

1998

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

MOTOR TRAFFIC ACT 1936

MOTOR TRAFFIC REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

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

Outline

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

The Motor Traffic Regulations (Amendment), amend the Regulations by adjusting penalties for parking and traffic infringements so they align with corresponding offences in NSW. The changes to be made to the Regulations relate specifically to the dollar amount of parking and traffic penalties.

Financial Implications

There are no increased costs associated with the amending Regulations. However, the Government has anticipated an increase in revenue of \$2.7m consequential upon the revised penalties.

Details

Commencement and Interpretation

Regulation 1 and 2 provide that the amending Regulations will take effect on 1 September 1998 and that a reference in the amending Regulations to "Principal Regulations" means the *Motor Traffic Regulations*.

Prescribed offences, penalties and demerit points

Regulation 3 provides an amendment to the Principal Regulations as a result of the renumbering of Part V of Schedule 1 to Part IV.

Substitution of Schedule 1

Regulation 4 repeals the existing Schedule 1 in the Regulations and substitutes a new Schedule 1 which revises all the penalties.

The new and existing penalties for all offences are detailed in the schedule overleaf. The changes are summarised below.

Parking Infringement Penalties

The three penalties for heavy vehicle parking introduced in January 1998 are unchanged. Other parking penalties increase as follows:

- No stopping from \$50 to \$134
- Disabled parking from \$112 to \$134
- Bus Stop from \$62 to \$82
- Most Loading Zone offences from \$62 to \$82
- Double parking from \$50 to \$82
- most infringements associated with parking meters or voucher parking increase from \$37 to \$60.

In the amendment, Items 15 and 29 each cover two items previously listed separately.

Traffic Infringement Penalties

- Speeding - all penalties increase by between \$10 and \$117.
- Registration/Insurance - for driving an unregistered or uninsured vehicle, the penalties increase from \$159 to \$407.
- Licence - most penalties decrease from \$90 to \$67. However, for driving without a licence the penalty increases from either \$102 or \$159 to \$239.
- Overtaking - some penalties decrease from \$125 to \$112, others increase from \$159 to \$201.
- Turning - all 'turning' penalties increase by between \$10 and \$55.
- Driving - other 'driving' penalties increase by between \$10 and \$76.
- Defects - penalties for ignoring defect notices are banded at \$201.
- Equipment - penalties for not having or using the correct equipment are standardised at \$67.
- Towing - most penalties are banded at either \$67 or \$112.
- Seat belts - all penalties increase from \$90 to \$112.
- Bicycle helmet - penalties decrease from \$46 to \$43.
- Number plate - penalties increase from \$46 to \$67.

Items 124 and 125 have been reinserted in Schedule 1. They were inadvertently omitted from the Schedule when it was amended in 1996 and 1997.

PRESCRIBED OFFENCES, PENALTIES AND DEMERIT POINTS

PART I - PROVISIONS OF THE MOTOR TRAFFIC ACT 1936 - PARKING INFRINGEMENTS

Item	Provision	Description	97/98 Penalty	98/99 Penalty
1	Section 150G	Parking, on residential land, a stock truck or semi-trailer, or a vehicle whether loaded or unloaded, that - (i) exceeds 3.6 metres in height; and (ii) is used for commercial purposes	\$112.00	\$112.00
2	Section 150H	Parking a heavy vehicle on land adjoining residential land for a period exceeding 1 hour	\$62.00	\$62.00
3	Section 150J	Parking, on residential land containing a multi-unit development, a commercial vehicle (whether loaded or unloaded) that - (a) exceeds 6 metres in length; (b) exceeds 2.6 metres in height; or (c) has a GVM exceeding 3.75 tonnes.	\$112.00	\$112.00
4	Subsection 151(1)	Stopping or parking motor vehicle or parking trailer on public street other than on carriageway	\$37.00	\$60.00
5	Subsection 151(2)	Stopping or parking motor vehicle or parking trailer on 2-way carriageway not adjacent to left kerb	\$37.00	\$60.00
6	Subsection 151(3)	Stopping or parking motor vehicle or parking trailer on 1-way carriageway or in loading area not adjacent to boundary or left kerb	\$50.00	\$60.00
7	Subsection 152(1)	Parking motor vehicle or trailer contrary to no parking sign	\$50.00	\$60.00
8	Subsection 152(2)	Stopping or parking motor vehicle or parking trailer contrary to no stopping sign	\$50.00	\$134.00
9	Subsection 152(3)	Parking motor vehicle or trailer for longer than period indicated by parking sign	\$37.00	\$60.00
10	Subsection 152(3AA)	Where parking sign indicates parking permitted for not more than 30 minutes, parking motor vehicle displaying disability label or trailer in part of public street for more than 2 hours	\$37.00	\$60.00
11	Subsection 152(3AB)	Parking motor vehicle displaying disability label or trailer in part of public street for longer than period indicated by disabled parking sign	\$37.00	\$60.00
12	Subsection 152(3A)	Parking motor vehicle or trailer contrary to angle parking sign	\$50.00	\$60.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
13	Subsection 152(4)	Parking motor vehicle or trailer in part of public street reserved for Class A vehicles	\$50.00	\$60.00
14	Subsection 152(5)	Parking motor vehicle or trailer in part of public street reserved for Class B vehicles, where relevant sign refers to disabled persons	\$112.00	\$134.00
15	Subsection 152(5)	Parking motor vehicle or trailer in part of public street reserved for Class B vehicles, where relevant sign refers to community nurses, medical practitioners, Members of the Commonwealth Parliament, Members of the Legislative Assembly, or Commonwealth or ACT Government vehicles. (1)	\$50.00	\$60.00
15	Subsection 152(5)	Parking motor vehicle or trailer in part of public street reserved for Class B vehicles, in cases other than those mentioned in previous 2 items (1)	\$37.00	\$60.00
16	Subsection 153(1)	Stopping or parking motor vehicle or parking trailer within bus stop	\$62.00	\$82.00
17	Subsection 153(2)	Parking motor vehicle or trailer within local services bus stop	\$62.00	\$82.00
18	Subsection 154(1)	Stopping or parking motor vehicle or parking trailer within taxi rank	\$62.00	\$60.00
19	Subsection 154(2)	Parking taxi in public street for more than 30 minutes elsewhere than in taxi rank	\$37.00	\$60.00
20	Subsection 154(3)	Parking private hire car or restricted hire vehicle in public street for more than 30 minutes	\$37.00	\$60.00
21	Subsection 155(1)	Parking motor vehicle or trailer in part of public place contrary to no parking sign bearing arrow	\$50.00	\$60.00
22	Subsection 155(2)	Parking motor vehicle or trailer in prohibited area contrary to no parking sign	\$50.00	\$60.00
23	Subsection 155(2A)	Stopping or parking motor vehicle or parking trailer in prohibited area contrary to no stopping sign	\$50.00	\$134.00
24	Subsection 155(3)	Parking motor vehicle or trailer in part of public place for longer than period indicated by parking sign	\$37.00	\$60.00

SCHEDULE 1- continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
25	Subsection 155(3A)	Where parking sign bearing arrow indicates parking permitted for not more than 30 minutes, parking motor vehicle displaying disability label or trailer in part of public place for more than 2 hours	\$37.00	\$60.00
26	Subsection 155(3B)	Parking motor vehicle displaying disability label or trailer in part of public place for longer than period indicated by disabled parking sign bearing arrow	\$37.00	\$60.00
27	Subsection 155(4)	Parking motor vehicle or trailer in part of public place reserved for Class A vehicles	\$50.00	\$60.00
28	Subsection 155(5)	Parking motor vehicle or trailer in part of public place reserved for Class B vehicles where relevant sign refers to disabled persons	\$112.00	\$134.00
29	Subsection 155(5)	Parking motor vehicle or trailer in part of public place reserved for Class B vehicles where the relevant sign refers to community nurses, medical practitioners, Members of the Commonwealth Parliament, Members of the Legislative Assembly, or Commonwealth or ACT Government vehicles.	\$50.00	\$60.00
29	Subsection 155(5)	Parking motor vehicle or trailer in part of public place reserved for Class B vehicles other than those mentioned in the previous 2 items	\$37.00	\$60.00
30	Subsection 156(3)	Parking motor vehicle or trailer in part of off-street parking area or loading area other than within marked bay	\$50.00	\$60.00
31	Subsection 157(1)	Stopping or parking vehicle (other than goods vehicle) or parking trailer within loading zone	\$62.00	\$82.00
32	Subsection 157(2)	Parking goods vehicle in loading zone for longer than permitted time or while not loading or unloading	\$62.00	\$82.00
33	Subsection 157(3)	Parking certified vehicle in loading zone other than in accordance with certificate	\$62.00	\$82.00
34	Subsection 157(4)	Parking certified vehicle in loading zone where label not properly affixed to vehicle	\$50.00	\$60.00
35	Subsection 157(5)	Placing object in loading zone other than in accordance with permit	\$62.00	\$82.00
36	Paragraph 158(1)(a)	Stopping or parking motor vehicle or parking trailer on public street so double-parked	\$50.00	\$82.00
37	Paragraph 158(1)(b)	Stopping or parking motor vehicle or parking trailer on public street alongside red kerb	\$50.00	\$60.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
38	Paragraph 158(1)(d)	Stopping or parking motor vehicle or parking trailer across passage, driveway etc	\$50.00	\$60.00
39	Paragraph 158(1)(ea)	Stopping or parking motor vehicle or parking trailer on traffic island or median strip	\$50.00	\$60.00
40	Paragraph 158(1)(f)	Stopping or parking motor vehicle or parking trailer within intersection or junction of 2 public streets	\$50.00	\$60.00
41	Paragraph 158(1)(h)	Stopping or parking motor vehicle or parking trailer on or within 6 metres of bridge	\$50.00	\$60.00
42	Paragraph 158(1)(i)	Stopping or parking motor vehicle or parking trailer on pedestrian crossing	\$50.00	\$60.00
43	Paragraph 158(1)(j)	Stopping or parking motor vehicle or parking trailer within 6 metres of pedestrian crossing	\$50.00	\$60.00
44	Paragraph 158(1)(k)	Stopping or parking motor vehicle or parking trailer between 2 school crossing signs or within 15 metres of such a sign	\$50.00	\$60.00
45	Paragraph 158(1)(m)	Stopping or parking motor vehicle or parking trailer so that it obscures a traffic sign	\$50.00	\$60.00
46	Paragraph 158(1)(n)	Stopping or parking motor vehicle or parking trailer on public street or public place so as to be likely to cause danger, obstruction or unreasonable inconvenience	\$50.00	\$60.00
47	Paragraph 158(2)(a)	Stopping or parking motor vehicle or parking trailer on part of carriageway of public street immediately adjoining an area reserved for angle parking	\$37.00	\$60.00
48	Paragraph 158(2)(b)	Stopping or parking motor vehicle or parking trailer on public street nearer than 1 metre to another motor vehicle on that street	\$37.00	\$60.00
49	Paragraph 158(2)(c)	Where kerb is constructed on boundary of carriageway, stopping or parking motor vehicle or parking trailer on public street other than carriageway of public street or in specified parking place	\$37.00	\$60.00
50	Paragraph 158(2)(d)	Stopping or parking motor vehicle or parking trailer on public street alongside or opposite a street excavation or obstruction	\$37.00	\$60.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
51	Section 163D	During controlled parking hours, causing motor vehicle or trailer to stand or be parked on a designated parking place occupied by another vehicle or trailer	\$37.00	\$60.00
52	Subsection 163E(1)	During controlled parking hours, permitting motor vehicle or trailer to stand or be parked in voucher parking area without parking voucher	\$50.00	\$60.00
53	Subsection 163E(2)	During controlled parking hours, permitting motor vehicle or trailer to stand or be parked in voucher parking area after expiration of period authorised by parking voucher	\$37.00	\$60.00
54	Subsection 163F(1)	During controlled parking hours, permitting motor vehicle or trailer to stand or be parked on designated parking place controlled by parking meter if meter expired	\$37.00	\$60.00
55	Section 163M	Permitting motor vehicle or trailer to stand or be parked on designated parking meter place if parking meter fitted with hood stating "NO PARKING"	\$50.00	\$60.00

PART II: TRAFFIC INFRINGEMENTS

Item	Provision	Description	97/98 Penalty	98/99 Penalty
1	Subsection 7A(8)	Learner driving motor vehicle without "L" plates or while unaccompanied by licensed driver	\$90.00	\$67.00
2	Paragraph 7A(8)(c)	Learner driving motor vehicle (other than a motor cycle) while towing a trailer the gross mass of which exceeds 750kg	\$90.00	\$67.00
3	Subsection 7A(9)	Learner driving motor cycle without displaying "L" plate or while carrying person other than a person who holds a full licence to drive a motor cycle and is safely seated in a sidecar	\$90.00	\$67.00
4	Paragraph 7A(9)(c)	Learner driving motor cycle while towing a trailer	\$90.00	\$67.00
5	Subsection 7A(10)	Owner or person in charge of motor vehicle causing or permitting a learner to commit an offence in relation to that vehicle or failing to take precautions to prevent such an offence	\$102.00	\$112.00
6	Paragraph 7B(21)(a)	Holder of a provisional licence or endorsement driving motor vehicle without "P" plates	\$90.00	\$67.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
7	Paragraph 7B(21)(b)	Holder of a provisional licence or endorsement driving motor vehicle (other than a motor cycle) while towing a trailer the gross mass of which exceeds 750kg	\$90.00	\$67.00
8	Subsection 7B(22)	Holder of provisional licence or endorsement driving motor cycle without "P" plate or while towing a trailer	\$90.00	\$67.00
9	Subsection 11(2)	Driving motor vehicle without corrective lenses where driver's licence marked or endorsed as requiring them	\$125.00	\$112.00
10	Section 13	Failing to sign driver's licence	\$46.00	\$43.00
11	Subsection 18(1)	Failing to properly affix number plates	\$46.00	\$67.00
12	Subsection 18(1A)	Failing to properly affix number plate to motor cycle	\$46.00	\$67.00
13	Subsection 18(2)	Failing to properly affix number plate to trailer	\$46.00	\$67.00
14	Subsection 22(2)	Failing to notify Registrar within 14 days of details of sale or disposal of registered motor vehicle by previous owner or to deliver to Registrar any number-plates issued in respect of the vehicle or to apply for transfer of registration	\$90.00	\$67.00
15	Subsection 25(1)	Failing to produce certificate of registration and motor vehicle or trailer for inspection within 7 days after alteration in description	\$34.00	\$67.00
16	Subsection 26(1)	Failing to produce vehicle or trailer for inspection within 7 days after adapted for purpose other than that for which registered	\$34.00	\$67.00
17	Subsection 31A(4)	Carrying number of passengers in a public motor vehicle, private hire car or restricted hire vehicle greater than number specified in licence as maximum number vehicle may carry	\$46.00	\$67.00
18	Subsection 31A(4)	Failing to properly specify number of persons that public motor vehicle licensed to carry	\$46.00	\$67.00
19	Section 32	Failing to equip public motor vehicle, private hire car or restricted hire vehicle with fire extinguisher	\$46.00	\$67.00
20	Subsection 51(1)	Using or causing, suffering or permitting the use of a motor vehicle in relation to which there is no relevant third-party policy in force	\$159.00	\$407.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
21	Subsection 97(1)	Failing to notify Registrar within 14 days of change of name or address	\$67.00	\$67.00
22	Paragraph 102(1))	Defacing, lending or parting with certificate of registration or licence	\$90.00	\$67.00
23	Subsection 108G(1)	Driving or using motor vehicle in respect of which a defect notice has been issued after time for production of vehicle has expired	\$125.00	\$201.00
24	Subsection 108G(2)	Driving or using motor vehicle in respect of which a notice is in force stating that the vehicle is in a dangerous condition	\$159.00	\$201.00
25	Subsection 108G(4)	Removing from vehicle, or altering or defacing, defect notice or dangerous condition notice on vehicle	\$159.00	\$201.00
26	Section 112A	Proceeding contrary to traffic light signal	\$159.00	\$201.00
27	Paragraph 112D(a)	Turning or continuing to turn motor vehicle left at intersection at which traffic lights are erected if reasonable possibility that motor vehicle might collide with another vehicle or person or that dangerous situation may otherwise be created	\$125.00	\$201.00
28	Paragraph 112D(b)	Turning or continuing to turn motor vehicle right at intersection at which traffic lights are erected while there is a reasonable possibility that motor vehicle might collide with another vehicle or person or that dangerous situation may otherwise be created	\$125.00	\$201.00
29	Paragraph 112D(c)	Continuing to move motor vehicle forward at intersection after turning at an intersection at which traffic lights are erected while there is reasonable possibility that motor vehicle might collide with another vehicle or person or that dangerous situation may otherwise be created	\$125.00	\$201.00
30	Subsection 113(1)	Failing to keep to left hand side of carriageway	\$90.00	\$149.00
31	Subsection 113(2)	Driving motor vehicle on footpath or any part of public street other than carriageway or entrance-drive	\$102.00	\$112.00
32	Subsection 113(2A)	Driving motor vehicle on traffic island or median strip	\$102.00	\$112.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
33	Subsection 113(3)	Failing to drive motor vehicle to left of "KEEP LEFT" sign	\$102.00	\$112.00
34	Section 114	Driving on 1-way traffic carriageway in direction opposite to that indicated by arrows on traffic signs	\$102.00	\$112.00
35	Section 115	Driving motor vehicle in more than 1 traffic lane	\$102.00	\$112.00
36	Subsection 115B(2)	Driving motor vehicle or permitting it to stand or be parked on part of carriageway declared to be reserved for priority vehicles	\$102.00	\$134.00
37	Subsection 115C(1)	Driving motor vehicle other than local services omnibus on, or permitting it to stand or be parked on, public transport route	\$102.00	\$134.00
38	Subsection 116(1)	Crossing unbroken line marked on carriage way of public street	\$102.00	\$112.00
39	Subsection 116(1A)	Crossing unbroken line marked on off-street parking area or loading area	\$102.00	\$112.00
40	Subsection 117(1)	Passing motor vehicle travelling in opposite direction other than with other vehicle on right side of vehicle	\$125.00	\$157.00
41	Subsection 118(1)	Overtaking vehicle other than with other vehicle on left side of motor vehicle	\$125.00	\$112.00
42	Subsection 118(3)	Overtaking vehicle making a right-hand turn on its right side	\$125.00	\$112.00
43	Subsection 118(4)	Crossing over in front of vehicle which has been overtaken before being clear of that vehicle	\$125.00	\$112.00
44	Subsection 118(5)	Overtaking vehicle without safety or so as to obstruct progress of other persons using public street and travelling in opposite direction	\$159.00	\$157.00
45	Subsection 118(6)	Overtaking vehicle that has reduced speed at, or has stopped at, pedestrian or school crossing	\$159.00	\$201.00
46	Subsection 118(7)	Increasing the speed of a motor vehicle before an overtaking motor vehicle has had reasonable opportunity to pass and draw clear of the vehicle	\$125.00	\$112.00
47	Subsection 118(8)	Driving motor vehicle from stationary position at or near boundary of carriageway without safety or so as to obstruct progress of any overtaking vehicle	\$125.00	\$157.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
48	Section 119	Racing with another vehicle	\$159.00	\$201.00
49	Subsection 119A(1)	Driving motor vehicle while part of the body of person protrudes from the vehicle	\$90.00	\$67.00
50	Subsection 120(1)	Turning left from traffic lane not marked as left turning lane or turning left other than from as near as practicable to left hand side of the carriageway	\$102.00	\$157.00
51	Subsection 120(2)	Turning left from traffic lane without following course marked on traffic lane	\$102.00	\$112.00
52	Subsection 121(1)	Turning right from other than right turning position	\$102.00	\$157.00
53	Subsection 121(2)	Turning right from traffic lane without following course marked on traffic lane	\$102.00	\$112.00
54	Subsection 121(2A)	Failing to pass right turning vehicle to left when making right hand turn	\$102.00	\$149.00
55	Subsection 121(3)	Turning or continuing to turn motor vehicle to right if reasonable possibility that vehicle will collide, or dangerous situation may occur, with another vehicle travelling in opposite direction	\$159.00	\$201.00
56	Subsection 121(3A)	Turning or continuing to turn motor vehicle to right without safety to any other vehicle and other persons using public street	\$159.00	\$201.00
57	Subsection 121(5)	Failing to drive motor vehicle to right of "KEEP RIGHT" sign	\$102.00	\$112.00
58	Section 122	Failing to give way to right at intersection	\$125.00	\$201.00
59	Section 122A	Failing to give way at T-intersection	\$125.00	\$201.00
60	Section 123A	Failing to give way when emerging from slip lane	\$125.00	\$201.00
61	Subsection 124(1)	Failing to decrease speed of, or stop, motor vehicle at "GIVE WAY" sign so as to avoid possible collision or dangerous situation	\$159.00	\$201.00
62	Subsection 124(2)	Failing to decrease speed of, or stop, motor vehicle on public transport route at "GIVE WAY" sign so as to avoid possible collision or dangerous situation	\$159.00	\$201.00
63	Section 124A	Failing to give way to motor vehicle on roundabout so as to avoid possible collision or dangerous situation	\$159.00	\$201.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
64	Subsection 124B(1)	Failing to decrease speed, or to stop, to allow local services omnibus to enter line of traffic	\$102.00	\$112.00
65	Subsection 125(1)	Failing to give police, ambulance or fire brigade vehicle that is giving warning of its approach by means of siren or other alarm reasonable space to pass	\$125.00	\$134.00
66	Paragraph 125(2)(a)	Driving vehicle, other than police, ambulance or fire brigade vehicle, to which is attached siren or similar means of alarm which emits sound that could be mistaken for that used by police, ambulance or fire brigade vehicle.	\$67.00	\$67.00
67	Paragraph 125(2)(b)	Using siren or similar means of alarm that emits sound that could be mistaken for siren or alarm of police, ambulance or fire brigade vehicle.	\$102.00	\$67.00
68	Subsection 126(1)	Approaching pedestrian crossing at speed that would not enable vehicle to stop before reaching crossing	\$125.00	\$157.00
69	Subsection 126(2)	Failing to decrease speed of or stop motor vehicle at pedestrian crossing so as to avoid reasonable possibility of colliding with pedestrian	\$159.00	\$157.00
70	Subsection 127(2)	Approaching school crossing at speed that would not enable motor vehicle to stop before reaching crossing.	\$159.00	\$157.00
71	Subsection 127(3)	Driving motor vehicle on school crossing while pedestrian on crossing	\$159.00	\$201.00
72	Subsection 128(1)	Failing to stop motor vehicle at "STOP" sign	\$159.00	\$201.00
73	Subsection 128(2)	Failing to allow another vehicle to pass in front of motor vehicle at "STOP" sign so as to avoid dangerous situation	\$159.00	\$201.00
74	Subsection 128A(1)	Turning motor vehicle right against "NO RIGHT TURN" sign	\$102.00	\$112.00
75	Subsection 128A(2)	Turning motor vehicle left against "NO LEFT TURN" sign	\$102.00	\$112.00
76	Subsection 128A(3)	Turning motor vehicle against "NO TURNS" sign	\$102.00	\$112.00
77	Subsection 128B(2)	Making U turn against "NO U TURN" sign	\$102.00	\$112.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
78	Section 128C	Overtaking or passing another vehicle against "NO OVERTAKING OR PASSING" sign	\$125.00	\$112.00
79	Section 128D	Overtaking another vehicle on bridge with "NO OVERTAKING ON BRIDGE" sign	\$125.00	\$112.00
80	Subsection 128E(1)	Failing to turn right from right hand traffic lane against RIGHT LANE MUST TURN RIGHT" sign	\$102.00	\$112.00
81	Subsection 128E(2)	Failing to turn left from left hand traffic lane against "LEFT LANE MUST TURN LEFT" sign	\$102.00	\$112.00
82	Subsection 128F(1)	Failing to turn right from traffic lane where road marking indicates "RIGHT TURN ONLY"	\$102.00	\$112.00
83	Subsection 128F(2)	Failing to turn left from traffic lane where road marking indicates "LEFT TURN ONLY"	\$102.00	\$112.00
84	Subsection 128F(3)	Making right, left or U turn from traffic lane that bears road marking consisting of straight ahead arrow	\$102.00	\$112.00
85	Subsection 128F(4)	Failing to make right hand turn from traffic lane that bears road marking consisting of right turn arrow	\$102.00	\$112.00
86	Subsection 128F(5)	Failing to make left hand turn from traffic lane that bears road marking consisting of left turn arrow	\$102.00	\$112.00
87	Subsection 128F(6)	Turning motor vehicle left from traffic lane that bears road marking consisting of straight ahead or right turn arrow	\$102.00	\$112.00
88	Subsection 128F(7)	Turning motor vehicle right from traffic lane that bears road marking consisting of straight ahead or left turn arrow	\$102.00	\$112.00
89	Subsection 128G(1)	Driving motor vehicle contrary to no entry sign	\$159.00	\$112.00
90	Subsection 128G(2)	Driving motor vehicle contrary to no exit sign	\$159.00	\$112.00
91	Subsection 129(1A)	Driving motor vehicle negligently	\$159.00	\$157.00
92	Section 130	Driving motor vehicle without due care and attention or without reasonable consideration for other persons using public street	\$102.00	\$112.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
93	Section 131	Driving motor vehicle while not in position to fully control vehicle or have clear view of traffic	\$102.00	\$112.00
94	Section 132	Driving motor vehicle backwards without safety or for greater distance or time than is reasonably necessary	\$102.00	\$67.00
95	Section 133	Driving motor vehicle on bridge where laden weight of vehicle exceeds load limit specified for bridge	\$125.00	\$149.00
96	Subsection 133A(5)	Driving rigid truck or articulated vehicle where its laden weight exceeds load limit	\$90.00	\$149.00
97	Section 134	Driving motor vehicle so as to negligently or wilfully obstruct, hinder or prevent free passage of vehicle or person on public street	\$102.00	\$112.00
98	Paragraph 135(a)	Leaving motor vehicle without taking due precaution against vehicle being started	\$67.00	\$67.00
99	Subsection 136(1)	Driver of motor vehicle failing to give sufficient warning of danger	\$90.00	\$90.00
100	Subsection 136(2)	Driver of motor vehicle failing to signal properly before stopping or reducing speed suddenly	\$90.00	\$90.00
101	Subsection 136(4)	Turning motor vehicle right, or moving motor vehicle right, without signalling	\$102.00	\$112.00
102	Subsection 136(5)	Driving motor vehicle from stationary position towards right without giving signal	\$102.00	\$112.00
103	Subsection 136(7)	Turning motor vehicle left, or moving motor vehicle left, without signalling	\$102.00	\$112.00
104	Subsection 136(8)	Driving motor vehicle from stationary position towards left without giving signal	\$102.00	\$112.00
105	Section 139	Failing to obey directions given by police officer in uniform or motor traffic officer	\$125.00	\$67.00
106	Section 141	Driving motor vehicle in public place at speed exceeding 20km per hour	\$90.00	\$112.00
107	Section 142	Exceeding speed limit by less than 15km per hour	\$102.00	\$112.00
108	Section 142	Exceeding speed limit by 15km per hour or more but less than 30km per hour	\$146.00	\$179.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
109	Section 142	Exceeding speed limit by 30km per hour or more but less than 45km per hour	\$292.00	\$345.00
110	Section 142	Exceeding speed limit by 45km per hour or more	\$573.00	\$690.00
111	Subsection 147(1)	Driving in school zone at speed exceeding 40km per hour but less than 70km per hour	\$159.00	\$179.00
112	Subsection 147(1)	Driving in school zone at speed of 70km per hour or more but less than 85km per hour	\$292.00	\$345.00
113	Subsection 147(1)	Driving in school zone at speed of 85km per hour or more	\$573.00	\$690.00
114	Section 164B	Occupying driving position of prescribed vehicle without wearing securely fastened and appropriately adjusted seat belt	\$90.00	\$112.00
115	Subsection 164C(2)	Being passenger in motor vehicle without wearing securely fastened and appropriately adjusted seat belt	\$90.00	\$112.00
116	Paragraph 164D(a)	Driving a motor vehicle in which a child is not restrained by a child restraint	\$90.00	\$112.00
117	Paragraph 164D(b)	Driving a motor vehicle in which a young person, or a child who is not restrained by a child restraint, is not restrained by a seat belt	\$90.00	\$112.00
118	Subparagraph 164D(c)(i)	Driving a motor vehicle in which a child occupies a position abreast of the driving position, being a position that is equipped with a child restraint, while there is an unoccupied position to the rear that is, or that could be, equipped with a child restraint	\$90.00	\$112.00
119	Subparagraph 164D(c)(ii)	Driving a motor vehicle in which a child occupies a position abreast of the driving position, being a position that is not equipped with a child restraint but is equipped with a seat belt, while there is an unoccupied position to the rear that is, or that could be, equipped with a child restraint or seat belt	\$90.00	\$112.00
120	Subparagraph 164D(c)(iii)	Driving a motor vehicle in which a child occupies a position abreast of the driving position, being a position that is equipped with neither a child restraint nor a seat belt, while there is an unoccupied position to the rear	\$90.00	\$112.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
121	Subsection 165(1)	Driving, or leaving standing, unregistered vehicle or trailer on public street	\$159.00	\$407.00
122	Section 166	Driving motor vehicle which differs in material particular from description appearing in its certificate of registration.	\$46.00	\$67.00
123	Section 171	Placing, or causing or permitting placement of, frame around number-plate of motor vehicle so as to hide or render indistinct any letter or figures	\$46.00	\$67.00
124	Subsection 171A(1)	Non-learner driving motor vehicle with "L" plate	\$43.00	\$67.00
125	Subsection 171A(2)	Non-provisional licence holder driving motor vehicle with "P" plate	\$43.00	\$67.00
126	Subsection 172(1)	Failing to produce driver's licence when requested to do so	\$46.00	\$67.00
127	Paragraph 176(1)(a)	Driving motor vehicle without holding licence to drive vehicle of that class	\$159.00	\$239.00
128	Paragraph 176(1)(b)	Causing or permitting person to drive motor vehicle when that person does not hold licence or learner licence receipt to drive vehicle of that class	\$102.00	\$239.00
129	Paragraph 176(1)(c)	Driving, or causing or permitting driving of, a motor vehicle or leaving it standing on public street when number-plate not properly affixed or so obscured, defaced or damaged that registration number not clearly legible	\$46.00	\$67.00
130	Section 181	Driving motor vehicle, or allowing a motor vehicle or trailer to stand on public street without proper parts and equipment	\$90.00	\$67.00
131	Subsection 182(1)	Driving motor vehicle, other than motor cycle, at night without appropriate lighted lamps	\$90.00	\$67.00
132	Subsection 182(2)	Driving motor cycle at night without appropriate lighted lamps or reflectors	\$90.00	\$67.00
133	Subsection 182(2A)	Driving motor vehicle at night without dipped headlamps or appropriate dipping device	\$90.00	\$67.00
134	Subsection 182(3)	Failing to dip headlamps of motor vehicle when approached by another vehicle travelling in opposite direction and failing to cause headlamps to remain dipped until other vehicle passed	\$102.00	\$67.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
135	Subsection 183(2)	Driving motor vehicle on which reflectors are not properly affixed or kept clean and unobscured	\$46.00	\$67.00
136	Paragraph 184(1)(a)	Driving motor vehicle with lamp at rear which may be extinguished while leaving headlamp lighted	\$46.00	\$67.00
137	Subsection 185(1)	Parking motor vehicle (other than motor cycle) or trailer on public street between sunset and sunrise without proper reflectors and lighted lamps	\$46.00	\$67.00
138	Subsection 186(1)	Towing vehicle in unsafe or improper manner	\$102.00	\$67.00
139	Section 187	Driving motor vehicle without efficient silencer properly used or which causes undue noise or projects undue smoke or making or permitting unnecessary noise with horn or alarm attached to vehicle	\$90.00	\$90.00
140	Paragraph 189(1)(b)	Passing motor omnibus that is stopped for purpose of taking up or setting down passengers to the danger of those passengers	\$159.00	\$157.00
141	Paragraph 189(1)(c)	Driving motor vehicle with more than 1 trailer attached	\$102.00	\$64.00
142	Paragraph 189(1)(d)	Driving motor vehicle with trailer attached where trailer is not securely fastened close to rear of vehicle	\$102.00	\$67.00
143	Paragraph 189(1)(da)	Driving motor vehicle with trailer attached where registration number of trailer not clearly visible from rear or either side	\$46.00	\$67.00
144	Paragraph 189(1)(e)	Driving motor vehicle without efficient horn or other means of alarm attached in convenient position	\$102.00	\$67.00
145	Paragraph 189(1)(h)	Driving motor vehicle that is apparently used only for exhibiting advertisement	\$102.00	\$67.00
146	Paragraph 189(1)(i)	Driving motor vehicle where vehicle or its equipment in such condition as to cause or be likely to cause injury or damage to, or endanger safety of, any person in motor vehicle or any person, animal, property or thing	\$102.00	\$112.00
147	189(1)(j)	Driving motor vehicle in or on which, or in or on a trailer attached to which, is carried a load or other thing which is so distributed, placed or carried, as to be likely to cause injury or damage	\$102.00	\$112.00

SCHEDULE 1 - continued

Item	Provision	Description	97/98 Penalty	98/99 Penalty
148	Paragraph 189(1)(k)	Driving motor vehicle from which, or from trailer attached to which, any article or thing falls to roadway	\$102.00	\$112.00
149	Subsection 190(1)	Driving motor vehicle where width of vehicle or attached trailer exceeds 2.50 metres without permit	\$102.00	\$67.00
150	Paragraph 190A(1)	Driving motor cycle without wearing appropriately adjusted safety helmet of approved type	\$90.00	\$112.00
151	Paragraph 190A(1)	Being passenger on motor cycle or in sidecar without wearing appropriately adjusted helmet of approved type	\$90.00	\$112.00
152	Subsection 191(1)	Carrying more than 1 other person on motor cycle	\$125.00	\$67.00
153	Subsection 191(3)	Carrying pillion passenger on motor cycle that is not equipped with appropriate footrests or seat or where pillion passenger is not seated properly or where driver of motor cycle has not held licence to drive a motor cycle for at least 12 months	\$102.00	\$67.00
154	Subsection 200(3)	Failing to observe and comply with direction to drive loaded motor vehicle to weighbridge	\$125.00	\$67.00
155	Section 208	Failing to properly paint name, address and weight on rigid truck, articulated vehicle or motor omnibus	\$46.00	\$67.00
156	Subsection 214(5)	Failing to carry permit issued in respect of licensed goods motor vehicle while driving that motor vehicle or failing to produce that permit as required	\$90.00	\$67.00

PART III: PROVISIONS OF THE MOTOR TRAFFIC REGULATIONS

Item	Provision	Description	97/98 Penalty	98/99 Penalty
1	Subregulation 18(1)	Failing to properly affix or attach registration label to motor vehicle or trailer	\$46.00	\$67.00
2	Subregulation 20(2)	Failing to properly affix registration label required to be displayed in holder	\$46.00	\$67.00

SCHEDULE 1 - continued

PART IV: PROVISIONS OF THE TRAFFIC ACT 1937

Item	Provision	Description	97/98 Penalty	98/99 Penalty
1	Subsection 6C(1)	Riding bicycle without wearing an appropriately adjusted approved helmet	\$46.00	\$43.00
2	Subsection 6C(2)	Cyclist carrying passenger not wearing an appropriately adjusted approved helmet	\$46.00	\$43.00
3	Subsection 6C(3)	Passenger on bicycle not wearing an appropriately adjusted approved helmet	\$46.00	\$43.00