

South Australia

# **Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Use of Devices in Vehicles) Amendment Regulations 2024**

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 (Road Rules—Ancillary and Miscellaneous Provisions) (Use of Devices in Vehicles) Amendment Regulations 2024*.

### **2—Commencement**

These regulations will come into operation on the day on which Part 3 of the *Statutes Amendment (Use of Devices in Vehicles) Act 2022* comes into operation.

## **Part 2—Amendment of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions)* Regulations 2014**

### **3—Insertion of regulations 43B and 43C**

After regulation 43A insert:

#### **43B—Use of mobile phone**

For the purposes of rule 300 (Use of mobile phones) and the definition of *use* in that rule—

*use*, in relation to a mobile phone, includes any of the following actions by a driver—

- (a) holds the body of the phone (whether or not engaged in a phone call), except while in the process of giving the body of the phone to a passenger in the vehicle; or
- (b) enters or places, other than by the use of voice, anything into the phone, or sends or looks at anything that is in the phone; or
- (c) turns the phone on or off; or
- (d) operates any other function of the phone.

#### **43C—Exemption for use of mobile phone for payment etc purposes**

- (1) Despite anything in rule 300 (Use of mobile phones), that rule does not apply to a driver of a vehicle if—
  - (a) the vehicle is stationary in a road-related area; and
  - (b) the mobile phone—
    - (i) is being used to pay for goods or services required to be paid for in the road-related area; or
    - (ii) is being used to display electronic identification required to be shown in the road-related area; or
    - (iii) is being used to display an electronic coupon, QR code, voucher, card or similar article that requires the phone to be held in close proximity to another device, or to be presented to a person, located in the road-related area in order for the article to be used or redeemed; or
    - (iv) is being used to enable the driver to enter another road-related area or land adjacent to the road-related area.
- (2) In this regulation—

*mobile phone* has the same meaning as in rule 300.

**4—Amendment of regulation 44—Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc**

- (1) Regulation 44—after subregulation (1) insert:
- (1a) For the avoidance of doubt, subregulation (1) does not apply to a driver of a vehicle who is a learner or P1 driver in the circumstances specified in regulation 43C.
- (2) Regulation 44(2), definition of *use*—delete the definition and substitute:
- use* has the same meaning as for the purposes of rule 300.

**Note—**

As required by section 10AA(2) of the *Legislative Instruments 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 6 June 2024  
No 47 of 2024