



Australian Capital Territory

# Road Transport (Safety and Traffic Management) Regulation 2017

SL2017-45

made under the

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

**Republication No 2**

**Effective: 24 May 2018 – 30 June 2018**

Republication date: 24 May 2018

Last amendment made by [A2018-19](#)

## About this republication

### The republished law

This is a republication of the *Road Transport (Safety and Traffic Management) Regulation 2017*, 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 24 May 2018. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 24 May 2018.

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 includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### 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 the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *Road Transport (Safety and Traffic Management) Regulation 2017*.

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition '*ticket parking sign*—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.' means that the term 'ticket parking sign' 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 regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

### 4 Notes

A note included 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.

## 5 Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

*Note 1* *Criminal Code*

The [Criminal Code](#), ch 2 applies to all offences 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.

## 6 Offences against regulation—defence

It is a defence to an offence against this regulation 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.

*Note* The defendant has a legal burden in relation to the matters mentioned in this section (see [Criminal Code](#), s 59).

## 7 Meaning of road

In this regulation:

*road* includes a road related area.

*Note 1* *Road*—see the [Act](#), dictionary.

*Note 2* A definition applies except so far as the contrary intention appears (see [Legislation Act](#), s 155).

## Part 2 Speeding and other dangerous driving

### 8 Disposal of impounded vehicles—Act, s 10K

- (1) This section applies to a vehicle impounded under any of 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 the notice is served.
- (3) The vehicle may be offered for sale, by public auction or public tender, if the vehicle is not removed within 28 days after the notice is served 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 12 months 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.

***registered interest***, in relation to a motor vehicle—see the [Act](#), section 8A (5).

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

- (7) An interest mentioned in subsection (6), definition of ***balance of the proceeds of sale*** paragraph (a) or (b), is a statutory interest of a kind to which the *Personal Property Securities Act 2009* (Cwlth), section 73 (2) (Priority between security interests and declared statutory interests) applies.

## **9 Disposal of forfeited vehicles—Act, s 10K (1)**

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.

## Part 3                            Unsafe loads

### 10            Standards for safe carriage of loads—Act, s 14 (2)

- (1) The prescribed standards are the performance standards in the load restraint guide.
- (2) The [Legislation Act](#), section 47 (5) does not apply in relation to the load restraint guide.
- (3) In this section:

*load restraint guide* means the *Load Restraint Guide—Guidelines and Performance Standards for the Safe Carriage of Loads on Road Vehicles*, 2nd ed (2004), published by the National Transport Commission.

*Note*    The load restraint guide does not need to be notified under the [Legislation Act](#) because s 47 (5) does not apply (see [Legislation Act](#), s 47 (7)). The load restraint guide is accessible at [www.ntc.gov.au](http://www.ntc.gov.au).

## Part 4 Traffic control devices

### 11 Prescribed traffic control devices—Act, dict, def *prescribed traffic control device*

- (1) The following things are prescribed traffic control devices:
  - (a) any traffic control device that has effect for the *Road Transport (Road Rules) Regulation 2017* under that regulation, section 315 (Legal effect of traffic control device);
  - (b) any traffic-related item that has effect for the *Road Transport (Road Rules) Regulation 2017* under that regulation, section 319 (Legal effect of traffic-related item);
  - (c) any parking meter, parking ticket machine, metered parking sign, ticket parking sign and parking meter hood;
  - (d) any device, plate, screen, words or anything else on or with anything mentioned in paragraph (a), (b) or (c).

*Note* Other things are also prescribed traffic control devices (see *Act*, dict, def *prescribed traffic control device*).

- (2) In this section:

***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.

***traffic control device***—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

***traffic-related item***—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

## Part 5 Traffic offence detection devices

### 12 Definitions—pt 5

In this part:

***approved police speedometer*** means a speedometer approved under section 14 (Approval of police vehicle speedometers).

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

- (a) Gatsometer Digital Radar Camera System (DRCS) that includes, as a component, a radar speed measuring device; or
- (b) LaserCam 2000 that includes, as a component, a laser speed measuring device; or
- (c) LaserCam NT that includes, as a component, a laser speed measuring device; or
- (d) VITRONIC PoliScan SPEED M1 HP that includes, as a component, a laser speed measuring device; or
- (e) VITRONIC PoliScan FM1 that includes, as a component, a laser speed measuring device.

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

- (a) Centaur 2000 that includes, as a component, a piezo strip speed measuring device; or
- (b) Gatsometer Digital Radar Camera System (DRCS) that includes, as a component, a radar speed measuring device; or
- (c) Gatsometer Traffic Camera-Digital (GTC-D) that includes, as a component, a loop detector speed measuring device; or



- (d) Gatsometer Traffic Camera (GTC-GS11) that includes, as a component, a loop detector speed measuring device; or
- (e) Gatsometer Traffic Camera (T-series) (GT20) that includes, as a component, a radar speed measuring device or a loop detector measuring device; or
- (f) Gatsometer Multi Camera System (MCS) that includes, as a component, a loop detector speed measuring device.

**intersection**—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

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

- (a) Laser Technology Inc. LTI 20-20 UltraLyte (or Laser Technology Inc. LTI 20/20 UltraLyte); or
- (b) Laser Technology Inc. LTI 20-20 UltraLyte LR (or Laser Technology Inc. LTI 20/20 UltraLyte LR); or
- (c) Laser Technology Inc. LTI 20-20 UltraLyte Compact (or Laser Technology Inc. LTI 20/20 UltraLyte Compact); or
- (d) Laser Technology Inc. LTI 20-20 SE (or Laser Technology Inc. LTI 20/20 SE); or
- (e) Laser Technology Inc. LTI 20-20 TruSpeed (or Laser Technology Inc. LTI 20/20 TruSpeed); or
- (f) VITRONIC PoliScan SPEED M1 HP; or
- (g) VITRONIC PoliScan FM1.

**loop detector speed measuring device** means a speed measuring device known as the Gatsometer Loop Detector (GLD4-2S).

**operator** means a person approved to use a traffic offence detection device under section 25 (Approved people—use—Act s 24 (1)).

*piezo strip speed measuring device* means a speed measuring device known as Truvelo M4 MPC.

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

- (a) Gatsometer RT3 tracking radar; or
- (b) Gatsometer RT4 tracking radar; or
- (c) Gatsometer Radar 24; or
- (d) Kustom Signals, Inc. Silver Eagle; or
- (e) Kustom Signals, Inc. Silver Eagle II; or
- (f) Kustom Signals, Inc. Raptor RP-1.

*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.

**13 Approved traffic offence detection devices—Act, dict**

- (1) For the [Act](#), dictionary, definition of *approved camera detection device*, each digital camera detection device and fixed camera detection device is approved.
- (2) For the [Act](#), dictionary, definition of *approved speed measuring device*, each of the following is approved:
  - (a) approved police speedometers;
  - (b) laser speed measuring devices;
  - (c) loop detector speed measuring devices;
  - (d) piezo strip speed measuring devices;
  - (e) radar speed measuring devices.

- (3) For the [Act](#), dictionary, definition of *approved average speed detection system*, the P482 dual-camera automatic number plate recognition system manufactured by PIPS Technology Ltd, that is used with SpeedPoints matching software, is approved.

#### 14 **Approval of police vehicle speedometers**

- (1) For section 12, definition of *approved police speedometer*, the chief police officer may 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](#).

#### 15 **Average speed detection systems—Act, s 22AA and s 23B**

- (1) For the [Act](#), section 22AA, definition of *average speed limit*, the average speed limit for the road between 2 detection points mentioned in an item in schedule 1, column 2 is the speed mentioned in column 6 for the item.
- (2) For the [Act](#), section 22AA, definition of *detection point*, the points mentioned in schedule 1, column 2 are prescribed.
- (3) For the [Act](#), section 22AA, definition of *shortest practicable distance*, the distance mentioned in an item in schedule 1, column 3 is the shortest practicable distance between the 2 detection points mentioned in column 2 for the item.
- (4) For the [Act](#), section 23B (a) (Average speed detection systems—shortest practicable route and minimum travel time), definition of *shortest practicable route*, the route mentioned in an item in schedule 1, column 4 is the route used to work out the shortest practicable distance mentioned in column 3 for the item.

- (5) For the [Act](#), section 23B (b), the minimum time that a vehicle's driver could take to drive the vehicle on the route mentioned in an item in schedule 1, column 4 is the time mentioned in column 5 for the item.
- (6) In this section:
- ACT Standard Grid Coordinates*—see the [Surveyors \(Surveyor-General\) Practice Directions 2013 \(No 1\)](#) (DI2013-217), direction 5 (Definitions).

*AHD*—see the [Surveyors \(Surveyor-General\) Practice Directions 2013 \(No 1\)](#) (DI2013-217), direction 5 (Definitions).

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

- (1) An electronic file created by a camera detection device must be recorded on a storage medium for electronic data (the *recording medium*).
- (2) The recording medium for a 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—par (b)**

If a motor vehicle goes through a red traffic light and an image of the vehicle is taken by a fixed camera detection device, the electronic file created by the device in relation to the offence is sent along a wire or optical fibre, or across a wireless network, 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 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.

**17 Verification of 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 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.

**18 Major testing of laser speed measuring devices—  
Act, s 24 (1)**

- (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 24 (Approved people—testing and sealing—Act, s 24 (1)); and
  - (b) in accordance with Australian Standard AS 4691.1-2003, as in force from time to time.

*Note* AS 4691.1-2003 does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply (see s (3) and [Legislation Act](#), s 47 (7)). The standard may be purchased at [www.standards.org.au](http://www.standards.org.au).
- (3) The [Legislation Act](#), section 47 (6) does not apply in relation to AS 4691.1-2003 under 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.

**19 Major testing of other traffic offence detection devices—  
Act, s 24 (1)**

- (1) The following devices must be tested in accordance with this section:
  - (a) a radar speed measuring device that is not a component of a fixed camera detection device or a digital camera detection device;
  - (b) a radar speed measuring device component of a fixed camera detection device or a digital camera detection device;
  - (c) an approved police speedometer;
  - (d) the loop detector speed measuring device component of a fixed camera detection device;
  - (e) the piezo strip speed measuring device component of a fixed camera detection device;
  - (f) an approved average speed detection system.
- (2) The devices mentioned in subsection (1) must be tested at least once every 12 months.
- (3) The test must be carried out by a person approved under section 24 (Approved people—testing and sealing—Act, s 24 (1)).
- (4) The test of a radar speed measuring device that is not a component of a fixed camera detection device, or a digital camera detection device, must show whether the device is operating in accordance with Australian Standard AS 2898.1-2, as in force from time to time.

*Note* AS 2898.1-2 does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply (see s (5) and [Legislation Act](#), s 47 (7)). The standard may be purchased at [www.standards.org.au](http://www.standards.org.au).
- (5) The [Legislation Act](#), section 47 (6) does not apply in relation to AS 2898.1-2 under subsection (4).

- (6) The test of the radar speed measuring device component of a fixed camera detection device, or a digital camera detection device, must show whether the device—
  - (a) is operating in accordance with the manufacturer's specifications; and
  - (b) for speeds of 100km/h and under—is accurate within a tolerance of 2km/h; and
  - (c) for speeds over 100km/h—is accurate within a tolerance of 2%.
- (7) The test of an approved police speedometer must show whether the device is accurate within a tolerance of 2km/h.
- (8) The test of the loop detector speed measuring device component of a fixed camera detection device must show whether the speed measuring device—
  - (a) for speeds of 100km/h and under—is accurate within a tolerance of 2km/h; and
  - (b) for speeds over 100km/h—is accurate within a tolerance of 2%.
- (9) The test of the piezo strip speed measuring device component of a fixed camera detection device must show whether the speed measuring device—
  - (a) is operating in accordance with the manufacturer's specifications; and
  - (b) is accurate within a tolerance of 2km/h.



- (10) The test of an approved average speed detection system that takes images of vehicles at 2 detection points must show whether the device—
- (a) is operating in accordance with the manufacturer's specifications; and
  - (b) for the measurement of the time that elapses between vehicles passing the first and second detection points—is accurate within a tolerance of 2%.

**20 Certification and sealing of traffic offence detection devices—Act, s 24 (1)**

- (1) This section applies if a test of a traffic offence detection device under section 18 (Major testing of laser speed measuring devices—Act, s 24 (1)) or section 19 establishes—
- (a) a matter mentioned in section 19 (4) or (7) in relation to the device; or
  - (b) the matters mentioned in section 18 (4) or section 19 (9) 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.

**21 Use of certain digital camera detection devices—Act, s 24 (1)**

- (1) This section applies to the operation of a digital camera detection device that is located in a vehicle that can be moved from place to place to detect traffic offences.

- (2) The operator of a digital camera detection device that includes as a component a radar speed measuring device must ensure that the following operations are done in accordance with the manufacturer's instructions for the device:
  - (a) aligning the vehicle in which the device is located with the road;
  - (b) activating the device;
  - (c) operating the device.
- (3) The operator of a digital camera detection device that includes as a component a laser speed measuring device must ensure that the following operations are done in accordance with the manufacturer's instructions for the device:
  - (a) testing the laser speed measuring component of the device at the beginning and end 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.
- (4) However, subsection (3) (a) (ii) and (iii) do not apply in relation to the operation of—
  - (a) a VITRONIC PoliScan SPEED M1 HP device; or
  - (b) a VITRONIC PoliScan FM1 device.

- (5) To remove any doubt, if a device mentioned in subsection (3) 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 (3) (a) each time the device is activated at a different place.
- (6) If the requirements set out in this section are met, the device may operate unattended.
- (7) If a device is used by 2 or more operators, who are working together during a shift, the requirements set out in this section may be carried out by different operators.

**22 Use of certain laser speed measuring devices—  
Act, s 24 (1)**

- (1) This section applies to a laser speed measuring device, other than a device mentioned in section 21.
- (2) The operator of the laser speed measuring device must ensure that the following operations are done in accordance with the manufacturer's instructions for the device:
  - (a) testing the device at the beginning and end 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.
- (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 (2) (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 (2) (a) may be carried out by different operators.

**23 Use of certain radar speed measuring devices—  
Act, s 24 (1)**

- (1) This section applies to a radar speed measuring device, other than a device that is a component of—
- (a) a digital camera detection device; or
  - (b) a fixed camera detection device.
- (2) The radar speed measuring device must be used by an operator in accordance with the manufacturer's instructions for the device.
- (3) 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).
- (4) After each test, the device must be found to be accurate within a tolerance of 2km/h.
- (5) 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 (3) (a) each time the device is activated at a different place.
- (6) If the device is used by 2 or more operators who are working together during the shift, the tests mentioned in subsection (3) may be carried out by different operators.

**24 Approved people—testing and sealing—Act, s 24 (1)**

- (1) 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.
- (2) The chief police officer may approve, in writing, an entity for subsection (3), definition of *testing authority*, paragraph (e).
- (3) In this section:

*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 traffic offence detection devices; or
- (d) Technical Services, Australian Federal Police, Canberra; or
- (e) for an approved police speedometer—an entity approved under subsection (2) to test approved police speedometers.

**25 Approved people—use—Act, s 24 (1)**

- (1) Each police officer is approved to use any traffic offence detection device (other than a fixed camera detection device).
- (2) The road transport authority may approve a person who is not a police officer to use a digital camera detection device.
- (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, the digital camera detection device.

**26 Meaning of codes etc on image taken by approved camera detection device or approved average speed detection system—Act, s 24 (2) (a)**

- (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 or approved average speed detection system.
- (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 radar speed measuring device component of the digital camera detection device, or fixed camera detection device, that took the image; or
  - (c) the piezo strip speed measuring device component of the fixed camera detection device that took the image; or
  - (d) the loop detector speed measuring device component of the fixed camera detection device that took the image; or
  - (e) the automatic number plate recognition camera component of the average speed detection system that took the image.

**Example**

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

*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).

- (4) 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.

- (5) 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.

- (6) 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 fixed 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—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—par (b)**

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

- (7) 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:
- (a) ‘L1’ or ‘1’: means the lane next to the centre of the road;
  - (b) ‘L2’ or ‘2’: means the lane immediately to the left of L1 (or 1);
  - (c) ‘L3’ or ‘3’: means the lane immediately to the left of L2 (or 2);
  - (d) ‘L4’ or ‘4’: means the lane immediately to the left of L3 (or 3).

**Example**

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

- (8) The number in the field immediately after ‘Red time’ is the time in seconds and part seconds 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.

- (9) The number in the field immediately after ‘Speed li’, which may be described as ‘Speed limit’, 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’ or ‘Speed limit 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 60km/h.



- (10) 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 82km/h when the image was taken.

- (11) 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.

- (12) 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 device used to record the image was WD0022.

- (13) In this section:

*centre of the road*—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

*left*, in relation to something—see the *Road Transport (Road Rules) Regulation 2017*, section 351.

*red traffic arrow*—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

*red traffic light*—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

## Part 6 Traffic management

### 27 Removal of unattended vehicles—Act, s 32 (1) (c)

- (1) 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 tram lane, a tramway or on tram tracks; or
  - (d) a transit lane.
- (2) In this section:

*bus lane*—see the *Road Transport (Road Rules) Regulation 2017*, section 154.

*clearway sign*—see *Road Transport (Road Rules) Regulation 2017*, section 176 and schedule 2.

*tram lane*—see the *Road Transport (Road Rules) Regulation 2017*, section 155.

*tram tracks*—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

*tramway*—see the *Road Transport (Road Rules) Regulation 2017*, section 155A.

*transit lane*—see the *Road Transport (Road Rules) Regulation 2017*, section 156.

## **Part 7**                      **Parking**

### **Division 7.1**              **Metered parking schemes**

#### **28**                      **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.

#### **29**                      **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 metered parking signs.

#### **30**                      **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, whether the relevant parking fee for the parking of a vehicle in the metered parking space or spaces to which it applies has been paid.
- (4) A multi-space parking meter must also identify each metered parking space by its number.

**31            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.

**32            Additional police powers—removing cars from metered parking areas**

- (1) 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 metered parking area to remove the vehicle or, if no-one appears to be in charge of the vehicle, remove the vehicle.

- (2) In this section:

*obstruction*—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

**Division 7.2            Ticket parking schemes**

**33            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 declare the person to be a parking authority for a stated area (the *area of operations*).
- (3) The declaration is a disallowable instrument.

*Note*      A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

### **34 Parking authority guidelines**

- (1) The road transport authority must establish guidelines (the *parking authority guidelines*) for section 37 (Ticket parking schemes—parking authorities).
- (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.

### **35 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 may—
  - (a) set aside a length of road or area as a ticket parking area; and
  - (b) adopt the ways of, and schemes for, payment of the fees the authority considers appropriate; and
  - (c) install parking meters and parking ticket machines.

### **36 Approval of e-payment method**

- (1) The road transport authority may approve an e-payment method (an *approved e-payment method*) for the driver of a vehicle to pay for the use of a parking space in a ticket parking area.

- (2) The road transport authority may not approve an e-payment method unless satisfied that the system supporting the method is capable of—
- (a) giving the road transport authority contemporary information about fees paid for parking spaces in ticket parking areas; and
  - (b) keeping a record of each transaction; and
  - (c) giving a person using the method an electronic receipt for the transaction.
- (3) An approval is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

- (4) In this section:

***e-payment method*** means a method for payment using an electronic device.

### **37 Ticket parking schemes—parking authorities**

- (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 parking meters and parking ticket machines.

**38 Ticket parking areas**

- (1) A ticket parking area must be designated by ticket parking 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.

**39 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.

**40 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.

**41 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) for a parking ticket other than an RTA periodic ticket—the expiry time (expressed in hours and minutes);
  - (c) the name of the authority issuing the ticket;
  - (d) an indication of the ticket parking area where or for which the ticket is issued;
  - (e) the fee paid for the issue of the ticket or, for an RTA periodic ticket (except a ticket issued at a concessional price), the daily value of the ticket;
  - (f) a serial number;

(g) instructions for use of the ticket.

**Examples—par (d)**

- 1 a code for the ticket parking area where the ticket is issued
- 2 the number of the parking ticket machine which issued the ticket
- 3 for an RTA periodic ticket—the daily value of the ticket or the area where the ticket may be used

*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).

(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.

(3) In this section:

***RTA periodic ticket***, for a ticket parking area, means a ticket issued by the road transport authority that is valid for parking in the area for a stated period of not less than 1 week.

## **42 Duration of parking tickets and e-payment parking period**

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

(2) An e-payment parking period begins when the parking period is initiated by a device in accordance with an approved e-payment method and ends when the period for which payment is made in accordance with the approved e-payment method ends.

## **43 Income from ticket parking scheme—parking authority**

(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.



**44 Costs of ticket parking scheme**

The costs of administering a ticket parking scheme operated by a parking authority under section 37 (Ticket parking schemes—parking authorities) are to be borne by the parking authority.

**45 Additional police powers—removing cars from ticket parking areas**

- (1) 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 ticket parking area to remove the vehicle or, if no-one appears to be in charge of the vehicle, remove the vehicle.

- (2) In this section:

*obstruction*—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

**Division 7.3 Heavy vehicle parking in residential areas**

**Subdivision 7.3.1 Heavy vehicle parking in residential areas—generally**

**46 Definitions—div 7.3**

In this division:

*heavy vehicle*—

- (a) means a vehicle (whether loaded or unloaded) that—
  - (i) is longer than 7.5m; and
  - (ii) has a GVM over 4.5t; and

- (iii) is used for commercial purposes; but
- (b) does not include a light rail vehicle.

**residential land** means land leased for residential purposes.

#### **47            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.

#### **48            Parking 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) An offence against this section is a strict liability offence.
- (4) In this section:

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

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

**49 No more than 1 heavy vehicle on residential land**

- (1) A person commits an offence if the person—
- (a) parks 2 or more heavy vehicles on residential land; or
  - (b) parks a heavy vehicle on residential land and there is already another heavy vehicle parked on the land.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply if—

- (a) only 2 heavy vehicles are parked on the residential land; and
- (b) 1 vehicle is plant that is parked on the other vehicle; and
- (c) no part of either vehicle is higher than 3.6m from the ground.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

- (4) In this section:

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

***plant*** means a motor vehicle that consists solely of—

- (a) a machine or implement that cannot carry a load, other than tools and accessories usually carried in or on the vehicle; or
- (b) a crane, forklift truck or bobcat; or
- (c) a bobcat and excavation equipment.

**50 Heavy vehicles to be parked away from residential land boundaries**

- (1) A person commits an offence if—
- (a) the person parks a heavy vehicle on residential land; and
  - (b) any part of the vehicle when parked is—
    - (i) in front of the setback line of the front boundary of the land; or
    - (ii) less than 1.5m from any other boundary.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) In this section:  
*setback*, in relation to land—see the [territory plan](#), part 13 (Definitions).

**51 Parking 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) An offence against this section is a strict liability offence.

- (4) Subsection (2) does not apply to the vehicle or combination if the land where it is parked is residential land or land leased for commercial purposes.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

- (5) In this section:

*land adjoining residential land* includes land that would, apart from an intervening road, adjoin that land.

*road* does not include a road related area.

## **52 Parking certain commercial vehicles on land with multi-unit housing**

- (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 multi-unit housing.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) For this section, residential land has multi-unit housing if the land has more than 1 dwelling on it.
- (5) In this section:

*dwelling*—see the [Planning and Development Regulation 2008](#), section 5.

**53                    No offence if reasonable necessity etc**

An offence against section 48, section 49, section 50, section 51 or section 52 does not apply to a person if—

- (a) either of the following applies:
  - (i) it was reasonably necessary to park the vehicle on the land to avoid contravening the Act or another territory law;
  - (ii) the vehicle was parked on the land to deliver or collect goods or passengers, or to provide services; and
- (b) the vehicle was on the land no longer than was reasonable.

*Note*            The defendant has an evidential burden in relation to the matters mentioned in this section (see [Criminal Code](#), s 58).

**54                    Heavy vehicle refrigeration units not to be operated on residential land**

- (1) A person commits an offence if—
  - (a) the person parks a heavy vehicle that has a refrigeration unit on residential land; and
  - (b) the refrigeration unit is running at any time while the vehicle is parked on the land.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

**55                    Prohibition on night operation of heavy vehicle**

- (1) A person, other than an existing operator, commits an offence if the person operates a heavy vehicle parked on residential land at any time between 10 pm and 6 am.

Maximum penalty: 20 penalty units.

- (2) An existing operator commits an offence if the operator operates a heavy vehicle parked on residential land at any time between midnight and 5.30 am.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) In this section:

*existing operator* means the holder of an existing operator's certificate issued under the *Motor Traffic Act 1936*, section 150R (Issue of existing operator's certificate) that is still in force.

## **56 Daily infringement**

A person who contravenes any of the following sections commits a separate offence for each day during any part of which the contravention continues:

- (a) section 48 (Parking certain vehicles on residential land prohibited);
- (b) section 49 (No more than 1 heavy vehicle on residential land);
- (c) section 50 (Heavy vehicles to be parked away from residential land boundaries);
- (d) section 51 (Parking certain vehicles on land adjoining residential land prohibited);
- (e) section 52 (Parking certain commercial vehicles on land with multi-unit housing);
- (f) section 54 (Heavy vehicle refrigeration units not to be operated on residential land).

### **Subdivision 7.3.2      Heavy vehicle parking in residential areas—enforcement**

#### **57                    Meaning of *occupier*—subdiv 7.3.2**

In this subdivision:

*occupier*, of premises, includes—

- (a) a person believed on reasonable grounds to be an occupier of the premises; and
- (b) a person apparently in charge of the premises.

#### **58                    Power to enter premises**

- (1) For this division, an authorised person may enter premises—
  - (a) with the occupier’s consent; or
  - (b) if the authorised person believes on reasonable grounds that—
    - (i) a heavy vehicle is parked on the premises in contravention of this division; and
    - (ii) it is necessary to enter the premises to inspect, take measurements, or record identification particulars about the vehicle.
- (2) An authorised person may, without the consent of the occupier of premises, enter land around the premises to ask for consent to enter the premises.
- (3) An authorised person may enter premises under this section—
  - (a) for a contravention of section 54 (Heavy vehicle refrigeration units not to be operated on residential land) or section 55 (Prohibition on night operation of heavy vehicle)—at any time; and
  - (b) in any other case—between 8 am and 8 pm.



**59 Production of identity card**

An authorised person must not remain at premises entered under this division if the authorised person does not produce their identity card when asked by the occupier.

**60 Consent to entry**

- (1) When seeking the consent of an occupier of premises to enter premises under section 58 (1) (a) (Power to enter premises), an authorised person must—
  - (a) produce the person’s identity card; and
  - (b) tell the occupier—
    - (i) the purpose of the entry; and
    - (ii) that consent may be refused.
- (2) If the occupier consents, the authorised person must ask the occupier to sign a written acknowledgment (an *acknowledgment of consent*)—
  - (a) that the occupier was told—
    - (i) the purpose of the entry; and
    - (ii) that consent may be refused; and
  - (b) that the occupier consented to the entry; and
  - (c) stating the time and date when consent was given.
- (3) If the occupier signs an acknowledgment of consent, the authorised person must immediately give a copy to the occupier.

- (4) A court must find that the occupier did not consent to entry to the premises by the authorised person under this division if—
- (a) the question arises in a proceeding in the court whether the occupier consented to the entry; and
  - (b) an acknowledgment of consent is not produced in evidence; and
  - (c) it is not proved that the occupier consented to the entry.

**61 General powers on entry to premises**

- (1) An authorised person who enters premises under this division may do 1 or more of the following in relation to a heavy vehicle on the premises:
- (a) inspect the vehicle (including for its identification particulars);
  - (b) take measurements;
  - (c) take photographs, films, or audio, video or other recordings;
  - (d) require the occupier, or anyone at the premises to—
    - (i) give the authorised person information; or
    - (ii) produce documents to the authorised person; or
    - (iii) give the authorised person reasonable help to exercise a power under this division.
- (2) A person must take all reasonable steps to comply with a requirement made of the person under subsection (1) (d).  
Maximum penalty: 20 penalty units.
- (3) An offence against this section is a strict liability offence.

**62 Damage etc to be minimised**

- (1) In the exercise, or purported exercise, of a function under this division, an authorised person must take all reasonable steps to ensure that the authorised person, and any person assisting the authorised person, causes as little inconvenience, detriment and damage as practicable.
- (2) If an authorised person, or a person assisting an authorised person, damages anything in the exercise or purported exercise of a function under this division, the authorised person must give written notice of the particulars of the damage to the person the authorised person believes on reasonable grounds is the owner of the thing.
- (3) If the damage happens at premises entered under this division in the absence of the occupier, the notice may be given by leaving it, secured conspicuously, at the premises.

**63 Compensation for exercise of enforcement powers**

- (1) A person may claim compensation from the Territory if the person suffers loss or expense because of the exercise, or purported exercise, of a function under this division by an authorised person or a person assisting an authorised person.
- (2) Compensation may be claimed and ordered in a proceeding for—
  - (a) compensation brought in a court of competent jurisdiction; or
  - (b) an offence against this regulation brought against the person making the claim for compensation.
- (3) A court may order the payment of reasonable compensation for the loss or expense only if satisfied that it is just to make the order in the circumstances of the particular case.
- (4) A regulation may prescribe matters that may, must or must not be taken into account by the court in considering whether it is just to make the order.

## Division 7.4                    Parking permits and mobility parking scheme authorities

### 64                    Parking permits

- (1) The road transport authority may issue a permit (a *parking permit*) of a kind mentioned in subsection (2) authorising the parking of a vehicle, without charge, on a length of road or in an area designated by a permit zone sign for use by holders of that kind of parking permit.
- (2) The parking 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) The parking permit may be issued subject to conditions.
- (4) The parking permit—
  - (a) must state when it expires; and
  - (b) may state anything else that the road transport authority considers appropriate.

**Examples—par (b)**

- 1 the length of road or area to which the permit applies
- 2 any conditions to which the permit is subject

- 3 the maximum period which a vehicle may be parked in a designated area under the permit
- 4 the name or address of the person to whom it is issued

*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).

- (5) The holder of a permit may surrender the permit by returning it to the road transport authority.
- (6) A declaration under subsection (2) (g) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **65 Mobility parking scheme authorities**

- (1) The road transport authority may issue a mobility parking scheme authority for use by—
  - (a) a person with disability; or
  - (b) an entity for the transport of people with disabilities.
- (2) A mobility parking scheme authority may be issued subject to conditions.
- (3) A mobility parking scheme authority—
  - (a) must include a people with disabilities symbol; and
  - (b) must state when it expires; and
  - (c) may state anything else that the road transport authority considers appropriate.
- (4) In this section:

*people with disabilities symbol*—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

*person with 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.

*scooter*—see the *Road Transport (Road Rules) Regulation 2017*, section 244A.

*wheelchair*—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

**66                    Parking permits and mobility parking scheme authorities—cancellation**

- (1) This section applies if the road transport authority proposes to cancel (the *proposed action*) a parking permit or mobility parking scheme authority.
- (2) The road transport authority must give the person to whom the parking permit or mobility parking scheme authority was issued a written notice stating—
  - (a) the proposed action; and
  - (b) an explanation for the proposed action; and
  - (c) that the person may, within 14 days after the day the person receives the notice, give a written response to the authority about the notice.
- (3) In deciding whether to take the proposed action, the road transport authority must consider any response given to the authority in accordance with the notice.

- (4) The road transport authority must give the person written notice of the authority's decision.
- (5) If the road transport authority decides to take the proposed action, the authority's decision takes effect the day after the day when notice of the decision is given to the person or, if the notice states a later date of effect, that date.

**67 Parking permits and mobility parking scheme authorities—return when cancelled**

- (1) If a parking permit or mobility parking scheme authority is cancelled under section 66, the person to whom the parking permit or mobility parking scheme authority was issued must return the permit or authority to the road transport authority as soon as practicable but not later than 21 days after the date of effect of the cancellation of the permit or authority.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

**Division 7.5 Other parking provisions**

**68 Marking tyres by parking inspectors—Act, s 43**

A police officer or authorised person may mark the tyres on a vehicle using crayon, chalk or a similar substance as far as is reasonably necessary for the purpose of enforcing a provision of an Act relating to the regulation or prohibition of the parking of vehicles.

**69 Trailers not separately chargeable**

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

**70            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 the person’s 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) An offence against this section is a strict liability offence.
- (4) This section does not authorise the chief police officer to prohibit the proprietor of a parking station or parking area from—
- (a) parking, minding, caring for, or taking charge of a motor vehicle or trailer in or on the parking station or parking area; or
  - (b) 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.

- (5) In this section:

***parking area*** means a length of road or area designed for parking vehicles.



**71 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.

**72 Overlapping schemes**

- (1) This part does not prevent the road transport authority or a parking authority from establishing and operating a metered parking scheme or ticket parking scheme on the same length of road, or in the same area, where it is operating a different metered parking scheme or ticket parking scheme.
- (2) The road transport authority or a parking authority is not entitled to 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.

## Part 8 Miscellaneous

### 73 Approval etc by road transport authority

- (1) The road transport authority may approve—
  - (a) a protective helmet for bicycle riders as an approved bicycle helmet; or
  - (b) a booster seat as an approved booster seat; or
  - (c) a child restraint as an approved child restraint; or
  - (d) a child safety harness as an approved child safety harness; or
  - (e) a protective helmet for motorbike riders as an approved motorbike helmet; or
  - (f) a canopy, cage or other device fitted to a vehicle; or
- (2) The road transport authority may declare a person to be an emergency worker.
- (3) 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](#).

- (4) In this section:

***emergency worker***—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

***motorbike***—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

***rider***—see the [Road Transport \(Road Rules\) Regulation 2017](#), section 17.

**74 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 their Australian driver licence or external driver licence and must inspect the licence.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) 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.

*Note* The defendant has a legal burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 59).

**75 Responsible person's consent**

- (1) 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.

- (2) An offence against this section is a strict liability offence.

## Part 10 Transitional

### 100 Definitions—pt 10

In this part:

*commencement day* means the day this regulation, section 3 commences.

*repealed law* means the *Road Transport (Safety and Traffic Management) Regulation 2000*, as in force immediately before the commencement day.

### 101 Approvals etc—repealed law, s 66

- (1) The following approvals under the repealed law, section 66 (1) (a) to (f) (Approvals etc by road transport authority), as in force immediately before the commencement day, are taken to be approvals under this regulation, section 73 (1) (Approvals etc by road transport authority):
  - *Road Transport (Safety and Traffic Management) Approval of Protective Helmets for Bicycle Riders 2001* (DI2002-4)
  - *Road Transport (Safety and Traffic Management) Child Safety Equipment Approval 2017* (DI2017-203)
  - *Road Transport (Safety and Traffic Management) Protective Helmets for Motorbike Riders Approval 2016 (No 1)* (DI2016-22).
- (2) The *Road Transport (Safety and Traffic Management) Airservices Australia Emergency Worker Declaration 2012* (DI2012-242) under the repealed law, section 66 (1) (g), as in force immediately before the commencement day, is taken to be a declaration under this regulation, section 73 (2).

**102 Parking authority declarations—repealed law, s 75A**

The following declarations under the repealed law, section 75A (Parking authorities), as in force immediately before the commencement day, are taken to be declarations under this regulation, section 33 (Parking authorities):

- *Road Transport (Safety and Traffic Management) Declaration of Parking Authority (Screensound Australia) 2002* (DI2002-51)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2004 (No 1)* (DI2004-14)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2004 (No 2)* (DI2004-24)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2005 (No 1)* (DI2005-3)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2005 (No 2)* (DI2005-55)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2006 (No 1)* (DI2006-77)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2006 (No 2)* (DI2006-78)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2007 (No 1)* (DI2007-39)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2008 (No 3)* (DI2008-143)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2008 (No 4)* (DI2008-179)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2009 (No 1)* (DI2009-91)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2010 (No 1)* (DI2010-2)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2010 (No 2)* (DI2010-22)

- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2010 (No 3)* (DI2010-201)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2010 (No 4)* (DI2010-289)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2011 (No 1)* (DI2011-74)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2011 (No 2)* (DI2011-256)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2013 (No 1)* (DI2013-32)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2013 (No 2)* (DI2013-78)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2014 (No 1)* (DI2014-198)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2014 (No 2)* (DI2014-219)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2014 (No 3)* (DI2014-267)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2014 (No 4)* (DI2014-307)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2015 (No 1)* (DI2015-287)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2016 (No 1)* (DI2016-278)
- *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2017 (No 1)* (DI2017-30).

**103 Parking authority guidelines—repealed law, s 75B**

The *Road Transport (Safety and Traffic Management) Guidelines 2002* (DI2002-28) under the repealed law, section 75B (Parking authority guidelines), as in force immediately before the commencement day, are taken to be guidelines under this regulation, section 34 (Parking authority guidelines).

**104 E-payment method approval—repealed law, s 76AA**

The *Road Transport (E-payment Method) Approval 2014 (No 1)* (NI2014-330) under the repealed law, section 76AA (Approval of e-payment method), as in force immediately before the commencement day, is taken to be an approval under this regulation, section 36 (Approval of e-payment method).

**105 Parking permit declaration—repealed law, s 100**

The *Road Transport (Safety and Traffic Management) Parking Permit Declaration 2015 (No 1)* (NI2015-47) under the repealed law, section 100 (2) (g) (Parking permits), as in force immediately before the commencement day, is taken to be a declaration under this regulation, section 64 (2) (g) (Parking permits).

**106 Police vehicle speedometer approval—repealed law, s 103A**

The *Road Transport (Safety and Traffic Management)—Approval of Police Vehicle Speedometers 2003* (NI2003-119) under the repealed law, section 103A (Approval of police vehicle speedometers), as in force immediately before the commencement day, is taken to be an approval under this regulation, section 14 (Approval of police vehicle speedometers).

**107 Expiry—pt 10**

This part expires 2 years after the commencement day.

*Note* Transitional provisions are kept in the regulation for a limited time. A transitional provision is repealed on its expiry but continues to have effect after its repeal (see [Legislation Act](#), s 88).



## Schedule 1 Average speed detection systems

(see s 15)

column 1 item	column 2 detection points	column 3 shortest practicable distance	column 4 shortest practicable route	column 5 minimum time (seconds)	column 6 average speed limit
1	ACT Standard Grid Coordinates 208876.18 East, 596541.65 North, AHD 629.88 Level  ACT Standard Grid Coordinates 211361.44 East, 596864.50 North, AHD 644.45 Level	2.7081km (westbound)	Hindmarsh Drive (westbound), starting west of the intersection of Dalrymple Street and Mugga Lane and ending north-east of Tyagarah Street	121.8645 (westbound)	80km/h

**Schedule 1** Average speed detection systems

<b>column 1 item</b>	<b>column 2 detection points</b>	<b>column 3 shortest practicable distance</b>	<b>column 4 shortest practicable route</b>	<b>column 5 minimum time (seconds)</b>	<b>column 6 average speed limit</b>
2	ACT Standard Grid Coordinates 208912.50 East, 596591.35 North, AHD 629.42 Level  ACT Standard Grid Coordinates 211418.53 East, 596883.22 North, AHD 641.25 Level	2.7146km (eastbound)	Hindmarsh Drive (eastbound), starting north-east of Palmer Street near Tyagarah Street and ending west of the intersection of Dalrymple Street and Mugga Lane	122.157 (eastbound)	80km/h

## 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:

- chief police officer
- Commonwealth
- contravene
- disallowable instrument (see s 9)
- exercise
- notifiable instrument (see s 10)
- police officer
- territory plan
- 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:

- authorised person
- camera detection device (see s 23)
- drive
- indicated on
- road
- road related area
- speed measuring device
- traffic offence detection device.

*Note 4* The [Road Transport \(General\) Act 1999](#) contains definitions relevant to this regulation. For example, the following terms are defined in the [Road Transport \(General\) Act 1999](#), dict:

- another jurisdiction
- Australian driver licence

- combination
- driver
- external driver licence
- light rail vehicle
- National Transport Commission
- responsible person
- road transport authority (or authority) (see s 16)
- trailer
- use (in relation to a vehicle).

***approved e-payment method***—see section 36.

***approved police speedometer***, for part 5 (Traffic offence detection devices)—see section 12.

***area***—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

***area of operations***, for a parking authority, means the area of operations declared for the parking authority under section 33.

***digital camera detection device***, for part 5 (Traffic offence detection devices)—see section 12.

***fixed camera detection device***, for part 5 (Traffic offence detection devices)—see section 12.

***GVM*** (or ***gross vehicle mass***), for a vehicle—see the [Road Transport \(Vehicle Registration\) Act 1999](#), dictionary.

***heavy vehicle***, for division 7.3 (Heavy vehicle parking in residential areas)—see section 46.

***intersection***, for part 5 (Traffic offence detection devices)—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

***land*** includes premises or a part of premises.

***laser speed measuring device***, for part 5 (Traffic offence detection devices)—see section 12.

**length**, of road—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

**loop detector speed measuring device**, for part 5 (Traffic offence detection devices)—see section 12.

**metered parking area** means a length of road or area that is set aside as a metered parking area under section 29.

**metered parking scheme** means a metered parking scheme under division 7.1.

**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 31.

**mobility parking scheme authority** means an authority issued under section 65.

**motor vehicle**—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

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

**occupier**, of premises, for subdivision 7.3.2 (Heavy vehicle parking in residential areas—enforcement)—see section 57.

**operator**, for part 5 (Traffic offence detection devices)—see section 12.

**park**, for a driver—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

**parking authority** means a person declared to be a parking authority under section 33.

**parking authority guidelines**—see section 34.

***parking meter*** means a device designed to indicate, or capable of indicating, whether the relevant parking fee for the parking of a vehicle in a metered parking space has been paid, and includes the stand on which the device is erected.

***parking permit***—see section 64.

***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 the device is erected.

***permissive parking sign***—see the [Road Transport \(Road Rules\) Regulation 2017](#), sections 314 to 316, schedule 2 and schedule 3.

***piezo strip speed measuring device***, for part 5 (Traffic offence detection devices)—see section 12.

***premises*** includes land.

***radar speed measuring device***, for part 5 (Traffic offence detection devices)—see section 12.

***recording medium***, for part 5 (Traffic offence detection devices)—see section 16 (1).

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

***residential land***, for division 7.3 (Heavy vehicle parking in residential areas)—see section 46.

***road***—see section 7.

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**road marking**—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

**security checksum**, for an electronic file, for part 5 (Traffic offence detection devices)—see section 12.

**ticket parking area**—

- (a) means a length of road or area that is set aside as a ticket parking area under section 35 (2) (a) or section 37 (2) (a); but
- (b) does not include a length of road or area that, under section 38 (2), is not taken to be included in the length of road or area set aside.

**ticket parking scheme** means a ticket parking scheme under division 7.2.

**ticket parking sign**—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

**traffic**—see the *Road Transport (Road Rules) Regulation 2017*, dictionary.

**vehicle**—see the *Road Transport (Road Rules) Regulation 2017*, section 15.

## Endnotes

1 About the endnotes

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## 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 are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

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

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



### 3 Legislation history

#### **Road Transport (Safety and Traffic Management Regulation 2017 SL2017-45**

notified LR 21 December 2017

s 1, s 2 commenced 21 December 2017 (LA s 75 (1))

remainder commenced 30 April 2018 (s 2 and see [Road Transport \(Road Rules\) Regulation 2017](#) SL2017-43 s 2)

as amended by

#### **[Road Transport Reform \(Light Rail\) Legislation Amendment Act 2018](#) A2018-19 sch 1 pt 1.8**

notified LR 17 May 2018

s 1, s 2 commenced 17 May 2018 (LA s 75 (1))

sch 1 pt 1.8 commenced 24 May 2018 (s 2)

## Endnotes

4 Amendment history

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### 4 Amendment history

#### Commencement

s 2 om LA s 89 (4)

#### Removal of unattended vehicles—Act, s 32 (1) (c)

s 27 am [A2018-19](#) amdt 1.16, amdt 1.17; pars renum R2 LA

#### Transitional

pt 10 hdg [exp 30 April 2020 \(s 107\)](#)

#### Definitions—pt 10

s 100 [exp 30 April 2020 \(s 107\)](#)

def **commencement day** [exp 30 April 2020 \(s 107\)](#)

def **repealed law** [exp 30 April 2020 \(s 107\)](#)

#### Approvals etc—repealed law, s 66

s 101 [exp 30 April 2020 \(s 107\)](#)

#### Parking authority declarations—repealed law, s 75A

s 102 [exp 30 April 2020 \(s 107\)](#)

#### Parking authority guidelines—repealed law, s 75B

s 103 [exp 30 April 2020 \(s 107\)](#)

#### E-payment method approval—repealed law, s 76AA

s 104 [exp 30 April 2020 \(s 107\)](#)

#### Parking permit declaration—repealed law, s 100

s 105 [exp 30 April 2020 \(s 107\)](#)

#### Police vehicle speedometer approval—repealed law, s 103A

s 106 [exp 30 April 2020 \(s 107\)](#)

#### Expiry—pt 10

s 107 [exp 30 April 2020 \(s 107\)](#)

## 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. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 30 Apr 2018	30 Apr 2018– 23 May 2018	not amended	new regulation

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