

# AUSTRALIAN CAPITAL TERRITORY

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## Motor Traffic (Amendment) Ordinance (No. 3) 1984

### No. 44 of 1984

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 16 August 1984.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

TOM UREN  
Minister of State for Territories and Local Government

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An Ordinance to amend the *Motor Traffic Ordinance 1936*

#### Short title

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance (No. 3) 1984*.<sup>1</sup>

#### Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Motor Traffic Ordinance 1936*.<sup>2</sup>

#### Dangerous turns at intersections

3. Section 112D of the Principal Ordinance is amended by omitting subsection (2).

**Interpretation**

4. Section 112K of the Principal Ordinance is amended by inserting after the definition of “local services motor omnibus” in sub-section (1) the following definitions:

“ ‘no entry sign’ means a traffic sign bearing the words ‘NO ENTRY’;

‘no exit sign’ means a traffic sign bearing the words ‘NO EXIT’;”.

5. After section 128F of the Principal Ordinance the following section is inserted:

**Traffic signs—NO ENTRY; NO EXIT**

“128G. (1) Where a no entry sign is erected near or within a junction or intersection of a public street and—

- (a) another public street; or
- (b) a public place,

facing the direction from which traffic approaches the junction or intersection from the first-mentioned public street, a person shall not drive a motor vehicle from the first-mentioned public street into the other public street or the public place.

“(2) Where a no exit sign is erected at or near an entrance to an off-street parking area or loading area and faces away from a public street, a person shall not drive a motor vehicle into the public street by that entrance.

“(3) Where the Minister, by notice in writing published in the *Gazette*, declares that—

- (a) a specified motor vehicle is a vehicle in relation to which sub-section (1) or (2) does not apply; or
- (b) a specified class of motor vehicles is a class of motor vehicles in relation to which sub-section (1) or (2) does not apply,

that sub-section does not, while the notice remains in force, apply in relation to that motor vehicle or a motor vehicle included in that class of motor vehicles, as the case requires.”.

**Interpretation**

6. Section 149 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) the definitions of “no entry sign” and “no exit sign”; and
- (b) by inserting after the definition of “parking infringement” in sub-section (1) the following definition:

“ ‘parking meter hood’ means a hood or other cover designed to be fitted to a parking meter so as to obscure that part of the meter that would normally display the sign bearing the word ‘expired’ when the meter is not in operation;”.

### **Road markings or bays**

7. Section 156 of the Principal Ordinance is amended by omitting sub-sections (1) and (2).

### **Expired parking meter**

8. Section 163F of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

“(3) This section does not apply in relation to a parking meter that is, with the authority of the Minister, fitted with a parking meter hood.”.

9. After section 163L of the Principal Ordinance the following section is inserted:

### **Presumption regarding parking meter hoods**

“163LA. Where, in a prosecution for an offence against this Part, it is established that a parking meter was fitted with a parking meter hood, it shall be presumed that the hood was fitted with the authority of the Minister, but that presumption is rebuttable.”.

### **Covering of parking meters**

10. Section 163M of the Principal Ordinance is amended by omitting “covered by means of a hood bearing the words ‘no parking’ ” and substituting “, with the authority of the Minister, fitted with a parking meter hood bearing the words, ‘NO PARKING’ ”.

11. After section 163M of the Principal Ordinance the following sections are inserted:

### **Unauthorized removal of parking meter covers**

“163MA. A person shall not, without the authority of the Minister, remove a parking meter hood from a parking meter.

Penalty: \$50.

### **Authorized removal of parking meter hoods**

“163MB. Where—

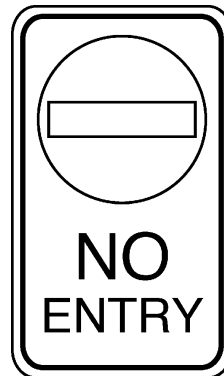
- (a) a parking meter hood bearing the words ‘FREE PARKING—TIME LIMIT APPLIES’ is removed from a parking meter by a person acting with the authority of the Minister; and
- (b) at the time the hood is removed there is a motor vehicle or trailer standing or parked on the designated parking place in or near which the parking meter is installed,

the person shall set the meter in operation so that it will display a sign bearing the word ‘expired’ at the expiration of the maximum period for which the meter could operate upon the insertion of coins on any one occasion.”.

### **Amendment of Schedule 4**

**12.** Schedule 4 to the Principal Ordinance is amended by adding at the end thereof the following items:

4 NO ENTRY



5 NO EXIT



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**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 21 August 1984.
2. No. 45, 1936 as amended to date. For previous amendments *see* Note 2 to No. 1, 1984 and *see also* Nos. 1 and 15, 1984.