wheeled recreational device”, paragraph (b)

Insert “personal mobility device,” after “bicycle,”.

[26] Dictionary, definition of “wheeled recreational device”

Omit the note. Insert instead—

Note: *Bicycle*, *personal mobility device*, *trolley*, *wheelchair* and *wheeled toy* are defined in this dictionary, and ***motorised scooter*** is defined in rule 244A.