



Australian Capital Territory

# **Road Transport (Safety and Traffic Management) Regulation 2000**

**SL2000-10**

made under the

**Road Transport (Safety and Traffic Management) Act 1999**

**Republication No 20**

**Effective: 9 April 2005 – 15 September 2005**

Republication date: 9 April 2005

Last amendment made by SL2005-7

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Road Transport (Safety and Traffic Management) Regulation 2000*, made under the *Road Transport (Safety and Traffic Management) Act 1999* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 9 April 2005. It also includes any amendment, repeal or expiry affecting the republished law to 9 April 2005.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Road Transport (Safety and Traffic Management) Regulation 2000

made under the

**Road Transport (Safety and Traffic Management) Act 1999**

## Contents

---

|   | Page |
|---|------|
| <b>Chapter 1</b>  |      |
| <b>Preliminary</b>  |      |
| 1 Name of regulation  | 2    |
| 3 Definitions—the dictionary                                    | 2    |
| 4 Notes   | 2    |
| 4A Offences against regulation—application of Criminal Code etc | 3    |
| 4B Offences against regulation are strict liability offences    | 3    |
| 4C General defence of accident or reasonable effort             | 3    |

---

|          |  |            |
|----------|--|------------|
| R20      | Road Transport (Safety and Traffic Management) | contents 1 |
| 09/04/05 | Regulation 2000                                |            |
|          | Effective: 09/04/05-15/09/05                   |            |

|                       | Page   |
|-----------------------|--|
| <b>Chapter 2</b>      | <b>Australian Road Rules</b>   |
| <b>Part 2.1</b>       | <b>Incorporation into ACT law</b>  |
| 5                     | What are the <i>Australian Road Rules</i> 4  |
| 6                     | Incorporation of Australian Road Rules into ACT law 4                                  |
| <b>Part 2.2</b>       | <b>How the Australian Road Rules are incorporated</b>                                  |
| <b>Division 2.2.1</b> | <b>General</b>   |
| 7                     | References to another law of this jurisdiction etc 7                                   |
| <b>Division 2.2.2</b> | <b>Other provisions for the Australian Road Rules</b>                                  |
| 8                     | ARR r 10 (2)—penalties for offences 7  |
| 9                     | ARR r 95—emergency stopping lane only signs 7  |
| 10                    | ARR r 104—no truck signs 7   |
| 11                    | ARR r 151 (3) (b)—riding a motorbike or bicycle alongside more than 1 other rider 8    |
| 12                    | ARR r 158 (2) (c)—other vehicles permitted to travel in bus lanes 8                    |
| 12A                   | ARR r 170 (1)—driver not to stop in intersection unless permitted 8                    |
| 13                    | ARR r 179 (1) (c)—stopping in a loading zone 8   |
| 14                    | ARR r 199 (2)—stopping near a postbox 9  |
| 15                    | ARR r 206 (2) (b), (c)—parking by people with disabilities permit holders 9            |
| 16                    | ARR r 207 (2) (a)—fees for parking in pay parking spaces 9                             |
| 16A                   | ARR r 213 (5)—non-application in ACT 10  |
| 17                    | ARR r 215 (4)—lights required to be fitted to a vehicle 10                             |
| 18                    | ARR r 216 (3)—towing a vehicle at night or in hazardous weather conditions 10          |
| 19                    | ARR r 220 (3)—using lights on vehicles that are stopped 10                             |
| 20                    | ARR r 221 (f)—using hazard warning lights on buses carrying children 11                |
| 21                    | ARR r 222—using warning lights on buses carrying children 11                           |
| 22                    | ARR r 225—use of radar detectors 11  |
| 22A                   | ARR r 236 (6)—hitchhiking, roadside commerce etc permitted 11                          |
| 23                    | ARR r 240 (2)—wheeled recreational devices and toys not to be used on certain roads 12 |

|     |   | Page |
|-----|---|------|
| 23B | ARR r 266 (3) (b)—wearing of seatbelts by passengers under 16 years old | 13   |
| 24  | ARR r 266 (7)—wearing of seatbelts by passengers under 16 years old     | 14   |
| 25  | ARR r 267 (3)—certificates of exemption from wearing seatbelts          | 14   |
| 26  | ARR r 270 (3)—wearing motorbike helmets                                 | 14   |
| 27  | ARR r 271 (6)—riding on motorbikes                                      | 14   |
| 27A | ARR r 280 (2) (a)—other vehicles to which B light rules apply           | 15   |
| 28  | ARR r 287 (3) (e), (4)—duties of participants in crashes                | 15   |
| 29  | ARR r 289 (1) (g)—driving on a nature strip                             | 16   |
| 30  | ARR r 298—driving with a person in or on a trailer                      | 16   |
| 31  | ARR r 310 (3), (4)—exemption for road workers etc                       | 17   |
| 32  | ARR r 313—postal workers  | 18   |
| 33  | ARR dict—definitions for dictionary                                     | 18   |

## **Part 2.3 Additional ACT road rules**

### **Division 2.3.1 Noise and other nuisances**

|    |                                 |    |
|----|---------------------------------|----|
| 37 | Making unnecessary engine noise | 21 |
| 38 | Emission of waste oil or grease | 21 |

### **Division 2.3.2 Driver and passenger safety**

|    |                                     |    |
|----|-------------------------------------|----|
| 39 | Safety of persons on trailers       | 22 |
| 40 | Passengers in sidecars to be seated | 23 |

### **Division 2.3.3 Trailers and towing**

|    |                                      |    |
|----|--------------------------------------|----|
| 41 | Number of vehicles that may be drawn | 24 |
| 42 | Towing by vehicles under 4.5t        | 25 |

### **Division 2.3.4 Lights on vehicles**

|    |                                    |    |
|----|------------------------------------|----|
| 43 | Lights on motor vehicles generally | 27 |
|----|------------------------------------|----|

### **Division 2.3.5 Stopping and parking**

|    |   |    |
|----|---|----|
| 44 | Use of meters in metered parking areas      | 28 |
| 45 | Parking in metered parking spaces           | 30 |
| 46 | Temporary closure of metered parking spaces | 30 |
| 47 | Misuse of parking meters                    | 30 |
| 48 | Interfering with parking meters etc         | 31 |

## Contents

---

|  | Page   |    |
|--|--|----|
| 49   | Use of tickets in ticket parking areas   | 31 |
| 50   | Parking in ticket parking spaces   | 33 |
| 51   | Temporary closure of ticket parking spaces   | 33 |
| 52   | Use of false or damaged parking tickets etc  | 34 |
| 53   | Misuse of ticket machines  | 35 |
| 54   | Interfering with parking ticket machines etc   | 35 |
| 55   | Removing parking tickets etc   | 35 |
| 56   | Unauthorised use and revocation of mobility parking scheme authorities                 | 36 |
| 57A  | Stopping public buses in bus zones and at bus stops                                    | 36 |
| 58   | Stopping in an emergency etc or to comply with another law                             | 37 |
| <b>Division 2.3.6 Miscellaneous other road rules</b> |  |    |
| 59   | Carrying dangerous substances  | 38 |
| 60   | Interrupting funeral processions etc   | 39 |
| 61   | Driving on roads closed to traffic   | 39 |
| 62   | Use of wheeled recreational devices and wheeled toys on roads                          | 39 |
| <b>Part 2.4 Other provisions</b>                     |  |    |
| 63   | Devices that are prescribed traffic control devices                                    | 41 |
| 64   | Preventing prescribed traffic control devices being clearly visible                    | 41 |
| 65   | Use of <i>do not overtake turning vehicle sign</i>                                     | 42 |
| 66   | Approvals etc by road transport authority  | 42 |
| 67   | Exemption from requirement about riding on motorbikes                                  | 43 |
| 68   | Defence of complying with direction of police officer or authorised person             | 43 |
| 69   | Exemption for driver of police vehicles  | 43 |
| 70   | Exemption for driver of emergency vehicles   | 44 |
| 71   | Stopping and parking exemption for police and emergency vehicles and authorised people | 44 |

|                       |   | Page |
|-----------------------|---|------|
| <b>Chapter 3</b>      | <b>Parking</b>  |      |
| <b>Part 3.1</b>       | <b>Parking schemes</b>  |      |
| <b>Division 3.1.1</b> | <b>Metered parking schemes</b>  |      |
| 72                    | Metered parking schemes   | 46   |
| 73                    | Metered parking areas   | 46   |
| 74                    | Parking meters  | 46   |
| 75                    | Metered parking spaces  | 47   |
| <b>Division 3.1.2</b> | <b>Ticket parking schemes</b>   |      |
| 75A                   | Parking authorities   | 47   |
| 75B                   | Parking authority guidelines  | 47   |
| 76                    | Ticket parking schemes—road transport authority                             | 48   |
| 76A                   | Ticket parking schemes—parking authority                                    | 48   |
| 77                    | Ticket parking areas  | 49   |
| 78                    | Ticket parking spaces   | 49   |
| 79                    | Ticket machines   | 49   |
| 80                    | Parking tickets   | 49   |
| 81                    | Duration of parking tickets   | 50   |
| <b>Division 3.1.3</b> | <b>Heavy vehicle parking</b>  |      |
| 82                    | Definitions for div 3.1.3   | 50   |
| 83                    | References in div to land adjoining residential land                        | 51   |
| 84                    | Vehicle parked partly on residential land                                   | 51   |
| 85                    | Parking of certain vehicles on residential land prohibited                  | 51   |
| 86                    | Parking of certain vehicles on land adjoining residential land prohibited   | 52   |
| 87                    | Parking of certain commercial vehicles on land with multi-unit developments | 53   |
| 88                    | Daily infringement  | 54   |
| 89                    | Codes of practice   | 54   |
| 90                    | Notice of codes of practice etc   | 55   |
| 91                    | Application for exemption   | 55   |
| 92                    | Decision on application for exemption                                       | 55   |
| 93                    | Endorsement of certificates   | 58   |
| 94                    | Variation of conditions of exemptions                                       | 58   |

## Contents

---

|   | Page  |
|---|---|
| 95  | Additional information by applicant 59  |
| 96  | Loss etc of existing operator's certificate 59  |
| 97  | Cancellation of existing operator's certificate etc 59  |
| <b>Division 3.1.4 Miscellaneous</b>                                     |   |
| 97A   | Other powers to provide pay parking 61  |
| 98  | Overlapping schemes 61  |
| 98A   | Income from ticket parking scheme 61  |
| 98B   | Costs of ticket parking scheme 62   |
| 99  | Trailers not separately chargeable 62   |
| <b>Part 3.2 Parking permits and mobility parking scheme authorities</b> |   |
| 100   | Parking permits 63  |
| 101   | Mobility parking scheme authorities 64  |
| <b>Chapter 4 Traffic offence detection devices</b>                      |   |
| 102   | Definitions for ch 4 65   |
| 103   | Approved traffic offence detection devices 67   |
| 103A  | Approval of police vehicle speedometers 67  |
| 104   | Major testing of laser speed measuring devices 67   |
| 104A  | Major testing of other traffic offence detection devices 68                                   |
| 104B  | Certification and sealing of traffic offence detection devices 69                             |
| 105   | Use of digital camera detection devices 70  |
| 105A  | Use of laser speed measuring devices 71   |
| 105B  | Use of radar speed measuring devices 72   |
| 106   | Approved people—testing and sealing 73  |
| 107   | Approved people—use 73  |
| 107A  | Recording of digital camera detection device image files—Act, s 23 (2) (c) (ii) 73            |
| 107B  | Recording of traffic lights camera detection device image files—Act, s 23 (2) (c) (ii) 73     |
| 107C  | Verification of traffic lights camera detection device image files—Act, s 23 (2) (c) (iii) 74 |



---

|  | Page      |
|--|-----------|
| 108      Meaning of vehicle image codes                          | 75        |
| <b>Chapter 5      Miscellaneous</b>                              |           |
| 109      Additional powers of police                             | 80        |
| 110      Prohibition on car minding                              | 80        |
| 111      Removal of unattended vehicles from certain places      | 81        |
| 112      Disposal of impounded vehicles—Act, s 10K               | 81        |
| 112A      Disposal of forfeited vehicles—Act, s 10K              | 83        |
| 113      Responsible person to inspect driver licence            | 83        |
| 114      Responsible person's consent                            | 83        |
| <br>   |           |
| <b>Schedule 1      Meaning of location codes on images</b>       | <b>84</b> |
| <b>Part 1.1          Digital camera detection devices</b>        | <b>84</b> |
| <b>Part 1.2          Traffic lights camera detection devices</b> | <b>88</b> |
| <br>   |           |
| <b>Dictionary</b>  | <b>89</b> |
| <br>   |           |
| <b>Endnotes</b>  |           |
| 1      About the endnotes  | 99        |
| 2      Abbreviation key  | 99        |
| 3      Legislation history                                       | 100       |
| 4      Amendment history   | 103       |
| 5      Earlier republications                                    | 115       |





Australian Capital Territory

# Road Transport (Safety and Traffic Management) Regulation 2000

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made under the

**Road Transport (Safety and Traffic Management) Act 1999**

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R20  
09/04/05

Road Transport (Safety and Traffic Management)  
Regulation 2000

page 1

Effective: 09/04/05-15/09/05

## Chapter 1 Preliminary

### 1 Name of regulation

This regulation is the *Road Transport (Safety and Traffic Management) Regulation 2000*.

### 3 Definitions—the dictionary

- (1) The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation or elsewhere in the road transport legislation.

For example, the signpost definition ‘*semitrailer*—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.’ means the word ‘semitrailer’ is defined in that dictionary and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

- (2) The definitions in the dictionary do not apply to the Australian Road Rules unless this regulation provides otherwise.

### 4 Notes

A note in this regulation is explanatory and is not part of this regulation.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

#### **4A Offences against regulation—application of Criminal Code etc**

Other legislation applies in relation to offences against this regulation (including the Australian Road Rules).

*Note 1 Criminal Code*

The Criminal Code, ch 2 applies to an offence against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

*Note 3* The Australian Road Rules are to be read with, and as if they formed part of, this regulation (see s 6).

#### **4B Offences against regulation are strict liability offences**

An offence against this regulation (including the Australian Road Rules) is a strict liability offence.

#### **4C General defence of accident or reasonable effort**

Without limiting any other defence, it is a defence to an offence against this regulation (including the Australian Road Rules) if the defendant proves that the offence—

- (a) was the result of an accident; or
- (b) could not have been avoided by any reasonable efforts by the defendant.

## Chapter 2 Australian Road Rules

### Part 2.1 Incorporation into ACT law

#### 5 What are the *Australian Road Rules*

In this regulation, the *Australian Road Rules* are that part of the publication known as the Australian Road Rules, ISBN 0 7240 8874 1 published by the National Road Transport Commission on 22 October 2003 that consists of the rules approved by the Australian Transport Council under the *National Road Transport Commission Act 1991* (Cwlth).

*Note* The Australian Road Rules are available on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)).

#### 6 Incorporation of Australian Road Rules into ACT law

- (1) The Australian Road Rules (other than rule 2) are to be read with, and as if they formed part of, this regulation.
- (2) Subsection (1) has effect subject to this regulation.

## Part 2.2                      How the Australian Road Rules are incorporated

### Division 2.2.1              General

*Note 1*    The Australian Road Rules are not completely self-contained and need to be read with associated laws of each jurisdiction. Many of the rules provide for ‘another law of this jurisdiction’ to define terms used in the Australian Road Rules for application of the Australian Road Rules in the ACT, to permit things to be done in the ACT otherwise prohibited by the Australian Road Rules or to exempt persons in the ACT from complying with the Australian Road Rules.

*Note 2*    The following table sets out the provisions of the Australian Road Rules for which provision is made by this part:

| ARR provision       | provision of this regulation | ARR provision                            | provision of this regulation |
|---------------------|------------------------------|--|------------------------------|
| 10 (2)              | 8                            | 270 (3)                                  | 26                           |
| 95                  | 9                            | 271 (6)                                  | 27                           |
| 104                 | 10                           | 280 (2) (a)                              | 27A                          |
| 151 (3) (b)         | 11                           | 287 (3) (e) and (4)                      | 28                           |
| 158 (2) (c)         | 12                           | 289 (1) (g)                              | 29                           |
| 170 (1)             | 12A                          | 298                                      | 30                           |
| 179 (1) (c)         | 13                           | 310 (3) and (4)                          | 31                           |
| 199 (2)             | 14                           | 313                                      | 32                           |
| 206 (2) (b) and (c) | 15                           | dict, def <i>approved bicycle helmet</i> | 33 (1)                       |
| 207 (2) (a)         | 16                           | dict, def <i>authorised person</i>       | 33 (1)                       |
| 213 (5)             | 16A                          | dict, def <i>emergency worker</i>        | 33 (1)                       |
| 215 (4)             | 17                           | dict, def <i>GVM</i>                     | 33 (2)                       |
| 216 (3)             | 18                           | dict, def <i>hazard warning lights</i>   | 33 (3)                       |

**Chapter 2** Australian Road Rules  
**Part 2.2** How the Australian Road Rules are incorporated  
**Division 2.2.1** General

Section 6

| ARR provision | provision of this regulation | ARR provision  | provision of this regulation |
|---------------|------------------------------|--|------------------------------|
| 220 (3)       | 19                           | dict, def <b><i>mechanical signalling device</i></b> | 33 (1)                       |
| 221 (f)       | 20                           | dict, def <b><i>oversize vehicle</i></b>             | 33 (1)                       |
| 222           | 21                           | dict, def <b><i>police officer</i></b>               | 33 (1)                       |
| 225           | 22                           | dict, def <b><i>portable warning triangle</i></b>    | 33 (4)                       |
| 236 (6)       | 22A                          | dict, def <b><i>postal worker</i></b>                | 33 (1)                       |
| 240 (2)       | 23                           | dict, def <b><i>public bus</i></b>                   | 33 (1)                       |
| 266 (3) (b)   | 23B                          | dict, def <b><i>taxi</i></b>                         | 33 (1)                       |
| 266 (7)       | 24                           |  |                              |
| 267 (3)       | 25                           |  |                              |

*Note 3* The following table sets out other provisions of the Australian Road Rules for which provision is made by other territory laws (including provisions in other parts of this regulation):

| ARR provision   | other law  |
|---|--|
| 12 (2)  | <i>Road Transport (General) Act 1999</i> , s 12                                |
| 13 (2)  | <i>Road Transport (General) Act 1999</i> , s 12                                |
| 28 (2), n 3   | this regulation, s 65  |
| 32 (2), n 3   | this regulation, s 65  |
| 185 (1)   | this regulation, s 100   |
| 287 (1), n 2  | <i>Road Transport (Safety and Traffic Management) Act 1999</i> , s 16          |
| 311 (1) (c)   | <i>Road Transport (Dimensions and Mass) Act 1990</i>                           |
| 312 (3) (c)   | <i>Road Transport (Safety and Traffic Management) Act 1999</i> , s 31 and s 32 |
| dict, def <b><i>parking permit for people with disabilities</i></b> | this regulation, s 101   |



## **7 References to another law of this jurisdiction etc**

- (1) In the Australian Road Rules, a reference to *another law of this jurisdiction* includes a reference to the Act.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

- (2) In the Australian Road Rules:

*law of this jurisdiction* means a territory law or a law applying as a territory law.

*this jurisdiction* means the Australian Capital Territory.

## **Division 2.2.2 Other provisions for the Australian Road Rules**

### **8 ARR r 10 (2)—penalties for offences**

For the Australian Road Rules, rule 10 (2), the penalty for an offence against the Australian Road Rules is a maximum penalty of 20 penalty units.

### **9 ARR r 95—emergency stopping lane only signs**

For the Australian Road Rules, rule 95, the driver of a police or emergency vehicle is permitted to drive in an emergency stopping lane.

### **10 ARR r 104—no truck signs**

For the Australian Road Rules, rule 104, a driver is permitted to drive a vehicle on a road (or a bridge, causeway, ramp or similar structure forming part of a road) past a *no trucks sign* mentioned in rule 104 (1), (2) or (3) if the destination of the driver's vehicle is a

place on or reached from the road (or structure) and there is no alternative route by which to reach the destination.

**11 ARR r 151 (3) (b)—riding a motorbike or bicycle alongside more than 1 other rider**

For the Australian Road Rules, rule 151 (3) (b), the rider of a motorbike or bicycle is permitted to ride alongside more than 1 rider if each of the riders is taking part in an event approved by the road transport authority for this section.

**12 ARR r 158 (2) (c)—other vehicles permitted to travel in bus lanes**

The drivers of the following vehicles are permitted to drive in a bus lane:

- (a) taxis;
- (b) hire cars;
- (c) motorbikes.

*Note* Section 27A applies the B light rules to drivers of taxis, hire cars and motorbikes.

**12A ARR r 170 (1)—driver not to stop in intersection unless permitted**

A driver who contravenes the Australian Road Rules, rule 170 (1) commits an offence.

Maximum penalty: 20 penalty units.

**13 ARR r 179 (1) (c)—stopping in a loading zone**

For the Australian Road Rules, rule 179 (1) (c)—

- (a) the driver of a motor vehicle that is built mainly for the transport of goods and is dropping off, or picking up, goods is permitted to stop in a loading zone; and
- (b) the driver of a vehicle displaying a current loading zone permit is permitted to stop in a loading zone in accordance with the conditions of the permit.

**14 ARR r 199 (2)—stopping near a postbox**

For the Australian Road Rules, rule 199 (2):

*public postbox* means a postbox erected, maintained or used by Australia Post.

**15 ARR r 206 (2) (b), (c)—parking by people with disabilities permit holders**

- (1) For the Australian Road Rules, rule 206 (2) (b), a driver to whom the Australian Road Rules, rule 206 applies may park for not longer than 2 hours on a length of road, or in an area, to which a *permissive parking sign* applies if the maximum period of parking allowed by the sign is not longer than 30 minutes.
- (2) For the Australian Road Rules, rule 206 (2) (c), a driver to whom the Australian Road Rules, rule 206 applies may park for an unlimited period on a length of road, or in an area, to which a *permissive parking sign* applies if the maximum period of parking allowed by the sign is longer than 30 minutes.

**16 ARR r 207 (2) (a)—fees for parking in pay parking spaces**

- (1) For the Australian Road Rules, rule 207 (2) (a), if a *permissive parking sign* applies to a length of road or area that is (or is part of) a pay parking area, the relevant parking fee is payable for parking in a pay parking space on the road or in the area.

- (2) For this section, the relevant parking fee does not become payable under subsection (1) until immediately after a vehicle is parked in the pay parking space concerned.

*Note* Pt 3.1 of this regulation makes provision for the administration of pay parking schemes (including the designation of pay parking areas by the erection of permissive parking signs and the fixing of fees).

**16A ARR r 213 (5)—non-application in ACT**

Every driver is exempt from the Australian Road Rules, rule 213 (5).

*Note* The Australian Road Rules, r 213 deals with making a vehicle secure.

**17 ARR r 215 (4)—lights required to be fitted to a vehicle**

For the Australian Road Rules, rule 215 (4), the lights required to be fitted to a vehicle are the lights required to be fitted to the vehicle under the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1.

**18 ARR r 216 (3)—towing a vehicle at night or in hazardous weather conditions**

For the Australian Road Rules, rule 216 (3):

*dangerous goods*—see the *Road Transport Reform (Dangerous Goods) Regulations 1997* (Cwlth), regulation 2.2.

*placard load*—see the *Road Transport Reform (Dangerous Goods) Regulations 1997* (Cwlth), regulation 2.13.

**19 ARR r 220 (3)—using lights on vehicles that are stopped**

For of the Australian Road Rules, rule 220 (3), a light of a kind required to be fitted to a vehicle is a light of that kind required to be fitted to the vehicle under the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1.

**20 ARR r 221 (f)—using hazard warning lights on buses carrying children**

- (1) This section applies to a bus that is carrying children and is fitted with hazard warning lights in accordance with the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1, but is not fitted with any other warning lights in accordance with that schedule.
- (2) For the Australian Road Rules, rule 221 (f), if the driver of the bus stops the bus to drop off or pick up a child, the driver is permitted to operate the hazard warning lights.

**21 ARR r 222—using warning lights on buses carrying children**

- (1) This section applies to a bus that is carrying children and is fitted with warning lights (other than hazard warning lights) in accordance with the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1.
- (2) For the Australian Road Rules, rule 222, the driver of the bus must operate the warning lights by activating them.

**22 ARR r 225—use of radar detectors**

Every driver is exempt from rule 225 of the Australian Road Rules.

*Note* The Australian Road Rules, r 225 is superfluous in the ACT because the Act, s 9 (2) makes it an offence for a person to drive or park a motor vehicle on a road or road related area if a traffic offence evasion device is fitted to, applied to, or carried in the vehicle.

**22A ARR r 236 (6)—hitchhiking, roadside commerce etc permitted**

- (1) For the Australian Road Rules, rule 236 (6)—
  - (a) a pedestrian may stand on, or move onto, a road to—

- (i) solicit contributions, employment or business from an occupant of a vehicle; or
  - (ii) hitchhike; or
  - (iii) display an advertisement; or
  - (iv) sell or offer articles for sale; or
  - (v) wash or clean, or offer to clean, the windscreen of a vehicle; and
- (b) a person in a vehicle may buy, or offer to buy, an article or service from a person standing on a road.
- (2) In this section:

*road* includes any shoulder of the road, and any median strip, painted island or traffic island, but does not include any other road-related area.

*Note* *Median strip, painted island* and *traffic island* are defined in the Australian Road Rules, dictionary, *shoulder* is defined in ARR, r 12, and *road-related area* is defined in the ARR, r 13.

**23 ARR r 240 (2)—wheeled recreational devices and toys not to be used on certain roads**

For the Australian Road Rules, rule 240 (2), a person must not travel in or on a wheeled recreational device on any road at night.

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**23B ARR r 266 (3) (b)—wearing of seatbelts by passengers under 16 years old**

- (1) For the Australian Road Rules, rule 266 (3) (b), all passengers in or on a motor vehicle (other than a bus or motor bike) who are at least 1 year old, but under 16 years old, must be restrained in an approved child restraint or wear a seatbelt unless they are exempt from wearing a seatbelt under a territory law.

*Note* For the circumstances in which a person is exempt from wearing a seatbelt, see the Australian Road Rules, r 267 and this section, s (2).

- (2) A passenger mentioned in subsection (1) is exempt from wearing a seatbelt if—
- (a) the motor vehicle is not required to be fitted with child restraint anchorages or seatbelts under the 2nd or 3rd edition ADR and the vehicle has not been fitted with a child restraint anchorage point or a seatbelt for a seating position that is available for the passenger; or
  - (b) the motor vehicle is registered in a State that does not have a law that substantially corresponds to subsection (1); or
  - (c) the motor vehicle is a taxi or hire car and a seating position (other than a front passenger seat) fitted with a suitable approved child restraint or seatbelt is not available for the passenger.

*Note 1* The exemption applies to a passenger in a vehicle that has 2 or more rows of seats only if the passenger sits in the rear seats, see the ARR, r 267 (1).

*Note 2* The defence of sudden or extraordinary emergency is also available, see the Criminal Code, s 41.

- (3) In this section:

***2nd edition ADR***—see the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1, section 1.14.

*3rd edition ADR*—see the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1, section 1.15.

**24 ARR r 266 (7)—wearing of seatbelts by passengers under 16 years old**

For the Australian Road Rules, rule 266 (7):

*approved child restraint* means a child restraint that is approved by the road transport authority under section 66 (1) (b) (Approvals etc by road transport authority).

**25 ARR r 267 (3)—certificates of exemption from wearing seatbelts**

For the Australian Road Rules, rule 267 (3) a certificate is issued under a law of this jurisdiction for a person if—

- (a) the certificate is signed by a doctor; and
- (b) it certifies that—
  - (i) the person cannot wear a seatbelt for medical reasons; or
  - (ii) the person cannot, because of that person’s size, build or any other physical characteristic, safely drive a vehicle while wearing a seatbelt.

**26 ARR r 270 (3)—wearing motorbike helmets**

For the Australian Road Rules, rule 270 (3):

*approved motor bike helmet* means a protective helmet for motor bike riders that is approved by the road transport authority under section 66 (1) (c) (Approvals etc by road transport authority).

**27 ARR r 271 (6)—riding on motorbikes**

For the Australian Road Rules, rule 271 (6):



- (a) the Australian Road Rules, rule 271 (2) does not apply to a passenger on a motorbike to the extent that the passenger is exempt from the subrule under section 67 (Exemption from requirement about riding on motorbikes); and
- (b) the Australian Road Rules, rule 271 (3) does not apply to the rider of a motorbike in relation to a passenger to the extent that, under paragraph (a), rule 271 (2) does not apply to the passenger.

**27A ARR r 280 (2) (a)—other vehicles to which B light rules apply**

The following classes of vehicles are specified:

- (a) taxis;
- (b) hire cars;
- (b) motorbikes.

*Note* This section applies the B light rules to taxi and hire car drivers and riders of motorbikes who, under s 12, are allowed to drive in bus lanes.

**28 ARR r 287 (3) (e), (4)—duties of participants in crashes**

- (1) For the Australian Road Rules, rule 287 (3) (e), every crash not mentioned in the Australian Road Rules, rule 287 (3) (a) to (d) must be reported to a police officer.

*Note* The Australian Road Rules, r 287 (3) (e) requires the driver (or the driver's representative) to give the driver's required particulars, within the required time, about a crash to a police officer if the crash is required to be reported to a police officer under another law of this jurisdiction.

- (2) For the Australian Road Rules, rule 287 (4), definition of *required particulars*, information required to be given to a police officer about a crash includes an explanation of the circumstances of the crash.

**29 ARR r 289 (1) (g)—driving on a nature strip**

For the Australian Road Rules, rule 289 (1) (g), a driver may drive a vehicle on a nature strip adjacent to a length of road in a built-up area if the vehicle—

- (a) is a motor vehicle (other than a ride-on lawnmower) that is built and used solely for cutting grass, or for purposes incidental to cutting grass; or
- (b) is a motor vehicle that is designed for cleaning footpaths and is being driven on the nature strip for the purpose of cleaning a footpath and is displaying an amber flashing light; or
- (c) is being used to transport goods or materials for use in (or for the purposes of) the construction or maintenance of roads by or on behalf of the Territory; or
- (d) is a postal vehicle that is —
  - (i) a motorbike with an engine capacity of not more than 110mL; and
  - (ii) being driven at a speed of not more than 10km/h.
- (e) is being used by a person in the course of his or her duties as a person authorised under this regulation to use a traffic offence detection device.

**30 ARR r 298—driving with a person in or on a trailer**

- (1) For the Australian Road Rules, rule 298, a trailer is exempt if—
  - (a) the trailer is being towed by a police or emergency vehicle; or
  - (b) the carriage of passengers is permitted in a part of the trailer and anyone in the trailer is in that part; or

- (c) anyone who is in the trailer is engaged in the door-to-door delivery or collection of goods, or in the collection of waste or garbage, and the trailer is not travelling faster than 25 km/h; or
  - (d) in all the circumstances, there is no reasonable danger of anyone in the trailer falling from the trailer or being injured.
- (2) For this section, the carriage of passengers is permitted in a part of a trailer if the part is designed primarily for—
- (a) the carriage of passengers; or
  - (b) the carriage of goods, but is enclosed.
- (3) In this section:
- enclosed**, for a part of a trailer, means enclosed by—
- (a) the structure of the trailer; or
  - (b) a canopy, cage or other device fitted to the trailer that is of a kind approved by the road transport authority under section 66 (1) (d) (Approvals etc by road transport authority).

*in* includes on.

### **31 ARR r 310 (3), (4)—exemption for road workers etc**

- (1) For the Australian Road Rules, rule 310 (3) (b), the road transport authority may authorise a person to engage in speed zoning tests.
- (2) For the Australian Road Rules, rule 310 (4), definition of **roadworks**, the road transport authority may authorise—
  - (a) installation or maintenance work on, above or below a road; or
  - (b) installation or maintenance of a traffic control device; or
  - (c) a traffic survey.

- (3) This section is additional to, and does not limit, any other power of the road transport authority or anyone else under a territory law to authorise something mentioned in this section.

*Note* Under the Act, the road transport authority can authorise a person to install or display (or to interfere with, change or remove) a prescribed traffic control device.

### **32 ARR r 313—postal workers**

For the Australian Road Rules, rule 313 —

- (a) the Australian Road Rules, rule 186 (Stopping in a mail zone) does not apply to the driver of a postal vehicle; and
- (b) the Australian Road Rules, rule 288 (Driving on a path) does not apply to the driver of a postal vehicle if—
- (i) the vehicle is a motorbike with an engine capacity of not more than 110mL; and
  - (ii) the vehicle is being driven at a speed of not more than 10km/h.

### **33 ARR dict—definitions for dictionary**

- (1) For the Australian Road Rules, dictionary:

*approved bicycle helmet* means a protective helmet for bicycle riders that is approved by the road transport authority under section 66 (1) (a) (Approvals etc by road transport authority).

*authorised person*, for a provision of the Australian Road Rules, means a person who is appointed as an authorised officer under the *Road Transport (General) Act 1999* for the Australian Road Rules or the provision.

*emergency worker* means—

- (a) a member of the ambulance service rendering or providing transport for sick or injured people; or
- (b) a member of the ambulance service, the fire brigade, the rural fire service or the SES providing transport in an emergency; or
- (c) a person who is declared by the road transport authority under section 66 (1) (e) (Approvals etc by road transport authority) to be an emergency worker.

***mechanical signalling device***, in relation to a vehicle, means a device that—

- (a) is fitted to the vehicle; and
- (b) is a mechanical signalling device or turn signal that complies with the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1.

***oversize vehicle*** means a vehicle that has a dimension that, including the dimension of any load, exceeds a relevant dimension limit under the *Road Transport (Dimensions and Mass) Act 1990*, the *Road Transport (Vehicle Registration) Regulation 2000*, or this section.

***police officer***—see the Legislation Act, dictionary, part 1.

***postal worker*** means an employee of Australia Post or anyone else engaged by Australia Post to deliver post.

***public bus***—see the *Road Transport (Public Passenger Services) Act 2001*, dictionary.

***taxi***—

- (a) see the *Road Transport (Public Passenger Services) Act 2001*, section 45 (Meaning of *taxi*); and
- (b) except in the Australian Road Rules, rule 182 (which is about stopping in taxi zones), includes a hire car.

- (2) For the Australian Road Rules, dictionary, definition of ***GVM***, paragraph (b):

***vehicle registration authority*** means:

- (a) the road transport authority; or
- (b) the corresponding authority of another jurisdiction.

- (3) For the Australian Road Rules, dictionary, definition of ***hazard warning lights***:

***another law of this jurisdiction*** means the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1.

- (4) For the Australian Road Rules, dictionary, definition of ***portable warning triangle***, a portable warning triangle is approved if it—

- (a) is in the form of an equilateral triangle; and
- (b) has a minimum height of 300mm; and
- (c) has, on the front and back, red reflecting sheeting or material, or 9 red reflectors arranged in a triangular shape, causing a red reflection that would be clearly visible to the driver of a vehicle at night when the upper beam of light from any headlight on the vehicle (complying with the relevant provisions to the *Road Transport (Vehicle Registration) Regulation 2000*), schedule 1 is projected directly onto the sign from a distance of 200m; and
- (d) is of a robust and durable construction, capable of being readily erected to stand in an upright position and capable of remaining unaffected (to any material degree) by any reasonable force of wind or variation in weather conditions.

## **Part 2.3                      Additional ACT road rules**

*Note*      The Australian Road Rules are not completely self-contained and need to be read with associated laws of each jurisdiction. This part sets out some of the associated laws that are particular to the ACT. Provisions of Acts and other regulations included in the road transport legislation contain other provisions that are particular to the ACT.

### **Division 2.3.1              Noise and other nuisances**

#### **37                      Making unnecessary engine noise**

The driver of a motor vehicle on a road must not make unnecessary noise by turning on, running or failing to turn off the vehicle's engine.

Maximum penalty: 20 penalty units.

*Note*      Under the Australian Road Rules, r 291 it is an offence to start or drive a vehicle in a way that makes unnecessary noise or smoke.

#### **38                      Emission of waste oil or grease**

- (1) A person must not use a motor vehicle or trailer on a road unless adequate precautions have been taken to prevent waste oil or grease from the machinery or from any other part of the vehicle from dropping onto the roadway.

Maximum penalty: 20 penalty units.

*Note*      The Australian Road Rules, r 293 requires the driver of a vehicle to remove oil or grease that falls from the vehicle in certain circumstances.

- (2) Without limiting the liability of anyone else, the responsible person for a motor vehicle or trailer must take reasonable steps to prevent a contravention of subsection (1) in relation to the vehicle.

Maximum penalty: 20 penalty units.

## Division 2.3.2 Driver and passenger safety

### 39 Safety of persons on trailers

- (1) A person must not travel on a road in or on any part of a trailer that is not a part designed primarily for the carriage of passengers or goods.

Maximum penalty: 20 penalty units.

- (2) A person must not travel on a road in or on any part of a trailer that is a part designed primarily for the carriage of goods if the part is not enclosed.

Maximum penalty: 20 penalty units.

- (3) This section does not apply to a person—

- (a) who is in or on a police or emergency vehicle; or
- (b) engaged in the door-to-door delivery or collection of goods, or in the collection of waste or garbage, in or on a trailer that is not travelling faster than 25km/h; or
- (c) if in all the circumstances, there is a no reasonable danger of the person falling or being thrown from the trailer, or being injured, because the person is travelling in a way prohibited by this section.

- (4) In this section:

**enclosed**, for a part of a trailer, means enclosed by—

- (a) the structure of the trailer; or



- (b) a canopy, cage or other device fitted to the trailer that is of a kind approved by the road transport authority under section 66 (1) (d) (Approvals etc by road transport authority).

*Note* The Australian Road Rules, r 298 prohibits a driver from driving a motor vehicle towing a trailer with a person in or on the trailer, unless the trailer is exempt from the rule under another law of this jurisdiction. Section 30 provides the exemption from the rule.

#### **40 Passengers in sidecars to be seated**

- (1) A passenger in a sidecar attached to a motorbike that is moving, or is stationary but not parked, on a road must sit in a place in the sidecar designed for use by a passenger.

Maximum penalty: 20 penalty units.

- (2) The rider of a motorbike must not ride with a passenger in a sidecar unless the passenger complies with subsection (1).

Maximum penalty: 20 penalty units.

### **Division 2.3.3 Trailers and towing**

*Note* The following rules of the Australian Road Rules apply to the towing of vehicles:

- r 216 (which is about the lights that must be used when towing a vehicle at night or in hazardous weather conditions)
- r 254 (which is about the towing of bicycles)
- r 257 (which is about riding with a person on a bicycle trailer)
- r 292 (which is about towing a vehicle with an insecure or overhanging load)
- r 294 (which is about keeping control of a motor vehicle or trailer being towed)
- r 295 (which is about towing another vehicle with a towline)
- r 298 (which is about driving with a person in a trailer)
- r 312 (which provides certain exemptions for tow truck drivers).

## **41 Number of vehicles that may be drawn**

- (1) The driver of an articulated vehicle must not tow any other vehicle on a road.

Maximum penalty: 20 penalty units.

- (2) The driver of a motor vehicle must not tow more than 1 other vehicle on a road.

Maximum penalty: 20 penalty units.

- (3) The road transport authority may exempt a vehicle or person from subsection (1) or (2).

- (4) Subsection (2) does not apply in relation to a tow truck that is towing an articulated vehicle (other than a B-double or road train) if—

- (a) the articulated vehicle has broken down on a road and it is necessary for it to be towed away; or
- (b) the articulated vehicle has been involved in a crash on a road and it is necessary for it to be towed away.

- (5) Subsection (2) does not apply to a motor vehicle that is towing another vehicle using a lift and tow trailer if—

- (a) the other vehicle is partly supported by the lift and tow trailer; and
- (b) the vehicle is not towed at faster than 60 km/h; and
- (c) the combined weight of the towed vehicle and the lift and tow trailer is not more than the unladen weight of the towing vehicle.

- (6) Subsection (2) does not apply to—

- (a) a tractor-harvester-cutting head trailer combination; or

- (b) a tractor with multiple implements attached, if the implements are normally used as a single unit when performing agricultural operations; or
- (c) a tractor and implement combination towing a fuel trailer or laser tower; or
- (d) an articulated low-loader consisting of a prime mover towing a converter dolly and a semitrailer; or
- (e) a B-double, dog trailer or road train.

#### **42 Towing by vehicles under 4.5t**

- (1) The driver of a motor vehicle (the *towing vehicle*) must not tow another vehicle (the *towed vehicle*) on a road if the laden weight of the towed vehicle is more than—
  - (a) the capacity of the towing attachment fitted to the towing vehicle; or
  - (b) the maximum laden weight for the towed vehicle.

Maximum penalty: 20 penalty units.

- (2) Subsection (1) does not apply to the driver if the towing vehicle has a GVM over 4.5t.
- (3) The road transport authority may exempt a vehicle or person from subsection (1).
- (4) In this section:

*maximum laden weight*, for the towed vehicle, means—

- (a) the maximum laden weight for a towed vehicle specified by the manufacturer of the towing vehicle in relation to the towing vehicle; or

- (b) if there is no such specification by the manufacturer, the manufacturer of the vehicle cannot be identified or the specification is not appropriate because the towing vehicle has been modified—
- (i) 1.5 times the unladen weight of the towing vehicle if the towed vehicle is fitted with a braking system that is working properly; or
- (ii) the unladen weight of the towing vehicle in any other case.

### **Division 2.3.4 Lights on vehicles**

*Note* The following rules of the Australian Road Rules apply to lights on vehicles:

- r 215 (which is about using lights when driving at night or in hazardous weather conditions)
- r 216 (which is about the lights that must be used when towing a vehicle at night or in hazardous weather conditions)
- r 217 (which is about using rear fog lights)
- r 218 (which is about using headlights on high-beam)
- r 219 (which is about not using lights to dazzle other road users)
- r 220 (which is about the use of lights on a vehicle that is stopped)
- r 221 (which is about using hazard warning lights)
- r 222 (which is about the use of warning lights on buses carrying children)
- r 223 (which is about using lights when riding an animal-drawn vehicle at night or in hazardous weather conditions)
- r 259 (which is about using lights when riding a bicycle at night).

### **43 Lights on motor vehicles generally**

- (1) The driver of a motor vehicle fitted with a spotlight or searchlight must not operate the light, or allow it to be operated, on a road unless—
- (a) the vehicle is stationary, the light is operated only for examining or making adjustments or repairs to a vehicle, and light from it is not projected further than 6m; or
  - (b) the light is operated for the temporary purpose of reading or looking for a notice, sign, house number or something similar; or
  - (c) the vehicle is a police vehicle; or
  - (d) the vehicle is being used by the Territory, the Commonwealth or any public authority.

Maximum penalty: 20 penalty units.

- (2) The driver of a motor vehicle fitted with an additional headlight permitted to be fitted under the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1 must not operate the headlight, or allow it to be operated, if—
- (a) the vehicle is being driven on a length of road in a built-up area; or
  - (b) the driver is driving less than—
    - (i) 200m behind a vehicle travelling in the same direction as the driver; or
    - (ii) 200m from an oncoming vehicle.

Maximum penalty: 20 penalty units.

## **Division 2.3.5 Stopping and parking**

*Note* The rules of the Australian Road Rules that apply to the parking of vehicles include the following:

- r 189 (which is about double parking)
- r 203 (which is about stopping in a parking area for people with disabilities)
- r 205 (which is about parking for longer than indicated)
- r 207 (which is about parking where fees are payable)
- r 208 (which is about parallel parking on a road, except in a median strip parking area)
- r 209 (which is about parallel parking in a median strip parking area)
- r 210 (which is about angle parking)
- r 211 (which is about parking in parking bays).

### **44 Use of meters in metered parking areas**

- (1) A driver must not park in a metered parking area except in a metered parking space.

Maximum penalty: 20 penalty units.

- (2) A driver must not park in a metered parking space without paying the relevant fee for the space for at least the minimum period for which parking in the space must be paid for.

Maximum penalty: 20 penalty units.

- (3) A person does not commit an offence against subsection (2) if—
- (a) the driver parks in a metered parking space before paying the relevant fee; but
  - (b) the driver pays the fee immediately after parking.
- (4) The driver of a vehicle must not allow the vehicle to remain parked in a metered parking space if the parking meter for the space

indicates that the period for which parking in the space has been paid for has expired.

Maximum penalty: 20 penalty units.

- (5) The driver of a vehicle must not allow the vehicle to remain parked in a metered parking space for longer than the period (if any) indicated on the metered parking signs applying to the space as the maximum period for which a vehicle may be parked in the space.

Maximum penalty: 20 penalty units.

- (6) A driver does not commit an offence against this section if—
- (a) the driver parks in a metered parking space that is within a ticket parking area; and
  - (b) the driver complies with the provisions of this division in relation to parking in the area.
- (7) A driver does not commit an offence against this section (other than subsection (5)) if the parking meter for the metered parking space is not working.
- (8) Without limiting subsection (7), a driver does not commit an offence against this section (other than subsection (5)) if the parking meter is covered with a hood bearing the words ‘out of order time limit applies’.
- (9) This section does not apply to—
- (a) a metered parking space outside the controlled parking hours for the space; or
  - (b) a vehicle displaying a current mobility parking scheme authority; or
  - (c) a vehicle displaying a current parking permit if it is parked in a metered parking space to which the permit applies and the space is designated for use by the holder of the permit.

#### **45 Parking in metered parking spaces**

- (1) The driver of a vehicle must not park in a metered parking space if another vehicle is parked in the space.

Maximum penalty: 20 penalty units.

- (2) The driver of a vehicle who parks in a metered parking space must position the vehicle completely within the space.

Maximum penalty: 20 penalty units.

#### **46 Temporary closure of metered parking spaces**

- (1) If the road transport authority decides that the use of a metered parking space should be temporarily discontinued, the authority may close the space by—

- (a) installing a sign, at or near the space, that displays words to the effect that the space is closed; or  
(b) covering the parking meter applying to the space with a parking meter hood bearing the words ‘no parking’.

- (2) A driver must not park in a metered parking space that has been closed under subsection (1).

Maximum penalty: 20 penalty units.

- (3) In this section:

*sign* includes a board, device, plate, screen, words or anything else, whether or not installed with or on a traffic sign.

#### **47 Misuse of parking meters**

A person must not—

- (a) insert in a parking meter anything other than coins appropriate for the meter; or



- (b) attach anything (for example, advertising material) to a parking meter.

Maximum penalty: 20 penalty units.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

#### **48 Interfering with parking meters etc**

A person must not—

- (a) do anything that interferes with (or is likely to interfere with) the proper working of a parking meter; or
- (b) fraudulently operate a parking meter.

Maximum penalty: 20 penalty units.

#### **49 Use of tickets in ticket parking areas**

- (1) A driver must not park in a ticket parking area except in a ticket parking space.

Maximum penalty: 20 penalty units.

- (2) A driver must not park in a ticket parking area unless a current parking ticket for that ticket parking area is displayed in or on the driver's vehicle in accordance with subsection (3).

Maximum penalty: 20 penalty units.

- (3) The parking ticket must be displayed—
  - (a) in or on the front left-hand side of the vehicle or, if the ticket requires the driver to display the ticket in or on a part of the vehicle, in or on that part of the vehicle; and
  - (b) in a way that its date and expiry time are clearly visible from outside the vehicle.

- (4) A driver does not commit an offence against subsection (2) if—
- (a) the driver parks in a ticket parking area before obtaining a parking ticket for the area; but
  - (b) the driver obtains a parking ticket for the area, and displays the ticket in accordance with subsection (2), immediately after parking.
- (5) It is a defence to the prosecution of a driver for an offence against subsection (2) if the driver proves that the driver—
- (a) displayed a current parking ticket in or on the driver's vehicle in accordance with subsection (3); and
  - (b) took reasonable steps to ensure that the ticket remained so displayed while the vehicle was parked in the ticket parking area.
- (6) The driver of a vehicle must not allow the vehicle to remain parked in a ticket parking area after the expiry of the parking ticket displayed in or on the vehicle.
- Maximum penalty: 20 penalty units.
- (7) The driver of a vehicle must not allow the vehicle to remain parked in a ticket parking area for longer than the period (if any) indicated on the ticket parking signs applying to the area as the maximum period for which a vehicle may be parked in the area.
- Maximum penalty: 20 penalty units.
- (8) A driver does not commit an offence against this section if—
- (a) the driver parks in a metered parking space within a ticket parking area; and
  - (b) the driver complies with the provisions of this division in relation to parking in the space.

- (9) This section does not prevent a driver from parking in a different part of a ticket parking area while displaying the same parking ticket on the driver's vehicle if the fee payable to park in the part is the same as, or less than, the fee payable to park in the part for which the parking ticket was issued.
- (10) This section does not apply to—
- (a) a ticket parking area outside the controlled parking hours for the area; or
  - (b) a vehicle displaying a current mobility parking scheme authority; or
  - (c) a vehicle displaying a current parking permit if it is parked in a ticket parking area to which the permit applies and the area is designated for use by the holder of the permit.

## **50 Parking in ticket parking spaces**

- (1) The driver of a vehicle must not park a vehicle in a ticket parking space if another vehicle is parked in the space.

Maximum penalty: 20 penalty units.

- (2) The driver of a vehicle who parks in a ticket parking space must position the vehicle completely in the space.

Maximum penalty: 20 penalty units.

## **51 Temporary closure of ticket parking spaces**

- (1) If the road transport authority decides that the use of a ticket parking area, or ticket parking space, should be temporarily discontinued, the authority may close the area or space by—
- (a) for the closure of a ticket parking area—installing a sign, at or near each traffic sign applying to the area, that displays words to the effect that the area is closed; or

- (b) for the closure of a ticket parking space—installing a sign, at or near the space, that displays words to that effect.
- (2) If a parking authority decides that the use of a ticket parking area, or ticket parking space, within its area of operations should be temporarily discontinued, the authority may close the area or space by—
  - (a) for the closure of a ticket parking area—installing a sign, at or near each traffic sign applying to the area, that displays words to the effect that the area is closed; or
  - (b) for the closure of a ticket parking space—installing a sign, at or near the space, that displays words to that effect.

*Note* Section 75A provides for the road transport authority to declare parking authorities and s 76A provides for the operation of ticket parking schemes by parking authorities.

- (3) A driver must not park in a ticket parking area or ticket parking space that has been closed under subsection (1) or (2).

Maximum penalty: 20 penalty units.

- (4) In this section:

*sign* includes a board, device, plate, screen, words or anything else, whether or not installed with or on a traffic sign.

## **52 Use of false or damaged parking tickets etc**

A person must not display in or on a vehicle that is parked in a ticket parking area—

- (a) anything resembling a parking ticket that falsely suggests that the relevant parking fee has been paid; or

- (b) a parking ticket that is illegible or has been altered, defaced or damaged.

Maximum penalty: 20 penalty units.

### **53 Misuse of ticket machines**

A person must not—

- (a) insert in a parking ticket machine anything other than coins, or another means of payment, appropriate for the machine; or
- (b) attach anything (for example, advertising material) to a ticket machine.

Maximum penalty: 20 penalty units.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

### **54 Interfering with parking ticket machines etc**

A person must not—

- (a) do anything that interferes with (or is likely to interfere with) the proper working of a parking ticket machine; or
- (b) fraudulently operate a parking ticket machine.

Maximum penalty: 20 penalty units.

### **55 Removing parking tickets etc**

A person must not remove, deface, damage or otherwise interfere with a parking ticket, mobility parking scheme authority or parking permit that is in or on, or attached to, a vehicle unless the person is—

- (a) the driver of the vehicle; or

- (b) the responsible person (or a responsible person) for the vehicle;  
or
- (c) for a mobility parking scheme authority or parking permit—the person to whom the authority or permit was issued.

Maximum penalty: 20 penalty units.

**56 Unauthorised use and revocation of mobility parking scheme authorities**

- (1) A driver must not display a mobility parking scheme authority on the driver's vehicle unless the driver is entitled to do so under the conditions of the authority.

Maximum penalty: 20 penalty units.

- (2) The road transport authority may revoke a mobility parking scheme authority by notice given to the person or other entity to which the authority was issued.

*Note* For how documents may be given, see the Legislation Act, pt 19.5.

- (3) If an entity receives a notice under subsection (2), the entity must return the mobility parking scheme authority to the road transport authority as soon as possible (but not later than 21 days) after receiving the notice.

Maximum penalty: 20 penalty units.

**57A Stopping public buses in bus zones and at bus stops**

- (1) The driver of a public bus must not stop in a bus zone unless the driver—
  - (a) is dropping off, or picking up, passengers; or
  - (b) is stopping for a regular route service.

Maximum penalty: 20 penalty units.

- (2) Subsection (1) does not apply to the driver of a public bus that is not permitted to stop in the bus zone by information on or with the *bus zone sign* applying to the bus zone.

*Note* The driver would contravene the Australian Road Rules, r 183.

- (3) The driver of a public bus must not stop at a bus stop, or on the road, within 20m before a sign on the road that indicates the bus stop, and 10m after the sign, unless the driver—
- (a) stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules; or
  - (b) is dropping off, or picking up, passengers; or
  - (c) is stopping for a regular route service.

Maximum penalty: 20 penalty units.

- (4) In this section:

*bus stop*—see the Australian Road Rules, rule 195.

*bus zone*—see the Australian Road Rules, rule 183.

*bus zone sign*—see the Australian Road Rules, schedule 2, schedule 3, rule 314, rule 315 and rule 316.

*regular route service*—see the *Road Transport (Public Passenger Services) Act 2001*, section 12 (What is a regular route service?).

## **58 Stopping in an emergency etc or to comply with another law**

It is a defence to the prosecution of a driver for an offence against a provision of this division if—

- (a) the driver stops at a particular place, or in a particular way, to avoid a collision, and the driver stops for no longer than is necessary to avoid the collision; or
- (b) the driver stops at a particular place, or in a particular way, because the driver's vehicle is disabled, and the driver stops for no longer than is necessary for the vehicle to be moved safely to a place where the driver is permitted to park the vehicle under the Australian Road Rules and this division; or
- (c) the driver stops at a particular place, or in a particular way, to deal with a medical or other emergency, and the driver stops for no longer than is necessary in the circumstances; or
- (d) the driver stops at a particular place, or in a particular way, because the condition of the driver, a passenger, or the driver's vehicle makes it necessary for the driver to stop in the interests of safety, and the driver stops for no longer than is necessary in the circumstances; or
- (e) the driver stops at a particular place, or in a particular way, to comply with a provision of the Australian Road Rules or a provision of another law, and the driver stops for no longer than is necessary to comply with the provision.

## **Division 2.3.6 Miscellaneous other road rules**

### **59 Carrying dangerous substances**

- (1) A person must not drive or park a vehicle that is carrying an explosive substance in, directly above, or within 50m of either end of, a major road tunnel.

Maximum penalty: 30 penalty units.

- (2) In this section:

*explosive substance*—



- (a) see the *Dangerous Substances Act 2004*, section 73, definition of *explosive*; and
- (b) includes any other dangerous substance under that Act that can explode.

*major road tunnel* means—

- (a) the road tunnel on Parkes Way in the Division of Acton, Canberra Central District; or
- (b) the road tunnel on Capital Circle in the Division of Capital Hill, Canberra Central District.

## **60 Interrupting funeral processions etc**

A driver must not interfere with, or interrupt, the free passage of—

- (a) a funeral procession or any other lawful procession; or
- (b) any vehicle or person forming part of such a procession.

Maximum penalty: 20 penalty units.

## **61 Driving on roads closed to traffic**

A person must not drive a vehicle on a road that is closed to traffic under the Act, section 30.

Maximum penalty: 20 penalty units.

## **62 Use of wheeled recreational devices and wheeled toys on roads**

- (1) A person must not travel in or on a wheeled recreational device or wheeled toy on a road while it is attached to another vehicle.

Maximum penalty: 20 penalty units.

- (2) A person travelling in or on a wheeled recreational device or wheeled toy on a road must not permit it to be drawn by another vehicle.

Maximum penalty: 20 penalty units.

- (3) A person must not travel in or on a wheeled recreational device or wheeled toy on a road if anyone travelling in or on it is completely or partly assisted in propelling it by means other than human power or gravity.

Maximum penalty: 20 penalty units.

## Part 2.4 Other provisions

### 63 Devices that are prescribed traffic control devices

- (1) For the Act, dictionary, definition of *prescribed traffic control device*, the following things are prescribed:
  - (a) any traffic control device that has effect for the Australian Road Rules under the Australian Road Rules, rule 315;
  - (b) any traffic-related item that has effect for the Australian Road Rules under the Australian Road Rules, rule 319;
  - (c) any pay parking device, parking meter, parking meter hood, parking ticket machine, and any sign installed under division 2.3.6 (Miscellaneous other road rules).
- (2) In this section:

*sign* includes any device, plate, screen, words or anything else, whether or not installed with or on a traffic sign.

### 64 Preventing prescribed traffic control devices being clearly visible

- (1) A person must not (except with the approval of the road transport authority) place anything in a position that prevents, or is likely to prevent, a prescribed traffic control device from being clearly visible to the road users to whom it is intended to apply.

Maximum penalty: 20 penalty units.

*Note* The Act, s 19 (1) also makes it an offence for a person to install or display (or interfere, change or remove) a prescribed traffic control device without appropriate authority.

- (2) The road transport authority, a police officer or an authorised person—
- (a) may, orally or in writing, direct a person who has contravened subsection (1) by placing something to remove the thing within a stated reasonable time; or
  - (b) may remove the thing.
- (3) If a person is given a direction under subsection (2) (a), the person must comply with the direction.

Maximum penalty: 20 penalty units.

**65 Use of *do not overtake turning vehicle sign***

A person must not drive a motor vehicle or combination displaying a *do not overtake turning vehicle sign* unless the motor vehicle or combination, together with any load or projection, is at least 7.5m long.

Maximum penalty: 20 penalty units.

**66 Approvals etc by road transport authority**

- (1) For the Australian Road Rules and this regulation, the road transport authority may, in writing—
- (a) approve a protective helmet for bicycle riders as an approved bicycle helmet; or
  - (b) approve a child restraint as an approved child restraint; or
  - (c) approve a protective helmet for motorbike riders as an approved motorbike helmet; or
  - (d) approve a canopy, cage or other device fitted to a vehicle; or
  - (e) declare a person to be an emergency worker.

- (2) An approval or declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

**67 Exemption from requirement about riding on motorbikes**

The road transport authority may, for the purpose of allowing a sporting or similar event to be filmed, exempt a person from the Australian Road Rules, rule 271 (2) to the extent that it requires the person to face forward while being carried as a passenger on a motorbike.

**68 Defence of complying with direction of police officer or authorised person**

- (1) It is a defence to a prosecution of a person for an offence against a provision of this chapter if, at the time of the offence, the person was obeying a direction given to the person under the Australian Road Rules, rule 304 (1).
- (2) To remove any doubt, it is declared that a person must obey a direction given to the person under the Australian Road Rules, rule 304 (1), whether or not the person may contravene a provision of this chapter by obeying the direction.

**69 Exemption for driver of police vehicles**

- (1) A provision of this chapter does not apply to the driver of a police vehicle if—
- (a) in the circumstances—
- (i) the driver is taking reasonable care; and
- (ii) it is reasonable that the provision should not apply; and
- (b) if the vehicle is a motor vehicle that is moving—the vehicle is displaying a blue or red flashing light or sounding an alarm.

- (2) Subsection (1)(b) does not apply to the driver if, in the circumstances, it is reasonable—
- (a) not to display the light or sound the alarm; or
  - (b) for the vehicle not to be fitted or equipped with a blue or red flashing light or an alarm.

## **70 Exemption for driver of emergency vehicles**

A provision of this chapter does not apply to the driver of an emergency vehicle if—

- (a) in the circumstances—
  - (i) the driver is taking reasonable care; and
  - (ii) it is reasonable that the provision should not apply; and
- (b) if the vehicle is a motor vehicle that is moving—the vehicle is displaying a blue or red flashing light or sounding an alarm.

## **71 Stopping and parking exemption for police and emergency vehicles and authorised people**

- (1) A provision of division 2.3.5 (Stopping and parking) does not apply to the driver of a police or emergency vehicle if, in the circumstances—
- (a) the driver is taking reasonable care; and
  - (b) it is reasonable that the provision should not apply.
- (2) A provision of division 2.3.5 (Stopping and parking) does not apply to a driver who is an authorised person driving a vehicle in the course of his or her duty as an authorised person if, in the circumstances—
- (a) the driver is taking reasonable care; and

(b) it is reasonable that the provision should not apply.

## Chapter 3 Parking

### Part 3.1 Parking schemes

#### Division 3.1.1 Metered parking schemes

##### 72 Metered parking schemes

- (1) The road transport authority may establish and operate metered parking schemes for any length of road or area.
- (2) For a metered parking scheme, the road transport authority—
  - (a) may set aside metered parking spaces; and
  - (b) may install parking meters for the payment of fees for metered parking spaces.

##### 73 Metered parking areas

- (1) The road transport authority may set aside a length of road or area as a metered parking area.
- (2) A metered parking area must be designated by *permissive parking signs* with the word ‘meter’ on or with the signs.

##### 74 Parking meters

- (1) A parking meter must be installed at the space to which it applies or, if a parking meter applies to 2 or more spaces, close to the spaces.
- (2) The parking meter applying to a metered parking space must show or be capable of showing the fees fixed for the space under this division.



- (3) A parking meter must clearly show, or be capable of clearly showing, the status of the metered parking space or spaces to which it applies and, if the meter is a multi-space parking meter, must identify each metered parking space by its number.

## **75 Metered parking spaces**

- (1) A metered parking space must be designated by a road marking.
- (2) For a metered parking space to which a multi-space parking meter applies, the number for the space and an arrow indicating the direction of the meter must be marked in or adjacent to the space.

## **Division 3.1.2 Ticket parking schemes**

*Note* The Australian Road Rules, r 207 (2) provides that a driver who parks in a ticket parking area must pay the fee and obey the instructions on the ticket. See also s 16.

### **75A Parking authorities**

- (1) A person may apply to the road transport authority to be a parking authority for a stated area.
- (2) The road transport authority may, in writing, declare the person to be a parking authority for a stated area (the *area of operations*).

*Note* The power to make the declaration includes the power to amend or repeal it (see Legislation Act, s 46).

- (3) The declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

### **75B Parking authority guidelines**

- (1) The road transport authority must establish written guidelines for section 76A (the *parking authority guidelines*).

- (2) The parking authority guidelines are a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

- (3) A parking authority is not entitled to provide, or charge for, parking in a ticket parking area if the parking authority does not comply with the parking authority guidelines.
- (4) A parking authority is taken to comply with the parking authority guidelines until the contrary is proved.

## **76 Ticket parking schemes—road transport authority**

- (1) The road transport authority may establish and operate a ticket parking scheme for any length of road or area.
- (2) For a ticket parking scheme, the road transport authority—
- (a) may set aside a length of road or area as a ticket parking area; and
  - (b) may adopt the ways of, and schemes for, payment of the fees the authority considers appropriate; and
  - (c) may install devices for payment of the fees (a *pay parking device*).

## **76A Ticket parking schemes—parking authority**

- (1) A parking authority may, in accordance with the parking authority guidelines, establish and operate a ticket parking scheme for any length of road or area within its area of operations.
- (2) For a ticket parking scheme, the parking authority may, in accordance with the parking authority guidelines—
- (a) set aside a length of road or area within its area of operations as a ticket parking area; and

- (b) fix fees for the parking of vehicles in the area; and
- (c) adopt the ways of, and schemes for, payment of the fees the authority considers appropriate; and
- (d) install pay parking devices.

*Note* Section 75A provides for the road transport authority to declare parking authorities and s 75B provides for parking authority guidelines.

## **77 Ticket parking areas**

- (1) A ticket parking area must be designated by *permissive parking signs* with the word ‘ticket’ on or with the signs.
- (2) A ticket parking area is taken to include only such lengths of road and areas to which ticket parking signs apply as are lawfully available, apart from this division, for the parking of vehicles.
- (3) A reference in subsection (1) to *ticket* includes a reference to voucher.
- (4) Subsection (3) and this subsection cease to have effect on 1 December 2006.

## **78 Ticket parking spaces**

A ticket parking area may be divided into ticket parking spaces, of a size suitable for parking a single vehicle, by a road marking.

## **79 Ticket machines**

The ticket machine for a ticket parking area must show or be capable of showing the fees fixed for the area under this division.

## **80 Parking tickets**

- (1) The following information must be printed on a parking ticket:

- (a) the expiry date (expressed as the day of the month, the month and the year);
  - (b) the expiry time (expressed in hours and minutes);
  - (c) the name of the authority issuing the ticket;
  - (d) the ticket parking area code (if applicable);
  - (e) a serial number;
  - (f) instructions for use of the ticket.
- (2) A parking ticket must be legible and of a size and design that enables it to be easily displayed in or on a vehicle.

## **81 Duration of parking tickets**

A parking ticket takes effect when it is issued and expires at the expiry time stated on the ticket.

## **Division 3.1.3 Heavy vehicle parking**

### **82 Definitions for div 3.1.3**

In this division:

*code of practice* means the code of practice approved under section 89, as in force from time to time.

*exemption* means an exemption given under section 92 (Decision on application for exemption).

*existing operator* means the holder of an existing operator's certificate.

*existing operator's certificate* means an existing operator's certificate issued under the *Motor Traffic Act 1936*, section 150R that was in force immediately before the commencement of this section and has not been cancelled under this division.

*heavy vehicle* means a vehicle, whether loaded or unloaded, that is longer than 7.5m, has a GVM over 4.5t, and is used for commercial purposes.

*land adjoining residential land*—see section 83.

*residential land* means land leased for residential purposes.

*stock truck* means a vehicle that has a GVM over 4.5t and is built or used to transport livestock.

### **83 References in div to land adjoining residential land**

A reference in this division to *land adjoining residential land* includes a reference to land that would, apart from an intervening road, adjoin that land.

### **84 Vehicle parked partly on residential land**

For this division, a vehicle that is parked partly on residential land, and partly on adjoining land that is not residential land, is taken not to be parked on residential land.

### **85 Parking of certain vehicles on residential land prohibited**

- (1) This section applies to a vehicle, whether loaded or unloaded, that is—
  - (a) a stock truck; or
  - (b) a semitrailer with the load space permanently enclosed by rigid construction or with sides enclosed by nonrigid material and a rigid roof; or
  - (c) higher than 3.6m and used for commercial purposes.
- (2) A person must not park a vehicle to which this section applies on residential land.

Maximum penalty: 20 penalty units.

- (3) Subsection (2) does not apply to the vehicle—
- (a) if—
- (i) the parking of the vehicle on the land is reasonably necessary to avoid a contravention of another provision of this regulation or another territory law; or
  - (ii) the vehicle is parked on the land to drop off, or pick up, people or goods or in the course of providing services; and
- (b) the vehicle is not parked on the land for longer than is reasonable in all the circumstances.

**86 Parking of certain vehicles on land adjoining residential land prohibited**

- (1) This section applies to—
- (a) a vehicle or combination, whether loaded or unloaded, that is longer than 7.5m; and
  - (b) a vehicle, whether loaded or unloaded, with a GVM over 4.5t.
- (2) A person must not park a vehicle or combination to which this section applies on land adjoining residential land for more than 1 hour.

Maximum penalty: 20 penalty units.

- (3) Subsection (2) does not apply to the vehicle or combination—
- (a) if—
- (i) the parking of the vehicle on the land is reasonably necessary to avoid a contravention of another provision of this regulation or another territory law; or

- (ii) the vehicle is parked on the land to drop off, or pick up, people or goods or in the course of providing services; and
  - (b) the vehicle is not parked on the land for longer than is reasonable in all the circumstances.
- (4) Subsection (2) also does not apply to the vehicle or combination if the land where it is parked is residential land or land leased for commercial purposes.

**87 Parking of certain commercial vehicles on land with multi-unit developments**

- (1) This section applies to a vehicle, whether loaded or unloaded, that is used for commercial purposes and is longer than 6m, higher than 2.6m or has a GVM over 3.75t.
- (2) A person must not park a vehicle to which this section applies on residential land with a multi-unit development.

Maximum penalty: 20 penalty units.

- (3) Subsection (2) does not apply to the vehicle or combination—
  - (a) if—
    - (i) the parking of the vehicle on the land is reasonably necessary to avoid a contravention of another provision of this regulation or another territory law; or
    - (ii) the vehicle is parked on the land to drop off, or pick up, people or goods or in the course of providing services; and
  - (b) the vehicle is not parked on the land for longer than is reasonable in all the circumstances.

- (4) In this section:

***multi-unit development***—see the territory plan, appendix 6 in force on 1 January 1997.

***territory plan***—see the *Land (Planning and Environment) Act 1991*, section 13.

## **88 Daily infringement**

A person commits an offence against section 85 (Parking of certain vehicles on residential land prohibited), section 86 (Parking of certain vehicles on land adjoining residential land prohibited) or section 87 (Parking of certain commercial vehicles on land with multi-unit developments) in relation to each day when the person contravenes that section, including the day of a conviction for the contravention or any later day.

## **89 Codes of practice**

- (1) The Minister may, in writing, approve a code of practice about the parking of heavy vehicles on residential land.
- (2) Without limiting subsection (1), a code of practice may include provisions in relation to—
  - (a) requirements for the parking of heavy vehicles by existing operators; and
  - (b) the number of heavy vehicles that may be parked on residential land at any time; and
  - (c) the operation of heavy vehicles while on residential land.
- (3) A code of practice is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.



**90 Notice of codes of practice etc**

- (1) The road transport authority must publish notice of the approval of each code of practice in a newspaper published and circulating in the ACT.
- (2) The notice must—
  - (a) be published on or before the day when the code of practice commences; and
  - (b) state when the code of practice commences; and
  - (c) contain a statement to the effect that—
    - (i) the code of practice can be inspected at a stated office or offices of the road transport authority during office hours; and
    - (ii) the code of practice is subject to disallowance by the Legislative Assembly under the Legislation Act.

**91 Application for exemption**

- (1) A person who is the holder of an existing operator's certificate may apply to the road transport authority for an exemption from all provisions or stated provisions of the code of practice in relation to stated land of which the person is the occupier.
- (2) The applicant must give the applicant's existing operator's certificate to the road transport authority with the application.

**92 Decision on application for exemption**

- (1) If the road transport authority receives an application for an exemption, the authority must—
  - (a) give the exemption for the period stated in the exemption; or

- (b) give the exemption for the period, and subject to the conditions, stated in the exemption; or
  - (c) refuse to give the exemption.
- (2) Before making a decision on the application, the road transport authority must give notice of the application to—
  - (a) if land adjoining the land to which the application relates is occupied—the occupier and, if the occupier is not the lessee, the lessee of each parcel of adjoining land that is occupied; or
  - (b) if land adjoining the land to which the application relates is unoccupied—the lessee of each parcel of adjoining land that is unoccupied.
- (3) A notice under subsection (2) must—
  - (a) contain a description of the provisions of the code of practice from which exemption is sought; and
  - (b) invite the occupier or lessee to make submissions to the road transport authority, within 28 days after receiving the notice, why the exemption sought should not be given; and
  - (c) contain a statement to the effect that, if a submission is not received by the road transport authority within that 28 days, the authority may give the exemption.
- (4) Without limiting how a notice under subsection (2) (a) may be given to the occupier or lessee of a parcel of land, the notice may be given by letter addressed to the occupier or lessee and sent by prepaid post to the address of the parcel.
- (5) In deciding whether to give the exemption, what period the exemption should be given for and what conditions the exemption should be subject to, the road transport authority must—

- (a) take into account any submissions made under subsection (3);  
and
  - (b) have regard to whether and, if so, the extent to which, an occupier or lessee of adjoining land would be adversely affected by the decision.
- (6) For subsection (5) (b), in deciding whether an occupier or lessee of adjoining land would be adversely affected, the road transport authority must take into account—
- (a) the period for which, and the provisions of the code of practice from which, exemption is sought; and
  - (b) the likely safety, noise and visual consequences of giving the exemption; and
  - (c) any action taken by the applicant to reduce the safety, noise or visual impact on occupiers of adjoining land, including, for example, any landscaping, parking bays, fencing, noise barriers and garaging arrangements on land occupied by the applicant.
- Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).
- (7) The road transport authority must not give the exemption if the authority believes on reasonable grounds that the applicant—
- (a) has failed to comply with section 95 (Additional information by applicant); or
  - (b) made a statement that was false or misleading in a material particular in or in relation to the application.
- (8) If an exemption is given subject to conditions, the exemption applies only if all the conditions of the exemption are being complied with.

### **93 Endorsement of certificates**

- (1) If the road transport authority gives an exemption to the holder of an existing operator's certificate, the authority must endorse the certificate with the exemption.
- (2) The endorsement—
  - (a) must state—
    - (i) each provision of the code of practice from the holder is exempt; and
    - (ii) whether or not the exemption is subject to conditions; and
    - (iii) the vehicle or vehicles to which the exemption applies; and
    - (iv) the residential land where the vehicle or vehicles may be parked under the exemption; and
    - (v) the period for which the exemption is given; and
  - (b) may include other information about the exemption the road transport authority considers appropriate.

### **94 Variation of conditions of exemptions**

- (1) The holder of an exemption may apply to the road transport authority for a stated variation of the conditions to which an exemption is subject.
- (2) If the road transport authority receives an application under subsection (1), the authority must—
  - (a) vary the conditions in the way sought in the application; or
  - (b) refuse to vary the conditions.
- (3) Section 92 (2) to (7) (Decision on application for exemption) applies, with all necessary changes, to an application under this

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section in the same way as it applies to an application for an exemption.

**95 Additional information by applicant**

The road transport authority may, by notice given to an applicant for an exemption or variation of conditions to which an exemption is subject, require the applicant to provide any information or documents necessary for the authority to decide the application.

**96 Loss etc of existing operator's certificate**

- (1) If an existing operator's certificate is lost, stolen or destroyed the holder of the certificate must tell the road transport authority, in writing, within 14 days after becoming aware of that fact.

Maximum penalty: 5 penalty units.

- (2) If the road transport authority is satisfied that an existing operator's certificate has been lost, stolen or destroyed, the road transport authority must, on application by the holder of the certificate, give the holder a replacement certificate.

**97 Cancellation of existing operator's certificate etc**

- (1) If the road transport authority has reasonable grounds for believing that—
- (a) an existing operator's certificate was issued; or
  - (b) an exemption was given; or
  - (c) the conditions to which an exemption is subject were varied;

because information given by the holder of the certificate or exemption in or in relation to the application for the certificate, exemption or variation was false, misleading or incomplete in a material particular, the road transport authority must give the holder written notice under this subsection.

*Note* For how documents may be given, see the Legislation Act, pt 19.5.

- (2) The notice must—
- (a) tell the holder of the road transport authority's belief; and
  - (b) state the grounds for the belief; and
  - (c) invite the holder to make representations to the authority, within 28 days after the holder receives the notice, why the certificate should not be cancelled, or the exemption or variation revoked.
- (3) If, after considering any representation made by the holder under subsection (2) (c), the road transport authority is satisfied that the authority's belief was correct, the authority must cancel the certificate or revoke the exemption or variation.
- (4) The road transport authority must also cancel an existing operator's certificate or revoke an exemption if the holder of the certificate or exemption asks the authority, in writing, to do so and gives the existing operator's certificate held by the holder to the authority.
- (5) If the road transport authority cancels an existing operator's certificate, or revokes an exemption, under subsection (3), the holder of the certificate or exemption must give his or her existing operator's certificate to the authority within 14 days after being told of the cancellation or revocation by the authority.

Maximum penalty: 20 penalty units.

- (6) If the road transport authority receives an existing operator's certificate under subsection (4) or (5) because an exemption held by the holder of the certificate is to be or is revoked, the authority must return the certificate to the holder after cancelling the endorsement of the exemption on the certificate.

## **Division 3.1.4      Miscellaneous**

### **97A      Other powers to provide pay parking**

- (1) This part does not affect any other power of a parking authority to provide for parking on land within its area of operations.
- (2) A parking authority may exercise a power under this part in relation to land that it does not own only with the consent of the owner of the land.
- (3) Consent may be given subject to conditions, including conditions about the length and withdrawal of the consent.
- (4) Subject to the conditions of the consent, the consent may be withdrawn only after reasonable notice.
- (5) In this section:  
*owner*, of land, includes lessee of land.

### **98      Overlapping schemes**

- (1) This part does not prevent the road transport authority or a parking authority from establishing and operating a pay parking scheme on the same length of road, or in the same area, where it is operating a different pay parking scheme.
- (2) The road transport authority or a parking authority may not recover the fee fixed for the parking of a vehicle in a metered space or ticket parking area if any other applicable parking fee has been paid for parking the vehicle in the space or area.

### **98A      Income from ticket parking scheme**

- (1) All fees collected by a parking authority from the operation of a ticket parking scheme belong to the parking authority.

- (2) Any surplus arising from the operation of a ticket parking scheme may be applied at the discretion of the parking authority.

**98B      Costs of ticket parking scheme**

The costs of administering a ticket parking scheme operated by a parking authority under section 76A are to be borne by the parking authority.

**99      Trailers not separately chargeable**

A separate parking fee is not required to be paid for a trailer towed by another vehicle.



## **Part 3.2**                      **Parking permits and mobility parking scheme authorities**

### **100**            **Parking permits**

- (1) The road transport authority may issue a permit authorising the parking of a vehicle, without charge or time restrictions, in a parking space designated for use by holders of such a permit.
- (2) The permit may be of 1 or more of the following kinds:
  - (a) a business parking permit;
  - (b) a commuter parking permit;
  - (c) a loading zone permit;
  - (d) a resident parking permit;
  - (e) a resident's visitor parking permit;
  - (f) a special event parking permit;
  - (g) any other kind declared by the road transport authority for this section.
- (3) A permit must state the conditions (if any) to which it is subject and, for a resident's visitor parking permit, the address of the person to whom the permit was issued.
- (4) A permit may state the length of road or area to which it applies.
- (5) The holder of a loading zone permit may surrender the permit by returning it to the road transport authority.
- (6) For this regulation, a parking space is designated for use by the holder of a permit if the following words are displayed on or with a

traffic sign applying to the parking space under the Australian Road Rules:

- (a) for a resident or resident's visitor parking permit—'permit holders excepted' or 'authorised residents vehicles excepted';
- (b) for any other permit—'permit holders excepted'.

**101 Mobility parking scheme authorities**

- (1) The road transport authority may issue a mobility parking scheme authority—
  - (a) for use by a person with a disability; or
  - (b) for use by an entity for the transport of people with disabilities.
- (2) A mobility parking scheme authority is subject to the conditions (if any) stated in the authority and is issued for the period stated in the authority.
- (3) A mobility parking scheme authority must include a people with disabilities symbol.

## Chapter 4      Traffic offence detection devices

### 102      Definitions for ch 4

In this chapter:

*approved police speedometer* means a speedometer approved under section 103A (Approval of police vehicle speedometers).

*digital camera detection device* means a camera detection device known as—

- (a) LaserCam 2000, which includes, as a component, a laser speed measuring device; or
- (b) LaserCam NT, which includes, as a component, a laser speed measuring device.

*laser speed measuring device* means a speed measuring device known as—

- (a) Laser Technology Inc. LTI 20-20 Marksman; or
- (b) Laser Technology Inc. LTI 20-20 UltraLyte; or
- (c) Laser Technology Inc. LTI 20-20 UltraLyte LR; or
- (d) Laser Technology Inc. LTI 20-20 UltraLyte Compact.

*piezo strip speed measuring device* means a speed measuring device known as—

- (a) Redflex Smartcam SDCM; or
- (b) Truvelo M4 MPC.

**radar speed measuring device** means a speed measuring device known as—

- (a) Applied Concepts Inc. Stalker Dual; or
- (b) Kustom Signals, Inc. Silver Eagle.

**security checksum**, for an electronic file, means the number (whether numerals or numerals and letters) produced by the application of an algorithm to the contents of an electronic file or a copy of the file.

**testing authority** means—

- (a) a department of electrical or electronic engineering at a university in Australia; or
- (b) the National Measurement Institute under the *National Measurement Act 1960* (Cwlth); or
- (c) an entity that is accredited by the National Association of Testing Authorities to test laser speed measuring devices; or
- (d) Technical Services, Australian Federal Police, Canberra; or
- (e) for an approved police speedometer—an entity approved in writing by the chief police officer to test approved police speedometers.

*Note* An entity includes an individual, see the Legislation Act, dict, pt 1, def of *entity*.

**traffic lights camera detection device** means a camera detection device known as—

- (a) Centaur 2000, which includes, as a component, a piezo strip speed measuring device; or
- (b) Redflex SMARTCAMred, which includes, as a component, a piezo strip speed measuring device.

**WORM disk** means a storage device for electronic data in which the data, once written, cannot be erased or overwritten.

### **103 Approved traffic offence detection devices**

- (1) For the Act, dictionary, definition of *approved camera detection device*, each digital camera detection device and traffic lights camera detection device is approved.
- (2) For the Act, dictionary, definition of *approved speed measuring device*, each laser speed measuring device, piezo strip speed measuring device, radar speed measuring device and approved police speedometer is approved.

### **103A Approval of police vehicle speedometers**

- (1) For section 102, definition of *approved police speedometer*, the chief police officer may, in writing, approve a kind of speedometer that is fitted to a motor vehicle driven by a police officer for measuring the speed at which vehicles are being driven.
- (2) An approval is a notifiable instrument.

*Note* A notifiable instrument must be notified under the Legislation Act.

### **104 Major testing of laser speed measuring devices**

- (1) The following devices must be tested in accordance with this section at least once every 12 months:
  - (a) a laser speed measuring device;
  - (b) the laser speed measuring device component of a digital camera detection device.
- (2) The test must be carried out—
  - (a) by a person approved under section 106 (Approved people—testing and sealing); and

- (b) in accordance with Australian Standard AS 4691.1-2, as in force on the commencement of this paragraph.

*Note 1* The text of an applied, adopted or incorporated law or instrument, whether applied as in force from time to time or at a particular time, is taken to be a notifiable instrument if the operation of the Legislation Act, s 47 (5) or (6) is not disappplied (see s 47 (7)).

*Note 2* A notifiable instrument must be notified under the Legislation Act.

- (3) The Legislation Act, section 47 (5) does not apply in relation to subsection (2) (b).
- (4) The test must show whether the device—
- (a) is operating in accordance with the manufacturer's specifications; and
- (b) is accurate within a tolerance of 2km/h.
- (5) For this section, it is sufficient for the laser speed measuring device component of a digital camera detection device to be tested separately from the other components of the device, and it is not necessary for the other components to be tested.

#### **104A Major testing of other traffic offence detection devices**

- (1) The following devices must be tested in accordance with this section at least once every 12 months:
- (a) the piezo strip speed measuring device component of a traffic lights camera detection device;
- (b) a radar speed measuring device;
- (c) an approved police speedometer.
- (2) The test must be carried out by a person approved under section 106 (Approved people—testing and sealing).

- (3) The test of the piezo strip speed measuring device component of a traffic lights camera detection device must show whether the device—
- (a) is operating in accordance with the manufacturer's specifications; and
  - (b) is accurate within a tolerance of 2km/h.
- (4) The test of a radar speed measuring device must show whether the device is operating in accordance with Australian Standard AS 2898.1-2, as in force on the commencement of this subsection.

*Note 1* The text of an applied, adopted or incorporated law or instrument, whether applied as in force from time to time or at a particular time, is taken to be a notifiable instrument if the operation of the Legislation Act, s 47 (5) or (6) is not disapplied (see s 47 (7)).

*Note 2* A notifiable instrument must be notified under the Legislation Act.

- (5) The Legislation Act, section 47 (5) does not apply in relation to subsection (4).
- (6) The test of an approved police speedometer must show whether the device is accurate within a tolerance of 2%.
- (7) For this section, it is sufficient for the piezo strip speed measuring device component of a traffic lights camera detection device to be tested separately from the other components of the device, and it is not necessary for the other components to be tested.

#### **104B Certification and sealing of traffic offence detection devices**

- (1) This section applies if a test of a traffic offence detection device under section 104 or section 104A establishes—
- (a) a matter mentioned in section 104A (4) or (6) in relation to the device; or

- (b) the matters mentioned in section 104 (4) or section 104A (3) in relation to the device.
- (2) The person who carried out the test must—
  - (a) sign a certificate to that effect; and
  - (b) if a seal on the device has been damaged or removed—seal the device.

### **105 Use of digital camera detection devices**

- (1) A digital camera detection device must be used by an operator by doing the following operations in accordance with the manufacturer's instructions for the device:
  - (a) testing the laser speed measuring component of the device at the beginning of each shift of the operator by carrying out the following checks:
    - (i) an instrument confidence check;
    - (ii) a calibration verification check;
    - (iii) a scope alignment check;
  - (b) activating the device;
  - (c) operating the device;
  - (d) testing the laser speed measuring component of the device at the end of each shift of the operator by carrying out the checks mentioned in paragraph (a).
- (2) However, after the operator of the device has carried out the operations mentioned in subsection (1) (a) and (b), the device may operate unattended.
- (3) To remove any doubt, if the device is used at more than 1 place during a shift of the operator, the operator is not required to carry



out the checks mentioned in subsection (1) (a) each time the device is activated at a different place.

- (4) If the device is used by 2 or more operators who are working together during the shift, the tests mentioned in subsection (1) (a) and (d) may be carried out by different operators.
- (5) In this section:

*operator* means a person approved to use a traffic offence detection device under section 107 (Approved people—use).

### **105A Use of laser speed measuring devices**

- (1) A laser speed measuring device must be used by an operator by doing the following operations in accordance with the manufacturer's instructions for the device:
  - (a) testing the device at the beginning of each shift of the operator by carrying out the following checks:
    - (i) an instrument confidence check;
    - (ii) a calibration verification check;
    - (iii) a scope alignment check;
  - (b) activating the device;
  - (c) operating the device;
  - (d) testing the device at the end of each shift of the operator by carrying out the checks mentioned in paragraph (a).
- (2) To remove any doubt, if the device is used at more than 1 place during a shift of the operator, the operator is not required to carry out the checks mentioned in subsection (1) (a) each time the device is activated at a different place.

- (3) If the device is used by 2 or more operators who are working together during the shift, the tests mentioned in subsection (1) (a) and (d) may be carried out by different operators.
- (4) In this section:  
*operator* means a person approved to use a traffic offence detection device under section 107 (Approved people—use).

### **105B Use of radar speed measuring devices**

- (1) A radar speed measuring device must be used by an operator in accordance with the manufacturer's instructions for the device.
- (2) The operator must test the device—
  - (a) at the beginning of each shift of the operator against an approved police speedometer; and
  - (b) at the end of each shift of the operator against the speedometer mentioned in paragraph (a); and
  - (c) if the operator's shift is longer than 9 hours—9 hours after the beginning of the shift against the speedometer mentioned in paragraph (a).
- (3) After each test, the device must be found to be accurate within a tolerance of 2 km/h.
- (4) To remove any doubt, if the device is used at more than 1 place during a shift of the operator, the operator is not required to carry out the checks mentioned in subsection (2) (a) each time the device is activated at a different place.
- (5) If the device is used by 2 or more operators who are working together during the shift, the tests mentioned in subsection (2) may be carried out by different operators.

- (6) In this section:

*operator* means a person approved to use a traffic offence detection device under section 107 (Approved people—use).

**106 Approved people—testing and sealing**

Each person employed by a testing authority to test and seal traffic offence detection devices is approved to test and seal traffic offence detection devices.

**107 Approved people—use**

- (1) Each police officer is approved to use any traffic offence detection device (other than a traffic lights camera detection device).
- (2) The road transport authority may approve a person who is not a police officer to use digital camera detection devices.
- (3) The road transport authority may only approve a person under subsection (2) if the authority is satisfied that the person has appropriate qualifications to operate, or experience in the operation of, digital camera detection devices.

**107A Recording of digital camera detection device image files—Act, s 23 (2) (c) (ii)**

An electronic file created by a digital camera detection device must be recorded on a WORM disk attached directly to, or located with, the device.

**107B Recording of traffic lights camera detection device image files—Act, s 23 (2) (c) (ii)**

- (1) An electronic file created by a traffic lights camera detection device must be recorded on a WORM disk or another storage medium for electronic data (a *recording medium*).

- (2) The recording medium for a traffic lights camera detection device may be—
- (a) attached directly to, or located with, the device; or
  - (b) at a place other than the place where the device is located.

**Example for par (b)**

If a motor vehicle goes through a red traffic light and an image of the vehicle is taken by a traffic lights camera detection device, the electronic file created by the device in relation to the offence is sent along a wire or optical fibre to a recording device in a building in another suburb and is stored at that building on a recording medium.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) If the recording medium for a traffic lights camera detection device is at a place other than the place where the device is located—
- (a) the device must produce a security checksum for each electronic file created by the device; and
  - (b) the device must encrypt the security checksum and the file; and
  - (c) the security checksum and the encrypted file must be recorded as soon as practicable on a recording medium.
- (4) However, subsection (3) does not prevent other security measures being taken in relation to a security checksum or an electronic file before it is recorded on the recording medium.

**107C Verification of traffic lights camera detection device image files—Act, s 23 (2) (c) (iii)**

- (1) This section applies if an electronic file that contains an image of a vehicle taken by a traffic lights camera detection device is recorded on a recording medium that is at a place other than the place where the device is located.

- (2) Before the image of the vehicle is produced from the file, the accuracy of the file must be verified by using a computer to—
  - (a) recalculate the security checksum for the file; and
  - (b) confirm that the security checksum produced by the recalculation is identical to the checksum produced by the device for the file.

### **108 Meaning of vehicle image codes**

- (1) This section defines the meaning of codes and other information indicated on an image of a vehicle taken by an approved camera detection device.

*Note* Information etc that is indicated on an image includes information etc accompanying or reasonably associated with the image (see Act, dict, def of *indicated on*).

- (2) It is not necessary that all the codes and other information mentioned in this section be indicated on an image but if they do appear they have the meaning given in this section.
- (3) The characters (whether numbers, letters or both) in the field immediately after ‘Device’ is the code for—
  - (a) the laser speed measuring device component of the digital camera detection device that took the image; or
  - (b) the piezo strip speed measuring device component of the traffic lights camera detection device that took the image.

#### **Example**

‘Device: 012409’ indicates that the code for the laser speed measuring device component of the digital camera detection device, or piezo strip speed measuring device component of the traffic lights camera detection device, that took the image is 012409.

- (4) The characters (whether numbers, letters or both) in the field immediately after ‘Location’ or ‘Loc’ is the code for the place where the image was taken (the *location code*).

**Example**

‘Location: sls0015’ indicates that the code for the place where the image was taken is 0015 (see sch 1, part 1.1, item 15).

- (5) A location code has the meaning given by schedule 1.

**Example**

The location code ‘0015’ indicates that the image was taken at Kingsford Smith Drive between Kuringa Drive and Spalding Street (see sch 1, part 1.1, item 15).

- (6) For subsection (5) and schedule 1, if a road (however described) mentioned in an item of schedule 1 intersects with another road (however described) more than once, the word ‘(north)’ or ‘(south)’ is included after the name of the road to indicate the intersection relevant to the meaning of the location code.

**Example**

The location code ‘0003’ means that the image was taken on Athllon Drive between Beasley Street ‘(south)’ and Sulwood Drive (see sch 1, part 1.1, item 3). As Beasley Street intersects Athllon Drive more than once, the word ‘south’ indicates that the southern intersection is the relevant intersection.

- (7) The characters in the field immediately after ‘Date’ is the date when the image was taken, with the first 2 numbers indicating the day of the month, followed by an abbreviation for the month and the year.

**Example**

‘Date: 15/11/00’ indicates that the image was taken on 15 November 2000.

- (8) The numbers in the field immediately after ‘Time’ is the time when the image was taken, stated in the 24-hour clock system.

**Examples**

1 ‘Time: 11.07.00.23’ indicates that the image was taken at 0.23 seconds after 11.07 am.

2 'Time: 13:53:10:07' indicates that the image was taken at 10.07 seconds after 1.53 pm.

- (9) The letter in the field immediately after 'Direction' or 'Dir' indicates—
- (a) for an image taken by a digital camera detection device—whether the general direction in which the vehicle was travelling was away from or towards the device, with 'A' indicating away from the device and 'T' indicating towards the device; or
  - (b) for an image taken by a traffic lights camera detection device—the general direction in which the vehicle was travelling when the image was taken, with 'N' indicating north, 'S' indicating south, 'E' indicating east and 'W' indicating west.

**Example for par (a)**

'Direction: A' indicates that when the image was taken the vehicle was generally travelling away from the digital camera detection device that took the image.

**Example for par (b)**

'Direction: N' indicates that when the image was taken the vehicle was travelling in the general direction of north.

- (10) The characters in the field immediately after 'Lane' is the code for the lane in which the vehicle was travelling when the image was taken, with the following codes having the stated meaning:

'L1' means the lane next to the centre of the road

'L2' means the lane immediately to the left of L1

'L3' means the lane immediately to the left of L2

'L4' means the lane immediately to the left of L3.

**Example**

'Lane: L1' indicates that the vehicle was travelling in the lane next to the centre of the road when the image was taken.

- (11) The number in the field immediately after ‘Red time’ is the time in seconds and part seconds (stated as a fraction) that a red traffic light or red traffic arrow facing the driver of the vehicle had been showing before the driver entered the intersection concerned.

**Example**

‘Red time: 1.50’ indicates that the red traffic light or red traffic arrow facing the driver of the vehicle had been showing for 1.5 seconds before the driver entered the intersection concerned.

- (12) The number in the field immediately after ‘Speed li’ is the speed limit applying to the driver of the vehicle for the length of road where the driver was driving when the image was taken.

**Example**

‘Speed li: 60’ indicates that the speed limit applying to the driver of the vehicle for the length of road where the driver was driving when the image was taken is 60 km/h.

- (13) The number in the field immediately after ‘Speed’ is the speed in kilometres per hour at which the driver of the vehicle was driving when the image was taken.

**Example**

‘Speed: 82’ indicates that the driver of the vehicle was driving at 82 km/h when the image was taken.

- (14) The characters (whether numbers, letters or both) in the field immediately after ‘Operator’ is the code for the person responsible for the use of the device when the image was taken.

**Example**

‘Operator: op002’ indicates that the code for the person responsible for the device when the image was taken is operator 002.



- (15) The characters (whether numbers, letters or both) in the field immediately after 'Disk' is the code for the recording medium used to record the image of the vehicle.

**Example**

'Disk: WD0022' indicates that the code for the WORM disk used to record the image was WD0022.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

## Chapter 5 Miscellaneous

### 109 Additional powers of police

- (1) A police officer may request or signal the driver of a vehicle to stop the vehicle.
- (2) A person must not, without reasonable excuse, fail to comply with a request or signal made or given by a police officer under subsection (1).

Maximum penalty: 20 penalty units.

- (3) A police officer may, during a temporary obstruction or danger to traffic or in an emergency, direct the responsible person for or driver of a vehicle parked in any part of a pay parking area to remove the vehicle or, if no-one appears to be in charge of the vehicle, remove the vehicle.

### 110 Prohibition on car minding

- (1) The chief police officer may, by written notice given to a person, prohibit the person from—
  - (a) parking, minding, caring for, or taking charge of any motor vehicle or trailer (other than a motor vehicle or trailer of which the person is the driver) on a road; or
  - (b) offering his or her services for any such purpose.
- (2) A person who is given a notice under subsection (1) must comply with the notice.

Maximum penalty: 20 penalty units.

- (3) This section does not authorise the chief police officer to prohibit the proprietor of a parking station or parking area—
- (a) from parking, minding, caring for, or taking charge of a motor vehicle or trailer in or on the parking station or parking area; or
  - (b) from offering the proprietor's services for that purpose—
    - (i) whether by the display or publication of an advertisement in relation to the parking station or parking area or otherwise; and
    - (ii) whether the services are performed or offered to be performed by the proprietor or by an employee or agent of the proprietor.

#### **111 Removal of unattended vehicles from certain places**

For the Act, section 32 (1) (c), a police officer or authorised person may move an unattended vehicle from a road or road related area to a retention area if the vehicle is in—

- (a) a bus lane; or
- (b) a length of road to which a *clearway sign* applies; or
- (c) a transit lane.

#### **112 Disposal of impounded vehicles—Act, s 10K**

- (1) This section applies to a vehicle impounded under the following provisions of the Act:
- (a) section 10A (Impounding of vehicles used for menacing driving on court order before conviction etc);
  - (b) section 10B (Impounding or forfeiture of vehicles on conviction etc for certain offences);

- (c) section 10C (Powers of police officers to seize and impound vehicles used in committing certain offences).
- (2) If a person has not applied to the chief police officer for the release of the vehicle at the end of the period of impoundment, the chief police officer must, by notice served on the registered operator of the vehicle and every person who has a registered interest in the vehicle, warn them that the vehicle may be offered for sale if the vehicle is not removed from the place of impoundment within 28 days after the day of service of the notice.
- (3) The vehicle may be offered for sale, by public auction or public tender, if the vehicle is not removed within 28 days after service of the notice or, if more than 1 notice is served under subsection (2), the later of the notices.
- (4) A person may apply to the chief police officer for payment to the person of the balance of the proceeds of sale of a vehicle within 1 year after the vehicle is sold in accordance with subsection (3).
- (5) The balance of the proceeds of sale may be paid to the person if the person satisfies the chief police officer that—
- (a) the person was lawfully entitled to possession of the vehicle immediately before its sale; and
  - (b) there was a reasonable excuse for the person's failure to obtain release of the vehicle before it was sold.
- (6) In this section:
- balance of the proceeds of sale***, of a vehicle, means the proceeds of the sale of the vehicle less—
- (a) any fee or other amount payable under the *Road Transport (General) Act 1999* for the seizure, impounding and storage of the vehicle; and
  - (b) the reasonable costs of or incidental to the sale.

**112A Disposal of forfeited vehicles—Act, s 10K**

A vehicle that has been forfeited to the Territory under the Act, section 10B (Impounding or forfeiture of vehicles on conviction etc for certain offences) may be offered for sale by public auction or public tender.

**113 Responsible person to inspect driver licence**

- (1) Before permitting someone else to drive a motor vehicle, the responsible person for, or the person in charge of, the vehicle must require the person to produce his or her Australian driver licence or external driver licence and must inspect the licence.

Maximum penalty: 20 penalty units.

- (2) It is a defence to a prosecution of a person for an offence against subsection (1) if the person proves that the person had taken reasonable steps (other than those mentioned in the subsection) to ensure the person permitted to drive the motor vehicle was the holder of a current Australian driver licence or external driver licence.

**114 Responsible person's consent**

The person in charge of a motor vehicle or trailer on a road must not, without reasonable excuse, permit anyone to use the vehicle without the consent of the responsible person for the vehicle.

Maximum penalty: 20 penalty units.

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## Schedule 1      Meaning of location codes on images

(see s 108)

### Part 1.1      Digital camera detection devices

Table 1.1

| column 1<br>item | column 2<br>location<br>code | column 3<br>place where image was taken                             |
|------------------|------------------------------|---|
| 1                | 0001                         | Adelaide Avenue between Hopetoun Circuit and Kent Street            |
| 2                | 0002                         | Antill Street   |
| 3                | 0003                         | Athllon Drive between Beasley Street (south) and Sulwood Drive      |
| 4                | 0004                         | Belconnen Way between Barry Drive and Coulter Drive                 |
| 5                | 0005                         | Bowen Drive between Brisbane Avenue and Kings Avenue                |
| 6                | 0006                         | Coppins Crossing Road between Uriarra Road and William Hovell Drive |
| 7                | 0007                         | Drakeford Drive between Sulwood Drive and Athllon Drive             |
| 8                | 0008                         | Erindale Drive between Sulwood Drive and Sternberg Crescent         |
| 9                | 0009                         | Florey Drive between Southern Cross Drive and Ginninderra Drive     |
| 10               | 0010                         | Ginninderra Drive between Tillyard Drive and Kingsford Smith Drive  |
| 11               | 0011                         | Ginninderra Drive between Ellenborough Street and Tucker Street     |
| 12               | 0012                         | Gungahlin Drive between Wells Station Drive and Gundaroo Drive      |
| 13               | 0013                         | Hindmarsh Drive between Dalrymple Street and Jerrabomberra Avenue   |

| <b>column 1<br/>item</b> | <b>column 2<br/>location<br/>code</b> | <b>column 3<br/>place where image was taken</b>                    |
|--------------------------|---------------------------------------|--|
| 14                       | 0014                                  | Hindmarsh Drive between Athllon Drive and Melrose Drive            |
| 15                       | 0015                                  | Kingsford Smith Drive between Kuringa Drive and Spalding Street    |
| 16                       | 0016                                  | Lady Denman Drive between Cotter Road and Barrenjoey Drive         |
| 17                       | 0017                                  | Long Gully Road  |
| 18                       | 0018                                  | Melrose Drive between Athllon Drive and Hindmarsh Drive            |
| 19                       | 0019                                  | Monaro Highway between Canberra Avenue and Hindmarsh Drive         |
| 20                       | 0020                                  | Monaro Highway between Hindmarsh Drive and Isabella Drive          |
| 21                       | 0021                                  | Mugga Lane between Narrabundah Lane and Long Gully Road            |
| 22                       | 0022                                  | Northbourne Avenue between Macarthur Avenue and Antill Street      |
| 23                       | 0023                                  | Parkes Way between Clunies Ross Street and Glenloch Interchange    |
| 24                       | 0024                                  | Tuggeranong Parkway between Lakeside Interchange and Cotter Road   |
| 25                       | 0025                                  | Tuggeranong Parkway between Hindmarsh Drive and Cotter Road        |
| 26                       | 0026                                  | Tuggeranong Parkway between Hindmarsh Drive and Sulwood Drive      |
| 27                       | 0027                                  | Yamba Drive between Mawson Drive and Beasley Street                |
| 28                       | 0028                                  | Pocket Avenue  |
| 29                       | 0029                                  | Owen Dixon Drive (excluding residential service road of same name) |
| 30                       | 0030                                  | Taverner Street  |
| 31                       | 0031                                  | Springvale Drive   |
| 32                       | 0032                                  | Kerrigan Street  |
| 33                       | 0033                                  | Gladstone Street, Hall   |

**Schedule 1**  
**Part 1.1**

Meaning of location codes on images  
Digital camera detection devices

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| <b>column 1<br/>item</b> | <b>column 2<br/>location<br/>code</b> | <b>column 3<br/>place where image was taken</b>                  |
|--------------------------|---------------------------------------|--|
| 34                       | 0034                                  | Heysen Street  |
| 35                       | 0035                                  | Mugga Way  |
| 36                       | 0036                                  | Badimara Street  |
| 37                       | 0037                                  | Namatjira Drive  |
| 38                       | 0038                                  | Empire Circuit between Grey Street and Canberra Avenue           |
| 39                       | 0039                                  | Longmore Crescent  |
| 40                       | 0040                                  | Maribyrnong Avenue   |
| 41                       | 0041                                  | Learmonth Drive  |
| 42                       | 0042                                  | Petterd Street   |
| 43                       | 0043                                  | Williamson Street  |
| 44                       | 0044                                  | Tillyard Drive   |
| 45                       | 0045                                  | Dryandra Street between Fairfax Street and Archibald Street      |
| 46                       | 0046                                  | Newman Morris Circuit  |
| 47                       | 0047                                  | Chuculba Crescent  |
| 48                       | 0048                                  | Livingston Avenue  |
| 49                       | 0049                                  | Clive Steele Avenue  |
| 50                       | 0050                                  | Darwinia Terrace   |
| 51                       | 0051                                  | La Perouse Street  |
| 52                       | 0052                                  | Novar Street   |
| 53                       | 0053                                  | Goyder Street between Dalrymple Street and Jerrabomberra Avenue  |
| 54                       | 0054                                  | Launceston Street between Hindmarsh Drive and Melrose Drive      |
| 55                       | 0055                                  | Athllon Drive between Hindmarsh Drive and Beasley Street (south) |
| 56                       | 0056                                  | Athllon Drive between Sulwood Drive and Anketell Street (north)  |

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| <b>column 1<br/>item</b> | <b>column 2<br/>location<br/>code</b> | <b>column 3<br/>place where image was taken</b>                   |
|--------------------------|---------------------------------------|---|
| 57                       | 0057                                  | Northbourne Avenue between Barry Drive and Macarthur Avenue       |
| 58                       | 0058                                  | Northbourne Avenue between Antill Street and Barton Highway       |
| 59                       | 0059                                  | Belconnen Way between Coulter Drive and Kingsford Smith Drive     |
| 60                       | 0060                                  | Phillip Avenue between Majura Avenue and Federal Highway          |
| 61                       | 0061                                  | Barton Highway between Federal Highway and Kuringa Drive          |
| 62                       | 0062                                  | Drakeford Drive between Athllon Drive and Isabella Drive          |
| 63                       | 0063                                  | Hindmarsh Drive between Athllon Drive and Dalrymple Street        |
| 64                       | 0064                                  | Hindmarsh Drive between Jerrabomberra Avenue and Canberra Avenue  |
| 65                       | 0065                                  | Barry Drive   |
| 66                       | 0066                                  | Ginninderra Drive between Tucker Street and Kingsford Smith Drive |
| 67                       | 0067                                  | Ginninderra Drive between Tillyard Drive and Florey Drive         |
| 68                       | 0068                                  | Erindale Drive between Long Gully Road and Sulwood Drive          |
| 69                       | 0069                                  | Erindale Drive between Soward Way and Judkins Street              |
| 70                       | 0070                                  | Kuringa Drive between Owen Dixon Drive and Barton Highway         |
| 71                       | 0071                                  | Launceston Street between Bowes Street and Furzer Street          |
| 72                       | 0072                                  | Monaro Highway between Johnson Drive and Isabella Drive           |
| 73                       | 0073                                  | Mugga Lane between Hindmarsh Drive and Narrabundah Lane           |
| 74                       | 0074                                  | Mugga Lane between Long Gully Road and Monaro Highway             |
| 75                       | 0075                                  | Parkes Way between Clunies Ross Street and Edinburgh Avenue       |
| 76                       | 0076                                  | Yamba Drive between Kitchener Street and Bateson Road             |
| 77                       | 0077                                  | Yarra Glen between Carruthers Street and Adelaide Avenue          |

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## Part 1.2                      Traffic lights camera detection devices

Table 1.2

| column 1<br>item | column 2<br>location<br>code | column 3<br>place where image was taken               |
|------------------|------------------------------|---|
| 1                | 1001                         | Northbourne Avenue/London Circuit                     |
| 2                | 1002                         | Northbourne Avenue/Barry Drive/Cooyong Street         |
| 3                | 1003                         | Coulter Drive/Southern Cross Drive/Luxton Street      |
| 4                | 1004                         | Drakeford Drive/Boddington Crescent/Marconi Crescent  |
| 5                | 1005                         | Benjamin Way/Chan Street/Cameron Avenue               |
| 6                | 1006                         | Northbourne Avenue/Antill Street/Mouat Street         |
| 7                | 1007                         | Ginninderra Drive/Aikman Drive                        |
| 8                | 1008                         | Hindmarsh Drive/Tuggeranong Parkway                   |
| 9                | 1009                         | Kingsford Smith Drive/Southern Cross Drive            |
| 10               | 1010                         | Belconnen Way/Bindubi Street/Eastern Valley Way       |
| 11               | 1011                         | Ginninderra Drive/Coulter Drive                       |
| 12               | 1012                         | Ginninderra Drive/Baldwin Drive/Haydon Drive          |
| 13               | 1013                         | Macarthur Avenue/David Street/Wattle Street           |
| 14               | 1014                         | Benjamin Way/College Street                           |
| 15               | 1015                         | Barry Drive/North Road/McCaughey Street               |
| 16               | 1016                         | Ginninderra Drive/Copland Drive/John Cleland Crescent |
| 17               | 1017                         | Hindmarsh Drive/Ainsworth Street                      |
| 18               | 1018                         | Monaro Highway/Newcastle Street/Dairy Road            |
| 19               | 1019                         | Belconnen Way/Caswell Drive                           |
| 20               | 1020                         | Barry Drive/Marcus Clarke Street                      |
| 21               | 1021                         | Hindmarsh Drive/Yamba Drive                           |

## Dictionary

(see s 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- ambulance service
- chief police officer
- contravene
- exercise
- fire brigade
- rural fire service
- SES
- the Territory.

*Note 3* Terms used in this regulation have the same meaning that they have in the *Road Transport (Safety and Traffic Management) Act 1999* (see Legislation Act, s 148.) For example, the following terms are defined in the *Road Transport (Safety and Traffic Management) Act 1999*, dict:

- indicated on
- registered interest
- road related area
- speed measuring device.

***approved child restraint*** means a child restraint approved by the road transport authority under section 66 (1) (b).

***approved police speedometer***, for chapter 4 (Traffic offence detection devices)—see section 102.

***area***—see the Australian Road Rules, dictionary.

***area of operations***, for a parking authority, means the area of operations declared for the parking authority under section 75A.

***ARR*** means Australian Road Rules.

**articulated vehicle** means a motor vehicle with—

- (a) 2 rigid sections, each of which has wheels; and
- (b) the rear section pivoted on, and part of the rear section (other than a pole, drawbar or similar device, or an accessory of the motor vehicle) superimposed on, the front section.

**Australian driver licence**—see the *Road Transport (Driver Licensing) Act 1999*, dictionary.

**Australian Road Rules**—see section 5.

**axle group**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**B-double**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**bicycle**—see the Australian Road Rules, dictionary.

**built-up area**, in relation to a length of road—see the Australian Road Rules, dictionary.

**bus**—see the Australian Road Rules, dictionary.

**bus lane**—see the Australian Road Rules, rule 154.

**camera detection device**—see the Act, section 23 (1) (Use of camera detection devices).

**centre of the road**—see the Australian Road Rules, dictionary.

**clearway sign**—see the Australian Road Rules, schedule 2, rule 314, rule 315 and rule 316.

**code of practice**, for division 3.1.3 (Heavy vehicle parking)—see section 82.

**combination**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**controlled parking hours**, in relation to a pay parking space, means the periods (as indicated by information on or with traffic signs applying to the space) when a vehicle may not be parked in the space unless the relevant parking fee has been paid.

**converter dolly**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**crash**—see the Australian Road Rules, dictionary.

**digital camera detection device**, for chapter 4 (Traffic offence detection devices)—see section 102.

**dog trailer**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**do not overtake turning vehicle sign**—see the Australian Road Rules, schedule 4, rule 319 and rule 320.

**drawbar**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**driver's vehicle**, for a driver—see the Australian Road Rules, dictionary.

**emergency stopping lane**—see the Australian Road Rules, rule 95.

**emergency vehicle** means any vehicle driven by a person who is—

- (a) an emergency worker; and
- (b) driving the vehicle in the course of his or her duties as an emergency worker.

**exemption**, for division 3.1.3 (Heavy vehicle parking)—see section 82.

**existing operator's certificate**, for division 3.1.3 (Heavy vehicle parking)—see section 82.

**external driver licence**—see the *Road Transport (Driver Licensing) Act 1999*, dictionary.

**footpath**—see the Australian Road Rules, dictionary.

**give way**—see the Australian Road Rules, dictionary.

**GVM**—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

**heavy vehicle**, for division 3.1.3 (Heavy vehicle parking)—see section 82.

**hire car**—see the *Road Transport (Public Passenger Services) Act 2001*, section 67.

**implement**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**land adjoining residential land**, for division 3.1.3 (Heavy vehicle parking)—see section 82.

**laser speed measuring device**, for chapter 4 (Traffic offence detection devices)—see section 102.

**length**, of road—see the Australian Road Rules, dictionary.

**lift and tow trailer** means a trailer consisting of an axle group and a drawbar designed to support 1 axle group of a vehicle under tow.

**loading zone**—see the Australian Road Rules, rule 179.

**loading zone permit** means a loading zone permit issued under section 100.

**marked foot crossing**—see the Australian Road Rules, dictionary.

**metered parking area** means a length of road or area that is set aside as a metered parking area in accordance with section 73.

**metered parking scheme** means a metered parking scheme under division 3.1.1.

**metered parking sign** means a *permissive parking sign* with the word ‘meter’ on or with the sign.

***metered parking space*** means an area that is a metered parking space mentioned in section 75.

***mobility parking scheme authority*** means an authority issued under section 101.

***motorbike***—see the Australian Road Rules, dictionary, definition of ***motor bike***.

***motor vehicle***—see the Act, dictionary.

*Note* ***Motor vehicle*** is defined in identical terms in the Australian Road Rules, dict.

***multi-space parking meter*** means a parking meter that applies to 2 or more metered parking spaces.

***nature strip***—see the Australian Road Rules, dictionary.

***night***—see the Australian Road Rules, dictionary.

***no parking sign***—see the Australian Road Rules, schedule 2, schedule 3, rule 314, rule 315 and rule 316.

***no trucks sign***—see the Australian Road Rules, schedule 2, rule 314, rule 315 and rule 316.

***oncoming vehicle***, for a driver—see the Australian Road Rules, dictionary.

***park***, in relation to a driver, includes stop and allow the driver's vehicle to stay (whether or not the driver leaves the vehicle).

***parking authority*** means a person declared to be a parking authority under section 75A.

***parking authority guidelines***—see section 75B (1).

***parking bay***—see the Australian Road Rules, dictionary.

***parking control sign***—see the Australian Road Rules, dictionary.

***parking meter*** means a device designed to indicate, or capable of indicating, whether the fee fixed by the road transport authority for

the parking of a vehicle in a metered parking space has been paid, and includes the stand on which such a device is erected.

***parking meter hood*** means a hood or other cover designed to be fitted to a parking meter and to cover the part of the meter that would normally display a sign with the word ‘expired’ when the meter is not in operation.

***parking permit*** means a permit issued under section 100.

***parking ticket*** means a ticket issued by the road transport authority or a parking authority (by means of a parking ticket machine) for display in or on a vehicle as evidence of the prepayment of a parking fee.

***parking ticket machine*** means a device designed to issue parking tickets, and includes the stand on which such a device is erected.

***pay parking area*** means a metered parking area or ticket parking area.

***pay parking device***—see section 76 (2) (Ticket parking schemes—road transport authority).

***pay parking scheme*** means a metered parking scheme or ticket parking scheme.

***pay parking space*** means a metered parking space or ticket parking space.

***pedestrian***—see the Australian Road Rules, rule 18.

***permissive parking sign***—see the Australian Road Rules, schedule 2, schedule 3, rule 314, rule 315 and rule 316.

***person with a disability*** means a person—

- (a) who cannot walk because of permanent or temporary loss of the use of 1 or both legs or another permanent medical or physical condition; or



- (b) whose physical condition is detrimentally affected by walking 100m; or
- (c) who needs to use a walking frame, crutches, callipers, a scooter, a wheelchair or a similar mobility aid.

**piezo strip speed measuring device**, for chapter 4 (Traffic offence detection devices)—see section 102.

**police vehicle** means any vehicle driven by a person who is—

- (a) a police officer; and
- (b) driving the vehicle in the course of his or her duties as a police officer.

**postal vehicle**—see the Australian Road Rules, dictionary.

**prime mover**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**public bus**—see the *Road Transport (Public Passenger Services) Act 2001*, dictionary.

**radar speed measuring device**, for chapter 4 (Traffic offence detection devices)—see section 102.

**recording medium**, for chapter 4 (Traffic offence detection devices)—see section 107B (1).

**red traffic arrow**—see the Australian Road Rules, dictionary.

**red traffic light**—see the Australian Road Rules, dictionary.

**registered operator**—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

**relevant parking fee**, for the parking of a vehicle in a pay parking space, means the fee for parking a vehicle in the space, for the day and time when the vehicle is parked in the space, as indicated on the parking meter or ticket machine applying to the space.

**residential land**, for division 3.1.3 (Heavy vehicle parking)—see section 82.

**ride**—see the Australian Road Rules, dictionary.

**rider**—see the Australian Road Rules, rule 17.

**road**—see the Act, dictionary, and includes a road related area.

**road marking**—see the Australian Road Rules, dictionary.

**road train**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**road user**—see the Australian Road Rules, rule 14.

**security checksum**, for chapter 4 (Traffic offence detection devices)—see section 102.

**semitrailer**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**stock truck**, for division 3.1.3 (Heavy vehicle parking)—see section 82.

**stop**, for a driver, includes park, but does not include stop to reverse the driver's vehicle into a parking bay or other parking space.

**taxi**—see the *Road Transport (Public Passenger Services) Act 2001*, section 45.

**testing authority**, for chapter 4 (Traffic offence detection devices)—see section 102.

**ticket parking area** means a length of road or area that is set aside as a ticket parking area in accordance with section 77.

**ticket parking scheme** means a ticket parking scheme under division 3.1.2.

**ticket parking sign** means a *permissive parking sign* with the word 'ticket' on or with the sign.

***ticket parking space*** means an area that is a ticket parking space mentioned in section 78.

***tow truck***—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

***towing attachment*** means a device fitted to a vehicle to which the drawbar of a trailer may be attached.

***tractor***—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

***traffic control device***—see the Australian Road Rules, dictionary.

***traffic lights camera detection device***, for chapter 4 (Traffic offence detection devices)—see section 102.

***traffic-related item***—see the Australian Road Rules, dictionary.

***traffic sign***—see the Australian Road Rules, dictionary.

***traffic signals***—see the Australian Road Rules, dictionary.

***trailer***—see the Act, dict.

*Note* ***Trailer*** is defined in identical terms in the Australian Road Rules, dict.

***transit lane***—see the Australian Road Rules, rule 156.

***truck lane***—see the Australian Road Rules, rule 157.

***use*** a vehicle includes drive, park or stop the vehicle.

***vehicle***—see the Australian Road Rules, rule 15.

***wheeled recreational device***—see the Australian Road Rules, dictionary.

***wheeled toy***—see the Australian Road Rules, dictionary.

***with***, for information about the application of a traffic control device—see the Australian Road Rules, dictionary.

***WORM disk***, for chapter 4 (Traffic offence detection devices)—see section 102.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

|   |   |
|---|---|
| am = amended  | ord = ordinance   |
| amdt = amendment                                    | orig = original   |
| ch = chapter  | par = paragraph/subparagraph                                      |
| def = definition                                    | pres = present  |
| dict = dictionary                                   | prev = previous   |
| disallowed = disallowed by the Legislative Assembly | (prev...) = previously  |
| div = division                                      | pt = part   |
| exp = expires/expired                               | r = rule/subrule  |
| Gaz = gazette                                       | renum = renumbered  |
| hdg = heading                                       | reloc = relocated   |
| IA = Interpretation Act 1967                        | R[X] = Republication No   |
| ins = inserted/added                                | RI = reissue  |
| LA = Legislation Act 2001                           | s = section/subsection  |
| LR = legislation register                           | sch = schedule  |
| LRA = Legislation (Republication) Act 1996          | sdiv = subdivision  |
| mod = modified/modification                         | sub = substituted   |
| o = order   | SL = Subordinate Law  |
| om = omitted/repealed                               | <u>underlining</u> = whole or part not commenced or to be expired |

## Endnotes

3 Legislation history

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### 3 Legislation history

This regulation was originally the *Road Transport (Safety and Traffic Management) Regulations 2000*. It was renamed under the *Legislation Act 2001*.

#### **Road Transport (Safety and Traffic Management) Regulation 2000 SL 2000 No 10**

notified 29 February 2000 (Gaz 2000 No S6)  
s 1, s 2 commenced 29 February 2000 (IA 10B)  
remainder commenced 1 March 2000 (s 2 and Gaz 2000 No S5)

as amended by

#### **Legislative Assembly**

notified 18 May 2000 (Gaz 2000 No 20 p 505)  
commenced 18 May 2000 (SLA s 6 (13))

#### **Road Transport (Safety and Traffic Management) Regulations Amendment SL 2000 No 21 pt 2**

notified 18 May 2000 (Gaz 2000 No 20)  
commenced 18 May 2000 (s 1)

#### **Road Transport Legislation Regulations Amendment SL 2000 No 33 pt 2**

notified 2 August 2000 (Gaz 2000 No S41)  
commenced 2 August 2000 (s 1)

#### **Road Transport Legislation Regulations Amendment SL 2000 No 52 pt 2**

notified 14 December 2000 (Gaz 2000 No 50)  
commenced 14 December 2000 (s 1)

#### **Road Transport Legislation Amendment Act 2001 No 27 sch 4**

notified 24 May 2001 (Gaz 2001 No 21)  
s 1, s 2 commenced 24 May 2001 (IA s 10B)  
sch 4 commenced 24 May 2001 (s 2)

#### **Road Transport (Safety and Traffic Management) Amendment Act 2001 No 29 pt 3**

notified 24 May 2001 (Gaz 2001 No 21)  
commenced 24 May 2001 (s 2)

**Legislation (Consequential Amendments) Act 2001 No 44 pt 348**

notified 26 July 2001 (Gaz 2001 No 30)  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 348 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

**Statute Law Amendment Act 2001 No 56 pt 3.46**

notified 5 September 2001 (Gaz 2001 No S 65)  
s 1, s 2 commenced 5 September 2001 (IA s 10B)  
pt 3.46 commenced 12 September 2001 (amdt 3.475)

**Road Transport (Safety and Traffic Management) Regulations Amendment 2001 SL 2001 No 32**

notified 11 September 2001 (Gaz 2001 No S69)  
commenced 11 September 2001 (s 1)

**Road Transport (Public Passenger Services) Act 2001 No 62 pt 1.12**

notified 10 September 2001 (Gaz 2001 No S66)  
s 1, s 2 commenced 10 September 2001 (IA s 10B)  
pt 1.12 commenced 1 December 2001 (s 2 and CN 2001 No 2)

**Road Transport Legislation Amendment Regulations 2002 SL No 2 pt 5**

notified LR 27 February 2002  
s 1, s 2 commenced 27 February 2002 (LA s 75)  
pt 5 commenced 1 March 2002 (s 2 and see CN 2002 No 2)

**Road Transport (Safety and Traffic Management) Amendment Regulations 2002 SL No 7**

notified LR 15 April 2002  
commenced 16 April 2002 (s 2)

**Statute Law Amendment Act 2002 No 30 pt 3.73**

notified LR 16 September 2002  
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))  
pt 3.73 commenced 17 September 2002 (s 2 (1))

## Endnotes

3 Legislation history

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**Road Transport Legislation Amendment Regulations 2002 (No 2)  
SL2002-31 pt 5**

notified LR 31 October 2002  
s 1, s 2 commenced 31 October 2002 (LA s 75 (1))  
pt 5 commenced 1 November 2002 (s 2 (1))

**Criminal Code 2002 No 51 pt 1.20**

notified LR 20 December 2002  
s 1, s 2 commenced 20 December 2002 (LA s 75)  
pt 1.20 commenced 1 January 2003 (s 2 (1))

**Urban Services (Application of Criminal Code) Amendment  
Regulations 2002 SL2003-1 pt 4**

notified LR 9 January 2003  
s 1, s 2 commenced 9 January 2003 (LA s 75 (1))  
pt 4 commenced 10 January 2003 (s 2 (3) and see LA s 73 (3) (b))

**Road Transport (Safety and Traffic Management) Amendment  
Regulations 2003 (No 1) SL2003-12**

notified LR 22 May 2003  
s 1, s 2 commenced 22 May 2003 (LA s 75 (1))  
remainder commenced 1 June 2003 (s 2 and CN2003-3)

**Road Transport (Safety and Traffic Management) Amendment  
Regulations 2003 (No 2) SL2003-14**

notified LR 10 June 2003  
s 1, s 2 commenced 10 June 2003 (LA s 75 (1))  
remainder commenced 11 June 2003 (s 2)

**Dangerous Substances Act 2004 A2004-7 sch 1 pt 1.8**

notified LR 19 March 2004  
s 1, s 2 commenced 19 March 2004 (LA s 75 (1))  
sch 1 pt 1.8 commenced 5 April 2004 (s 2 and CN2004-6)

**Road Transport Legislation (Australian Road Rules) Amendment  
Regulations 2004 (No 1) SL2004-16 pt 3**

notified LR 24 May 2004  
s 1, s 2 commenced 24 May 2004 (LA s 75 (1))  
pt 3 commenced 19 July 2004 (s 2 and CN2004-10)



**Emergencies Act 2004 A2004-28 sch 3 pt 3.20**

notified LR 29 June 2004  
 s 1, s 2 commenced 29 June 2004 (LA s 75 (1))  
 sch 3 pt 3.20 commenced 1 July 2004 (s 2 (1) and CN2004-11)

**Road Transport Legislation Amendment Regulations 2004 (No 1) SL2004-47 pt 5**

notified LR 9 September 2004  
 s 1, s 2 commenced 9 September 2004 (LA s 75 (1))  
 pt 5 commenced 10 September 2004 (s 2)

**Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1) SL2005-4 sch 2 pt 2.4**

notified LR 7 March 2005  
 s 1, s 2 commenced 7 March 2005 (LA s 75 (1))  
 sch 2 pt 2.4 commenced 9 March 2005 (s 2 and see Road Transport (Public Passenger Services) (Hire Cars) Amendment Act 2004 A2004-69, s 2 and LA s 79)

**Road Transport (Safety and Traffic Management) Amendment Regulation 2005 (No 1) SL2005-7**

notified LR 8 April 2005  
 s 1, s 2 commenced 8 April 2005 (LA s 75 (1))  
 remainder commenced 9 April 2005 (s 2)

**4 Amendment history****Name of regulation**

s 1 am R18 LA

**Commencement**

s 2 om Act 2001 No 27 amdt 4.24

**Definitions—the dictionary**

s 3 hdg bracketed note exp 17 September 2002 (s 4 (3))  
 s 3 am Act 2001 No 44 amdt 1.3793

**Notes**

s 4 hdg bracketed note exp 17 September 2002 (s 4 (3))  
 s 4 am Act 2001 No 44 amdt 1.3794; Act 2002 No 30 amdt 3.769  
 (2), (3) exp 17 September 2002 (s 4 (3))

**Offences against regulation—application of Criminal Code etc**

s 4A ins SL2003-1 s 16

## Endnotes

4 Amendment history

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**Offences against regulation are strict liability offences**

s 4B ins SL2003-1 s 16

**General defence of accident or reasonable effort**

s 4C ins SL2003-1 s 16

**What are the *Australian Road Rules***

s 5 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 5 sub SL2004-16 s 25

**Incorporation of Australian Road Rules into ACT law**

s 6 hdg bracketed note exp 17 September 2002 (s 4 (3))

**General**

div 2.2.1 note 2 am 2000 No 52 s 3; 2001 No 32 s 3; 2002 No 31 s 22;  
SL2003-12 s 4; SL2004-16 regs 26-30

**References to another law of this jurisdiction etc**

s 7 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 7 am Act 2001 No 44 amdt 1.3795, amdt 1.3796

**ARR r 10 (2)—penalties for offences**

s 8 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 25 (2)—default speed-limit in built-up area**

s 8A ins SL2003-12 s 5  
om SL2004-16 s 31

**ARR r 95—emergency stopping lane only signs**

s 9 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 104—no truck signs**

s 10 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 158 (2) (c)—other vehicles permitted to travel in bus lanes**

s 12 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 12 sub 2002 No 31 s 23; SL2005-4 amdt 2.38

**ARR r 170 (1)—driver not to stop in intersection unless permitted**

s 12A ins SL2004-16 s 32

**ARR r 179 (1) (c)—stopping in a loading zone**

s 13 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 199 (2)—stopping near a postbox**

s 14 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 206 (2) (b), (c)—parking by people with disabilities permit holders**

s 15 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 207 (2) (a)—fees for parking in pay parking spaces**

s 16 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 213—non-application in ACT**

s 16A ins Legislative Assembly (see Gaz 2000 No 20)  
am SL2004-16 s 33

**ARR r 216 (3)—towing a vehicle at night or in hazardous weather conditions**

s 18 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 225—use of radar detectors**

s 22 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 236 (6)—hitchhiking, roadside commerce etc permitted**

s 22A ins SL2004-16 s 34

**ARR r 240 (2)—wheeled recreational devices and toys not to be used on certain roads**

s 23 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 248—bicycle rider may ride across marked foot crossing if authorised**

s 23A ins 2000 No 21 s 3  
om SL2004-16 s 35

**ARR r 266 (3) (b)—wearing of seatbelts by passengers under 16 years old**

s 23B ins 2001 No 32 s 4  
am 2002 No 2 s 28; Act 2002 No 51 amdt 1.38; SL2005-4  
amdt 2.39, amdt 2.40

**ARR r 266 (7)—wearing of seatbelts by passengers under 16 years old**

s 24 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 267 (3)—certificates of exemption from wearing seatbelts**

s 25 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 270 (3)—wearing motorbike helmets**

s 26 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 271 (6)—riding on motorbikes**

s 27 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 280 (2) (a)—other vehicles to which B light rules apply**

s 27A ins 2002 No 31 s 24  
sub SL2005-4 amdt 2.41

**ARR r 287 (3) (e), (4)—duties of participants in crashes**

s 28 hdg bracketed note exp 17 September 2002 (s 4 (3))

**ARR r 289 (1) (g)—driving on a nature strip**

s 29 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 29 am SL2004-16 s 36; pars renum R16 LA (see  
SL2004-16 s 37)

**ARR r 313—postal workers**

s 32 hdg bracketed note exp 17 September 2002 (s 4 (3))

## Endnotes

### 4 Amendment history

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#### **ARR dict—definitions for dictionary**

s 33 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 33 def **emergency worker** am A2004-28 amdt 3.61  
def **hire car** ins SL2005-4 amdt 2.43  
def **police officer** sub Act 2001 No 56 amdt 3.475  
def **private hire car** om SL2005-4 amdt 2.44  
def **public bus** sub Act 2001 No 62 amdt 1.38  
def **restricted hire vehicle** om SL2005-4 amdt 2.44  
def **taxi** sub 2002 No 2 s 29  
am SL2005-4 amdt 2.42

#### **Offences against the Australian Road Rules**

div 2.2.3 hdg om SL2003-1 s 17

#### **Application of Criminal Code**

s 34 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 34 sub Act 2002 No 51 amdt 1.39  
om SL2003-1 s 17

#### **Offences are strict liability offences**

s 35 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 35 am Act 2002 No 51 amdt 1.40  
om SL2003-1 s 17

#### **General defence of accident or reasonable effort**

s 36 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 36 am Act 2002 No 51 amdt 1.41  
om SL2003-1 s 17

#### **Making unnecessary engine noise**

s 37 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Emission of waste oil or grease**

s 38 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Safety of persons on trailers**

s 39 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Passengers in sidecars to be seated**

s 40 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Number of vehicles that may be drawn**

s 41 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Towing by vehicles under 4.5t**

s 42 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Lights on motor vehicles generally**

s 43 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Use of meters in metered parking areas**

s 44 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Parking in metered parking spaces**

s 45 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Temporary closure of metered parking spaces**

s 46 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Misuse of parking meters**

s 47 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Interfering with parking meters etc**

s 48 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Use of tickets in ticket parking areas**

s 49 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Parking in ticket parking spaces**

s 50 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Temporary closure of ticket parking spaces**

s 51 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 51 am 2002 No 7 s 4, s 5; regs renum R6 LA (see 2002 No 7 s 6)

**Use of false or damaged parking tickets etc**

s 52 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Misuse of ticket machines**

s 53 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Interfering with parking ticket machines etc**

s 54 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Removing parking tickets etc**

s 55 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Unauthorised use and revocation of mobility parking scheme authorities**

s 56 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 56 am Act 2002 No 30 amdt 3.770

**No stopping on a road with a red kerb**

s 57 am 2001 No 32 s 5  
exp 1 December 2002 (s 57 (2))

**Stopping public buses in bus zones and at bus stops**

s 57A hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 57A ins 2000 No 33 s 3  
am 2001 Act No 62 amdts 1.39-1.41

**Stopping in an emergency etc or to comply with another law**

s 58 hdg bracketed note exp 17 September 2002 (s 4 (3))

## Endnotes

### 4 Amendment history

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#### **Carrying dangerous substances**

- s 59 hdg bracketed note exp 17 September 2002 (s 4 (3))  
sub A2004-7 amdt 1.14  
s 59 am A2004-7 amdt 1.15, amdt 1.16

#### **Interrupting funeral processions etc**

- s 60 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Driving on roads closed to traffic**

- s 61 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Use of wheeled recreational devices and wheeled toys on roads**

- s 62 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Devices that are prescribed traffic control devices**

- s 63 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Preventing prescribed traffic control devices being clearly visible**

- s 64 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Use of *do not overtake turning vehicle sign***

- s 65 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Approvals etc by road transport authority**

- s 66 am Act 2001 No 44 amdt 1.3797, amdt 1.3798

#### **Defence of complying with direction of police officer or authorised person**

- s 68 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Exemption for driver of police vehicles**

- s 69 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Exemption for driver of emergency vehicles**

- s 70 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Stopping and parking exemption for police and emergency vehicles and authorised people**

- s 71 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 71 sub 2002 No 7 s 7

#### **Parking**

- ch 3 hdg ins 2001 No 32 s 6

#### **Metered parking schemes**

- s 72 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Metered parking areas**

- s 73 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Parking meters**

- s 74 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Metered parking spaces**

s 75 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Parking authorities**

s 75A ins 2002 No 7 s 8

**Parking authority guidelines**

s 75B hdg bracketed note exp 17 September 2002 (s 4 (3))

s 75B ins 2002 No 7 s 8

**Ticket parking schemes—road transport authority**

s 76 hdg sub 2002 No 7 s 9  
bracketed note exp 17 September 2002 (s 4 (3))

**Ticket parking schemes—parking authority**

s 76A hdg bracketed note exp 17 September 2002 (s 4 (3))

s 76A ins 2002 No 7 s 10

**Ticket parking areas**

s 77 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 77 (3), (4) exp 1 December 2006 (s 77 (4))

**Ticket parking spaces**

s 78 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Ticket machines**

s 79 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Parking tickets**

s 80 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 80 am 2002 No 7 s 11

**Duration of parking tickets**

s 81 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Definitions for div 3.1.3**

s 82 hdg bracketed note exp 17 September 2002 (s 4 (3))

**References in div to land adjoining residential land**

s 83 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Vehicle parked partly on residential land**

s 84 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Parking of certain vehicles on residential land prohibited**

s 85 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Parking of certain vehicles on land adjoining residential land prohibited**

s 86 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Parking of certain commercial vehicles on land with multi-unit developments**

s 87 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 87 am Act 2002 No 30 amdt 3.771

## Endnotes

### 4 Amendment history

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#### **Daily infringement**

s 88 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Codes of practice**

s 89 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 89 am Act 2001 No 44 amdt 1.3799, amdt 1.3800

#### **Notice of codes of practice etc**

s 90 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 90 am Act 2001 No 44 amdts 1.3801-1.3803  
def *the code of practice* om Act 2001 No 44 amdt 1.3803

#### **Application for exemption**

s 91 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Decision on application for exemption**

s 92 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Endorsement of certificates**

s 93 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Variation of conditions of exemptions**

s 94 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Additional information by applicant**

s 95 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Loss etc of existing operator's certificate**

s 96 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Cancellation of existing operator's certificate etc**

s 97 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 97 am Act 2002 No 30 amdt 3.772

#### **Other powers to provide pay parking**

s 97A hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 97A ins 2002 No 7 s 12

#### **Overlapping schemes**

s 98 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 98 am 2002 No 7 s 13

#### **Income from ticket parking scheme**

s 98A hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 98A ins 2002 No 7 s 14

#### **Costs of ticket parking scheme**

s 98B hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 98B ins 2002 No 7 s 14

#### **Trailers not separately chargeable**

s 99 hdg bracketed note exp 17 September 2002 (s 4 (3))



**Parking permits**

s 100 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Mobility parking scheme authorities**

s 101 hdg bracketed note exp 17 September 2002 (s 4 (3))

**Definitions for ch 4**

s 102 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 102 am 2000 No 33 s 4; 2000 No 52 s 4  
def **approved police speedometer** ins 2001 No 32 s 7  
def **digital camera detection device** sub 2001 No 32 s 8  
def **laser speed measuring device** sub SL2004-47 s 40  
def **radar speed measuring device** sub SL2004-47 s 41  
def **security checksum** ins 2001 No 32 s 9  
def **testing authority** am 2001 No 32 s 10; SL2004-47 s 42  
def **WORM disk** ins SL2004-47 s 43

**Approved traffic offence detection devices**

s 103 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 103 sub 2000 No 52 s 5  
am 2001 No 32 s 11

**Approval of police vehicle speedometers**

s 103A ins 2001 No 32 s 12

**Major testing of laser speed measuring devices**

s 104 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 104 am 2000 No 33 s 5  
sub 2000 No 52 s 5  
am 2001 No 32 regs 13-17  
sub SL2004-47 s 44

**Major testing of other traffic offence detection devices**

s 104A ins SL2004-47 s 44

**Certification and sealing of traffic offence detection devices**

s 104B ins SL2004-47 s 44

**Use of digital camera detection devices**

s 105 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 105 sub 2001 No 32 s 18

**Use of laser speed measuring devices**

s 105A hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 105A ins 2001 No 32 s 18

**Use of radar speed measuring devices**

s 105B hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 105B ins 2001 No 32 s 18

## Endnotes

### 4 Amendment history

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#### **Approved people—testing and sealing**

s 106 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Approved people—use**

s 107 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 107 am 2000 No 52 s 6

#### **Recording of digital camera detection device image files—Act, s 23 (2) (c) (ii)**

s 107A ins 2001 No 32 s 19

am SL2004-47 s 45

#### **Recording of traffic lights camera detection device image files—Act, s 23 (2) (c) (ii)**

s 107B ins 2001 No 32 s 19

#### **Verification of traffic lights camera detection device image files—Act, s 23 (2) (c) (iii)**

s 107C ins 2001 No 32 s 19

#### **Meaning of vehicle image codes**

s 108 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 108 sub 2000 No 33 s 6; 2000 No 52 s 7

am 2001 No 32 regs 20-22; SL2005-7 ss 4-6

#### **Additional powers of police**

s 109 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Prohibition on car minding**

s 110 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Removal of unattended vehicles from certain places**

s 111 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Disposal of impounded or forfeited vehicles**

s 112 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 112 am Act 2001 No 29 s 14

sub 2001 No 32 s 23

#### **Disposal of forfeited vehicles—Act, s 10J**

s 112A hdg bracketed note exp 17 September 2002 (s 4 (3))

s 112A ins 2001 No 32 s 23

#### **Responsible person to inspect driver licence**

s 113 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Responsible person's consent**

s 114 hdg bracketed note exp 17 September 2002 (s 4 (3))

#### **Application of Criminal Code to regulation**

s 115 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 115 sub Act 2002 No 51 amdt 1.42

om SL2003-1 s 18

**Offences against regulation are strict liability offences**

s 116 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 116 am Act 2002 No 51 amdt 1.43  
om SL2003-1 s 18

**General defence of accident or reasonable effort**

s 117 hdg bracketed note exp 17 September 2002 (s 4 (3))  
s 117 am Act 2002 No 51 amdt 1.44  
om SL2003-1 s 18

**Transitional**

ch 6 hdg exp 1 March 2002 (s 128)

**Parking**

pt 6.1 hdg exp 1 March 2002 (s 128)

**Existing Class A and Class B parking spaces**

s 118 exp 1 March 2002 (s 128)

**Existing parking labels**

s 119 exp 1 March 2002 (s 128)

**Existing disability labels**

s 120 exp 1 June 2000 (s 120)

**Existing codes of practice**

s 121 exp 1 March 2002 (s 128)

**Existing exemptions**

s 122 exp 1 March 2002 (s 128)

**Existing applications for exemptions and variation of conditions**

s 123 exp 1 March 2002 (s 128)

**Existing notices to show cause**

s 124 exp 1 March 2002 (s 128)

**Traffic offence detection devices**

pt 6.2 hdg exp 1 March 2002 (s 128)

**Existing tests and certificates**

s 125 am 2001 No 32 s 24  
exp 1 March 2002 (s 128)

**Existing approved people—use**

s 126 exp 1 March 2002 (s 128)

**Other transitional provisions**

pt 6.3 hdg exp 1 March 2002 (s 128)

**Existing medical certificate about seatbelts**

s 127 exp 1 March 2002 (s 128)

## Endnotes

### 4 Amendment history

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#### Expiry of ch 6

s 128 am Act 2001 No 27 amdt 4.25  
am Act 2001 No 44 amdt 1.3804  
exp 1 March 2002 (s 128)

#### Meaning of location codes on images

sch 1 sub 2000 No 33 s 8  
am 2000 No 52 s 8; pts renum R4 LA; SL2003-14 s 4;  
SL2005-7 s 7; items renum SL2005-7 s 8

#### Dictionary

dict am A2004-28 amdt 3.62  
def **approved police speedometer** ins 2001 No 32 s 26  
def **area of operations** ins 2002 No 7 s 15  
def **ARR** ins SL2003-12 s 6  
def **camera detection device** ins 2000 No 52 s 9  
sub 2001 No 32 s 25  
def **centre of the road** ins 2000 No 52 s 9  
def **digital camera detection device** ins 2000 No 52 s 9  
def **emergency worker** om SL2004-16 s 38  
def **give way** ins 2000 No 21 s 4  
def **hire car** ins SL2005-4 amdt 2.43  
def **indicated on** ins 2001 No 32 s 26  
om R18 LA  
def **laser speed measuring device** ins 2000 No 52 s 9  
def **length** ins 2000 No 52 s 9  
def **length of road** om 2000 No 52 s 9  
def **marked foot crossing** ins 2000 No 21 s 4  
def **motor vehicle** ins 2000 No 52 s 9  
def **parking authority** ins 2002 No 7 s 15  
def **parking authority guidelines** ins 2002 No 7 s 15  
def **parking ticket** am 2002 No 7 s 16  
def **pedestrian** ins 2000 No 21 s 4  
def **piezo strip speed measuring device** ins 2000 No 52 s 9  
def **postal vehicle** am SL2004-16 s 39  
def **private hire car** om SL2005-4 amdt 2.44  
def **public bus** sub Act 2001 No 62 amdt 1.42  
def **radar speed measuring device** ins 2000 No 52 s 9  
def **recording medium** ins 2001 No 32 s 26  
def **red traffic arrow** ins 2000 No 52 s 9  
def **red traffic light** ins 2000 No 52 s 9  
def **registered interest** om R18 LA  
def **restricted hire vehicle** om SL2005-4 amdt 2.44  
def **restricted taxi** om 2002 No 2 s 30  
def **ride** ins 2000 No 21 s 4  
def **rider** ins 2000 No 21 s 4  
def **road** sub Act 2002 No 30 amdt 3.773

def **road related area** ins Act 2002 No 30 amdt 3.774  
om R18 LA  
def **security checksum** ins 2001 No 32 s 26  
def **speed measuring device** ins 2000 No 52 s 9  
om R18 LA  
def **taxi** sub 2002 No 2 s 31  
def **testing authority** ins 2000 No 52 s 9  
def **the Act** om Act 2001 No 44 amdt 1.3805  
def **traffic lights camera detection** ins 2000 No 52 s 9  
def **trailer** ins 2000 No 52 s 9  
def **vehicle** ins 2000 No 52 s 9  
def **WORM disk** ins 2001 No 32 s 26  
sub SL2004-47 s 46

## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

| Republication No | Amendments to  | Republication date |
|------------------|----------------|--------------------|
| 1                | not amended    | 1 March 2000       |
| 2                | Act 2001 No 56 | 12 September 2001  |
| 3                | Act 2001 No 62 | 3 December 2001    |
| 4                | SL 2002 No 2   | 1 March 2002       |
| 5*               | SL 2002 No 2   | 2 March 2002       |
| 6                | SL 2002 No 7   | 16 April 2002      |
| 7                | Act 2002 No 30 | 10 October 2002    |
| 8                | SL2002-31      | 1 November 2002    |
| 9                | SL2002-31      | 2 December 2002    |
| 10               | Act 2002 No 51 | 1 January 2003     |
| 11               | SL2003-1       | 10 January 2003    |

## Endnotes

5 Earlier republications

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| <b>Republication No</b> | <b>Amendments to</b> | <b>Republication date</b> |
|-------------------------|----------------------|---------------------------|
| 12*                     | SL2003-12            | 1 June 2003               |
| 13                      | SL2003-14            | 11 June 2003              |
| 14                      | A2004-7              | 5 April 2004              |
| 15                      | A2004-28             | 1 July 2004               |
| 16                      | A2004-28             | 19 July 2004              |
| 17                      | SL2004-47            | 10 September 2004         |
| 18                      | SL2004-47            | 2 November 2004           |
| 19                      | SL2005-4             | 9 March 2005              |

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