

AUSTRALIAN CAPITAL TERRITORY

Motor Traffic (Amendment) Ordinance (No. 4) 1986

No. 58 of 1986

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 25 September 1986.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

G. SCHOLES
Minister of State for Territories

An Ordinance to amend the *Motor Traffic Ordinance 1936*

Short title

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance (No. 4) 1986*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Motor Traffic Ordinance 1936*.²

Stopping, &c., adjacent to boundary

3. Section 151 of the Principal Ordinance is amended—

(a) by adding at the foot of sub-section (1) the following penalty:

"Penalty: \$150.";

- (b) by adding at the foot of sub-section (2) the following penalty:

“Penalty: \$100.”;

- (c) by omitting sub-section (3) and substituting the following sub-section:

“(3) Subject to this Part, a person who stops or parks a motor vehicle or parks a trailer on a one way traffic carriageway or within a loading area—

- (a) if a no stopping sign, no parking sign, parking sign or loading zone sign is erected, placed or displayed on or near the right hand boundary of the carriageway or loading area—except with a side of the motor vehicle or trailer immediately adjacent to a boundary of the carriageway or loading area; or
- (b) in any other case—except with the left hand side of the motor vehicle or trailer immediately adjacent to the left hand boundary of the carriageway or loading area,

is guilty of an offence punishable, on conviction, by a fine not exceeding \$200.”; and

- (d) by omitting the penalty set out at the foot of the section.

Parking, &c., in public streets regulated by traffic signs

4. Section 152 of the Principal Ordinance is amended—

- (a) by adding at the foot of sub-section (1) the following penalty:

“Penalty: \$150.”;

- (b) by adding at the foot of sub-section (2) the following penalty:

“Penalty: \$200.”;

- (c) by omitting sub-section (3) and substituting the following sub-sections:

“(3) Where a parking sign is erected on or near the boundary of the carriageway of a public street and the sign bears an inscription indicating the period of time for which parking is permitted, a person shall not park a motor vehicle or trailer in the part of the public street to which the sign relates for a period of time exceeding the period so indicated.

Penalty: \$150.

“(3A) Where a parking sign is erected on or near the boundary of the carriageway of a public street and the sign bears an inscription indicating angle parking, a person shall not park a motor vehicle or trailer in the part of the public street to which the sign relates otherwise than at right angles to that boundary.

Penalty: \$100.”;

- (d) by adding at the foot of sub-section (4) the following penalty:

“Penalty: \$100.”;

- (e) by adding at the foot of sub-section (5) the following penalty:

“Penalty—

- (a) where the inscription on the parking sign, in referring to the class of motor vehicles, includes a reference to ‘disabled persons’—\$200;
- (b) where the inscription on the parking sign, in referring to the class of motor vehicles, includes a reference to ‘district nurses’, ‘medical practitioners’ or ‘Red Cross vehicles’—\$150; and
- (c) in any other case—\$100.”; and

- (f) by omitting the penalty set out at the foot of the section.

Parking in public places

5. Section 155 of the Principal Ordinance is amended—

- (a) by adding at the foot of sub-section (1) the following penalty:

“Penalty: \$150.”;

- (b) by adding at the foot of sub-section (2) the following penalty:

“Penalty: \$150.”;

- (c) by adding at the foot of sub-section (2A) the following penalty:

“Penalty: \$200.”;

- (d) by adding at the foot of sub-section (3) the following penalty:

“Penalty: \$150.”;

- (e) by adding at the foot of sub-section (4) the following penalty:

“Penalty: \$100.”;

- (f) by adding at the foot of sub-section (5) the following penalty:

“Penalty—

- (a) where the inscription on the parking sign, in referring to the class of motor vehicles, includes a reference to ‘disabled persons’—\$200;
 - (b) where the inscription on the parking sign, in referring to the class of motor vehicles, includes a reference to ‘district nurses’, ‘medical practitioners’ or ‘Red Cross vehicles’—\$150; and
 - (c) in any other case—\$100.”; and
- (g) by omitting the penalty set out at the foot of the section.

Further regulation of parking in off-street parking and loading areas

6. Section 156 of the Principal Ordinance is amended by omitting the penalty set out at the foot of the section and substituting the following penalty:

“Penalty: \$200.”.

Other parking, &c., offences

7. Section 158 of the Principal Ordinance is amended—

- (a) by inserting after paragraph (1) (a) the following paragraph:
 - “(b) upon the carriageway of a public street, off-street parking area or loading area so that any part of the motor vehicle is alongside a road marking comprising a kerb of the public street, off-street parking area or loading area that is coloured red;”;
- (b) by adding at the foot of sub-section (1) the following penalty:

“Penalty: \$200.”;
- (c) by omitting sub-section (2) and substituting the following sub-section:

“(2) A person who stops or parks a motor vehicle or parks a trailer—

- (a) on that part of the carriageway of a public street immediately adjoining an area in the public street reserved by a traffic sign for angle parking;
- (b) on a public street nearer than 1 metre to another motor vehicle upon the public street;
- (c) where a kerb is constructed on the boundary of the carriageway of a public street—upon a part of the public street other than the carriageway of the public street or a part reserved for parking by a traffic sign; or
- (d) upon a public street alongside or opposite to a street excavation or obstruction,

is guilty of an offence punishable, on conviction, by a fine not exceeding \$100.”; and

- (d) by omitting the penalty set out at the foot of the section.

Parking infringement notices

8. Section 162 of the Principal Ordinance is amended by omitting sub-section (6) and substituting the following sub-section:

“(6) For the purposes of this section, the prescribed penalty for a parking infringement is—

- (a) in respect of a contravention of—
 - (i) sub-section 151 (3) or 152 (2), section 153, sub-section 154 (1) or 155 (2A), section 156 or 157 or sub-section 158 (1); or
 - (ii) sub-section 152 (5) or 155 (5) where the relevant sign bears an inscription that, in referring to a class of motor vehicles, includes a reference to ‘disabled persons’,\$40;
- (b) in respect of a contravention of—
 - (i) sub-section 151 (1), 152 (1) or (3) or 155 (1), (2) or (3), section 163D or 163E, sub-section 163F (1) or section 163M; or
 - (ii) sub-section 152 (5) or 155 (5) where the relevant sign bears an inscription that, in referring to a class of motor vehicles, includes a reference to ‘district nurses’, ‘medical practitioners’ or ‘Red Cross vehicles’,

\$30; and

(c) in respect of a contravention of—

- (i) sub-section 151 (2), 152 (3A) or (4), 154 (2) or (3), 155 (4) or 158 (2); or
- (ii) sub-section 152 (5) or 155 (5), not being a contravention referred to in paragraph (a) or (b),

\$20.”.

Further amendments

9. The Principal Ordinance is amended by omitting the penalty set out at the foot of each of the provisions specified in Column 1 of the following table and substituting the penalty specified in Column 2 of the table opposite to that provision:

Column 1 Provision	Column 2 Substituted penalty
Section 153	Penalty: \$200.
Sub-section 154 (1)	Penalty: \$200.
Section 157	Penalty: \$200.
Section 163D	Penalty: \$150.
Sub-section 163E (1)	Penalty: \$150.
Sub-section 163E (2)	Penalty: \$150.
Sub-section 163F (1).....	Penalty: \$150.
Section 163M	Penalty: \$150.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 3 October 1986.
2. No. 45, 1936 as amended to date. For previous amendments *see* Note 2 to No. 3, 1986 and *see also* Nos. 3, 6 and 34, 1986.