

AUSTRALIAN CAPITAL TERRITORY

Motor Traffic (Amendment) Ordinance 1989

No. 6 of 1989

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 22 February 1989.

BILL HAYDEN
Governor-General

By His Excellency's Command,

CLYDE HOLDING
Minister of State for the Arts
and Territories

An Ordinance to amend the *Motor Traffic Ordinance 1936*

Short title

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance 1989*.¹

Principal Ordinance

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

(Ord. 13/89)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Interpretation**3.** Section 149 of the Principal Ordinance is amended—

- (a) by omitting from subsection (1) the definitions of “Class A parking meter”, “Class B parking meter” and “controlled parking zone”;
- (b) by inserting in subsection (1) the following definitions:

“ ‘controlled parking hours’ means—

- (a) in relation to a public place or public street in or near which there is a parking meter, voucher machine or parking sign which specifies a period—that period; and
- (b) in any other case—business hours;

‘parking meter’ means a parking meter the installation of which is authorised under section 163B;”;

- (c) by omitting from the definition of “parking voucher” in subsection (1) all the words after “document” and substituting “which authorises the standing or parking of a motor vehicle or trailer in a public place or public street being a document the issue of which is authorised by or under this Ordinance;”;
- (d) by omitting the definition of “voucher machine” in subsection (1) and substituting the following definition:

“ ‘voucher machine’ means a machine which, upon payment of the determined fee, issues a parking voucher bearing—

- (a) whether with or without other words, the words ‘Registrar of Motor Vehicles’; and
- (b) an imprint indicating the date and time of issue or expiry;

being a voucher machine the installation of which is authorised under section 163B;”;

- (e) by omitting from subsection (7) “controlled parking zone” and substituting “public place or public street”.

Repeal**4.** Section 163A of the Principal Ordinance is repealed.

Substitution

5. Section 163B of the Principal Ordinance is repealed and the following section substituted:

Authorisation of voucher machines and parking meters

“163B. The Minister may, by instrument, authorise the installation of—

- (a) a voucher machine in or near a public place or public street; or
- (b) a parking meter in or near a designated parking place.”.

Parking fees

6. Section 163C of the Principal Ordinance is amended—

- (a) by omitting from subsection (1) “installed pursuant to section 163B”;
- (b) by omitting from paragraph (1) (a) all the words from and including “when” to and including “in the meter—” and substituting “upon payment of the determined fee by a method specified on the parking meter,”;
- (c) by omitting from paragraph (1) (b) all the words from and including “when” to and including “in the meter—” and substituting “upon payment of an amount equal to a multiple of the determined fee by a method specified on the parking meter,”;
- (d) by omitting subsection (2) and substituting the following subsection:

“(2) A voucher machine shall be adjusted so that, upon payment of the determined fee by a method specified on the machine, 1 parking voucher is issued for a specified period.”;
- (e) by inserting in subsection (3) “or (2)” after “sub-section (1)”;
- (f) by omitting from subsection (4) “sub-section (1)” and substituting “subsections (1) and (2)”.

One vehicle only to be parked on designated parking place

7. Section 163D of the Principal Ordinance is amended by omitting “business” and substituting “controlled parking”.

Purchase and display of vouchers

8. Section 163E of the Principal Ordinance is amended—

- (a) by omitting subsections (1) to (4) (inclusive) and substituting the following subsections:

“(1) A person shall not, during controlled parking hours, permit a motor vehicle or trailer to stand or be parked upon a public place or public street in or near which a voucher machine is installed unless the standing or parking of the vehicle or trailer is authorised by a parking voucher—

(a) which—

(i) has issued from that machine; or

(ii) has been issued by the Registrar; and

(b) which is displayed on the vehicle or trailer.

Penalty: \$150.

“(2) A person shall not, during controlled parking hours, permit a motor vehicle or trailer to stand or be parked upon a public place or public street in or near which a voucher machine is installed after the expiration of the period during which the parking or standing of the vehicle or trailer upon that place or street is authorised by a parking voucher.

Penalty: \$150.

“(3) A parking voucher authorises the standing or parking of a motor vehicle or trailer upon a public place or public street (not being a designated parking place in or near which a parking meter is installed) on the date shown on the voucher until—

(a) the expiration of the relevant period specified under subsection 163C (3) commencing at the time shown on the voucher as its time of issue; or

(b) the time shown on the voucher as its time of expiry;

as the case requires.

“(4) Where, before the expiration of the period for which the standing or parking of a motor vehicle or trailer upon a public place or public street by a person is authorised by a parking voucher, a further parking voucher is obtained by that person, subsection (3) applies as if the further voucher had been obtained on that expiration and it showed a time of issue or of expiry accordingly.”; and

- (b) by inserting in subsections (5) and (6) “or expiry” after “issue”.

Expired parking meters

9. Section 163F of the Principal Ordinance is amended by omitting from subsection (1) and paragraph (2) (a) “business” and substituting “controlled parking”.

Interference with displayed parking vouchers

10. Section 163G of the Principal Ordinance is amended by omitting “controlled parking zone” and substituting “public place or public street”.

Evidence of authorised installation of parking meters and voucher machines

11. Section 163L of the Principal Ordinance is amended by omitting from subsection (1) “controlled parking zone” and substituting “public place or public street”.

Saving

12. The installation of a parking meter or voucher machine which was authorised or purportedly authorised under section 163B of the Principal Ordinance shall be taken to be authorised under section 163B of the Principal Ordinance as amended by this Ordinance.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 8 March 1989.
2. No. 45, 1936 as amended by Nos. 25 and 41, 1938; No. 16, 1941; No. 14, 1942; Nos. 2 and 13, 1943; No. 3, 1945; Nos. 6 and 13, 1947; No. 7, 1950; No. 17, 1951; Nos. 1 and 7, 1955; No. 6, 1956; No. 19, 1957; Nos. 10 and 15, 1958; Nos. 7 and 21, 1959; No. 11, 1960; Nos. 16 and 17, 1962; No. 21, 1963; No. 8, 1964; Nos. 9 and 13, 1965; No. 19, 1966 (as amended by No. 36, 1967); No. 2, 1968; Nos. 27 and 29, 1969; No. 27, 1970; Nos. 13, 17, 37 and 39, 1971; Nos. 3 and 10, 1972; Nos. 1, 32, 38, 41, 42 and 57, 1973; Nos. 4, 12, 23, 37, 48 and 49, 1974; Nos. 3, 16, 23, 31, 52 and 54, 1976; Nos. 16, 23, 30, 37, 51 and 59, 1977; Nos. 2, 31 and 46, 1978; No. 32, 1979; No. 33, 1980; Nos. 3, 8, 30, 31 and 33, 1981; No. 40, 1981 (as amended by No. 43, 1981); Nos. 6, 49, 50, 64 and 96, 1982; Nos. 14, 18 and 21, 1983; Nos. 1, 15, 44, 45 and 54, 1984; Nos. 2, 30, 31, 35, 49, 50, 63, 67 and 73, 1985; Nos. 3, 6, 34, 58, 77, 78, 81 and 87, 1986; Nos. 50 and 63, 1987; Nos. 9, 10, 11, 15, 16, 20 and 70, 1988.