

## LEGISLATIVE COUNCIL

## ROAD SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2019

(New Clause to be proposed in Committee by Mr QUILTY)

1. Clause 1, line 6, after "certain cases" insert ", to provide that certain offences against that Act and the Road Rules do not apply in certain cases where one vehicle is exceeding the speed limit to pass another vehicle".

## NEW CLAUSE

2. Insert the following new clause to follow clause 6—

**'6A New section 84BAB inserted**

After section 84BAA of the **Road Safety Act 1986** insert—

**"84BAB Exemption for exceeding speed limit to pass other vehicles safely**

Despite anything to the contrary in this Act or any other law, a driver of a motor vehicle or heavy vehicle is not guilty of an offence against section 64(1) or 65B or any Rules made under this Act in relation to obeying the speed limit if the driver—

- (a) is driving on a single carriage highway—
  - (i) with no more than one lane for each direction of travel; or
  - (ii) with one lane for each direction of travel and a dedicated overtaking lane; and
- (b) is passing another motor vehicle or other vehicle; and
- (c) is driving in excess of the speed limit to pass that motor vehicle or other vehicle; and
- (d) having regard to all of the circumstances of the case, it is safest to exceed the speed limit in those circumstances."!

## AMENDMENT OF LONG TITLE

3. Long title, after "certain cases" insert ", to provide that certain offences against that Act and the Road Rules do not apply in certain cases where one vehicle is exceeding the speed limit to pass another vehicle".