

# Traffic Note 11 – Revision 1

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## No-passing lines against flush medians – Guidelines

### Background

Queries regarding marking no-passing lines alongside flush medians led to an analysis of the *Traffic Regulations 1976*. The resulting analysis has been paralleled in the *Land Transport (Road User) Rule 2004* [Road User Rule] and the *Land Transport Rule: Traffic Control Devices Rule 2004* [TCD Rule]. The following recommendations arising from the attached analysis limit how no-passing lines may be used in conjunction with flush medians.

### Recommendations

- (a) No-passing lines should not be marked alongside flush medians because:
- they are unnecessary
  - it could invalidate the legal status of the flush median
  - it may lead to misinterpretation of statutory obligations
  - create confused expectations among motorists and other road users.
- (b) No-passing lines could be marked where there is a significant discontinuity in the flush median, for example at intersections.

## Background analysis to recommendation

*Clause 1.5* of the Road User Rule includes the following definitions:

A flush median, in relation to any portion of a roadway, means an area marked by white diagonal lines which:

- (a) *is painted along the middle of the roadway; and*
- (b) *is bounded by approximately parallel, longitudinal white lines.*

A centre line:

- (b) *In relation to any portion of a roadway marked with a flush median, means the longitudinal white line that forms the left side of the flush median as viewed by a driver facing forward.*

Similar definitions are contained in *Part 2* and *subclause 7.4(2)* of the TCD Rule.

A flush median has a similar legal effect to a no-passing line for through traffic. Therefore, marking a no-passing line against one is unnecessary [compare *clause 2.7(b)* and *2.9* of Road User Rule].

A flush median creates a lateral separation of opposing traffic and removes the prime reason the TCD Rule provides for marking a no-passing line [*subclause 7.3(1)* of TCD Rule].

A yellow no-passing line bounding a painted island means, by the above definition, the island is no longer a flush median.

No-passing lines (in the form of two parallel yellow lines) can be marked alongside a flush median and maintain legality of both the no-passing lines and the flush median. In this case, however, it is unlikely that a motorist will cross the no-passing lines to use the flush median, even though legally entitled to do so. Confusion would arise, however, if a motorist did so.

Where both flush medians and no-passing lines are marked it has been found neither motorists nor traffic practitioners consistently interpret the correct legal situation. This obvious lack of uniform understanding can create confusion and risk. Such a combination of markings is not explained in the Road Code.

Motorists may only pass within 60 m of a railway level crossing if they do not encroach on a lane available to opposing traffic [*subclause 2.11(2)* of the Road User Rule]. Where a flush median has been marked for at least 60 m in advance of a railway crossing a no-passing line is unnecessary. Motorists turning right from or onto the road, however, may legally pass a stopped or slow moving queue of vehicles. It is therefore recommended that physical islands be installed at each approach to the crossing to stop such manoeuvres at the crossing.

The only circumstance where a no-passing line might be justified within a section of road with a flush median is where the flush median has a significant discontinuity. A discontinuity, most likely to occur at intersections, could create inadequate protection for vehicles turning into or from the road arising through uncertain legal definition of the centre line. No-passing lines should not exceed the length of the discontinuity.