

1998

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY**

MOTOR TRAFFIC ACT 1936

MOTOR TRAFFIC REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

**Circulated by the Authority of Minister for Urban Services
Brendan Smyth MLA**

Outline

Section 218 of the *Motor Traffic Act 1936* ("the Act") empowers the Executive to make regulations prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for the purposes of the Act. The Motor Traffic Regulations deal with matters such as requiring trailers to have adequate brakes and safety chains, registration labels for vehicles, unlicensed drivers and prescribed offences for which parking and traffic infringement notices may be issued and associated penalties and demerit points.

The *Motor Traffic (Amendment) Act No. 4 of 1997* inserted a new provision into the *Motor Traffic Act 1936* to allow disabled people to park for up to two hours in a parking area where parking is limited to 30 minutes or less. A further provision was included to control parking in a disabled parking zone where a time limit is specified. The new penalties relate to offences where the time limit has been exceeded. The level of the penalties has been aligned with those for similar parking offences.

Financial Implications

There are no increased costs associated with the amending Regulations.

Details

Commencement and Interpretation

Regulation 1 and 2 provide that the Regulations will take effect on the day they are notified in the Gazette and that a reference in the Regulations to "Principal Regulations" means the *Motor Traffic Regulations*.

Subregulation 3(a) and 3(b) amend Schedule 1 to the Principal Regulations by inserting four new parking offence provisions and associated penalties resulting from the amendment to the *Motor Traffic Act 1936*.

Subregulation 3(a) provides penalties where on-street parking is controlled by time limits and holders of a disabled label have exceeded either the posted time limit (in disabled bays), or the legislated time limit (two hours where the signs indicate parking permitted for not more than 30 minutes).

Subregulation 3(b) provides penalties for similar offences committed in public places.