



AUSTRALIAN CAPITAL TERRITORY

Regulations 1991 No. 34¹

Motor Traffic Regulations² (Amendment)

The Australian Capital Territory Executive hereby makes the following Regulations under the *Motor Traffic Act 1936*.

Dated 17 December 1991.

TERRY CONNOLLY
Minister

ROSEMARY FOLLETT
Minister

Commencement

1. These Regulations commence on the day on which the *Motor Traffic (Amendment) Act (No. 2) 1991* commences.

Addition

2. The Motor Traffic Regulations are amended by adding at the end the following regulation and Schedule:

Prescribed offences and prescribed penalties

“32. For the purposes of section 180A of the Act—

- (a) a prescribed offence is—
 - (i) an offence under a provision of the Act specified in Column 1 of Part I of the Schedule; or
 - (ii) an offence under a provision of these Regulations specified in Column 1 of Part II of the Schedule; and
- (b) in relation to a prescribed offence—the prescribed penalty is—
 - (i) the penalty specified in Column 3 of a Part of the Schedule opposite the reference to the relevant provision; or
 - (ii) if the relevant provision is specified more than once—the penalty specified in Column 3 of a Part of the Schedule opposite the relevant reference to that provision ascertained by reference to the description of the alleged conduct in Column 2 of that Part.

SCHEDULE

Regulation 32

PRESCRIBED OFFENCES AND PRESCRIBED PENALTIES

PART I—PROVISIONS OF THE ACT

Column 1 Provision	Column 2 Description	Column 3 Penalty
Subsection 9 (4)	learner driving motor vehicle without “L” plates or while unaccompanied by licensed driver	\$75
Subsection 9 (5)	learner driving motor cycle while not displaying “L” plate or while carrying person other than one who has held motor cycle licence for 2 years and is safely seated in a sidecar	\$75
Subsection 9 (6)	owner or person in charge of motor vehicle causing, permitting or allowing, a learner to commit an offence in relation to that vehicle or failing to take precautions to prevent such an offence	\$85
Subsection 13 (2)	driving motor vehicle without spectacles where driver’s licence endorsed with the word “spectacles”	\$105
Section 15	failing to sign driver’s licence	\$35
Subsection 18 (1)	failing to properly affix number-plates	\$35
Subsection 18 (1A)	failing to properly affix number-plate to motor cycle	\$35
Subsection 18 (2)	failing to properly affix number-plate to trailer	\$35
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	\$75
Subsection 25 (1)	failing to produce certificate of registration and motor vehicle or trailer for inspection within 7 days after alteration in description	\$25

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Subsection 26 (1)	failing to produce vehicle or trailer for inspection within 7 days after adapted for purpose other than that for which registered	\$25
Subsection 27 (5)	carrying number of passengers in public motor vehicle greater than number of passengers specified in licence	\$35
Subsection 27 (6)	failing to properly specify number of persons that public motor vehicle licensed to carry	\$35
Subsection 28 (5)	carrying number of passengers in private hire car greater than number of passengers specified in licence	\$35
Section 32	failing to equip public motor vehicle or private hire car with fire extinguisher	\$35
Subsection 97 (1)	failing to notify Registrar within 7 days of change of name or address	\$55
Paragraph 102 (1) (a)	defacing certificate of registration or licence	\$75
Subsection 108G (1)	driving or using motor vehicle in respect of which a defect notice has been issued once time for production of vehicle has expired	\$105
Subsection 108G (2)	driving or using motor vehicle in respect of which a notice is in force stating that the vehicle is in dangerous condition	\$135
Subsection 108G (4)	removing from vehicle, or altering or defacing defect notice or dangerous condition notice on vehicle	\$135
Section 112A	proceeding contrary to traffic light signal	\$135

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Paragraph 112D (1) (a)	turning or continuing to turn motor vehicle left at intersection at which traffic lights are erected where traffic sign bears the words “TURN LEFT AT ANY TIME WITH CARE” if reasonable possibility that motor vehicle might collide with another vehicle or person or that dangerous situation may otherwise be created	\$105
Paragraph 112D (1) (b)	turning or continuing to turn motor vehicle right at 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	\$105
Paragraph 112D (1) (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	\$105
Subsection 113 (1)	failing to keep to left hand side of carriageway	\$75
Subsection 113 (2)	driving motor vehicle on footpath or any part of public street other than carriageway or entrance-drive	\$85
Subsection 113 (2A)	driving motor vehicle on traffic island or on area of land separating adjacent one way traffic carriageways	\$85
Subsection 113 (3)	failing to keep left on public street where directed by traffic sign to “KEEP LEFT”	\$85
Section 114	driving on one way traffic carriageway in direction opposite to that indicated by arrows on traffic signs	\$85

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Section 115	driving motor vehicle in more than one traffic lane	\$85
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	\$85
Subsection 115C (1)	driving motor vehicle other than local services omnibus or permitting it to stand or be parked on public transport route	\$85
Subsection 116 (1)	crossing unbroken line marked on carriageway of public street	\$85
Subsection 116 (1A)	crossing unbroken line marked on off-street parking area or loading area	\$85
Subsection 117 (1)	passing motor vehicle travelling in opposite direction other than with other vehicle on right side of vehicle	\$105
Subsection 118 (1)	overtaking vehicle other than with other vehicle on left side of motor vehicle	\$105
Subsection 118 (4)	crossing over in front of vehicle which has been overtaken before being clear of that other vehicle	\$105
Subsection 118 (5)	overtaking vehicle without safety or so as to obstruct progress of other persons using public street and travelling in opposite direction	\$135
Subsection 118 (6)	overtaking vehicle that has reduced speed at, or has stopped at, pedestrian or school crossing	\$135
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	\$105

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
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	\$105
Section 119	racing with another vehicle	\$135
Subsection 119A (1)	driving motor vehicle while part of the body of person protrudes from the vehicle	\$75
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	\$85
Subsection 120 (2)	turning left from traffic lane without following course marked on traffic lane	\$85
Subsection 121 (1)	turning right from other than right turning position	\$85
Subsection 121 (2)	turning right from traffic lane without following course marked on traffic lane	\$85
Subsection 121 (2A)	failing to pass right turning vehicle to left when making right hand turn	\$85
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	\$135
Subsection 121 (3A)	turning or continuing to turn motor vehicle to right without safety to any other vehicle and other persons using public street	\$135
Subsection 121 (5)	failing to drive motor vehicle to right of “KEEP RIGHT” sign	\$85
Section 122	failing to give way to right at intersection	\$105

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
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	\$135
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	\$135
Section 124A	failing to give way to motor vehicle on roundabout so as to avoid possible collision or dangerous situation	\$135
Subsection 125 (1)	failing to give fire engine, ambulance or police car which is giving warning of its approach by means of siren or other alarm reasonable space to pass	\$105
Paragraph 125 (2) (a)	driving vehicle that is not police, ambulance or fire brigade vehicle to which is attached siren or means of alarm which could be mistaken for siren or means of alarm used by those types of vehicles, or using such siren or means of alarm	\$55
Paragraph 125 (2) (b)	using siren or similar means of alarm that emits sound that could be mistaken for siren or alarm of fire engine, ambulance or police car	\$85
Subsection 126 (1)	approaching pedestrian crossing at speed that would not enable vehicle to stop before reaching pedestrian crossing	\$105
Subsection 126 (2)	failing to decrease speed of motor vehicle at pedestrian crossing so as to avoid reasonable possibility of colliding with pedestrian on crossing	\$135
Subsection 127 (2)	failing to drive at such a speed when approaching school crossing as to enable motor vehicle to be stopped before reaching school crossing	\$135

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Subsection 127 (3)	driving motor vehicle on school crossing while pedestrian is on crossing	\$135
Subsection 128 (1)	failing to stop motor vehicle where indicated by traffic sign bearing word “STOP”	\$135
Subsection 128 (2)	failing to allow another vehicle to pass in front of motor vehicle at “STOP” sign so as to avoid dangerous situation	\$135
Subsection 128A (1)	turning motor vehicle right against “NO RIGHT TURN” sign	\$85
Subsection 128A (2)	turning motor vehicle left against “NO LEFT TURN” sign	\$85
Subsection 128A (3)	turning motor vehicle against “NO TURNS” sign	\$85
Subsection 128B (2)	turning motor vehicle against “NO U TURN” sign	\$85
Section 128C	overtaking or passing another vehicle against traffic sign bearing words “NO OVERTAKING OR PASSING”	\$105
Section 128D	overtaking another vehicle on bridge which has traffic sign bearing the words “NO OVERTAKING ON BRIDGE”	\$105
Subsection 128E (1)	failing to turn right from right hand traffic lane where road sign bears words “RIGHT LANE MUST TURN RIGHT”	\$85
Subsection 128E (2)	failing to turn left from left hand traffic lane where road sign bears words “LEFT LANE MUST TURN RIGHT”	\$85
Subsection 128F (1)	failing to turn right from traffic lane where road marking indicates “RIGHT TURN ONLY”	\$85
Subsection 128F (2)	failing to turn left from traffic lane where road marking indicates “LEFT TURN ONLY”	\$85

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Subsection 128F (3)	making right, left or U turn from traffic lane which bears road marking consisting of straight ahead arrow	\$85
Subsection 128F (4)	failing to make right hand turn from traffic lane which bears road marking consisting of right turn arrow	\$85
Subsection 128F (5)	failing to make left hand turn from traffic lane which bears road marking consisting of left turn arrow	\$85
Subsection 128F (6)	turning motor vehicle left from traffic lane which bears road marking consisting of straight ahead arrow or right turn arrow	\$85
Subsection 128F (7)	turning motor vehicle right from traffic lane which bears road marking consisting of straight ahead arrow or left turn arrow	\$85
Subsection 128G (1)	driving motor vehicle contrary to no entry sign	\$135
Subsection 128G (2)	driving motor vehicle into public street from off-street parking area or loading area contrary to no exit sign	\$135
Subsection 129 (1A)	driving motor vehicle negligently	\$135
Section 130	driving motor vehicle without due care and attention or without reasonable consideration for other persons using public street	\$85
Section 131	driving motor vehicle while not in position to fully control vehicle or have clear view of traffic	\$85
Section 132	driving motor vehicle backwards without safety or for greater distance or time than is reasonably necessary	\$85

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Section 133	driving motor vehicle on bridge where laden weight of motor vehicle exceeds load limit specified on traffic sign bearing words “LOAD LIMIT ON BRIDGE” and a number and word “TONNES” in respect of the bridge	\$105
Subsection 133A (5)	driving motor lorry where its laden weight exceeds load limit	\$75
Section 134	driving motor vehicle so as to negligently or wilfully obstruct, hinder or prevent free passage of vehicle or person on public street	\$85
Paragraph 135 (a)	leaving motor vehicle without taking due precaution against motor vehicle being started	\$55
Subsection 136 (1)	driver of motor vehicle failing to give sufficient warning of danger	\$75
Subsection 136 (2)	driver of motor vehicle failing to signal properly before stopping or reducing speed suddenly	\$75
Subsection 136 (4)	turning motor vehicle right, or moving motor vehicle right, without signalling	\$85
Subsection 136 (5)	driving motor vehicle from stationary position towards right without giving signal	\$85
Subsection 136 (7)	turning motor vehicle left, or moving motor vehicle left, without signalling	\$85
Subsection 136 (8)	driving motor vehicle from stationary position towards left without giving signal	\$85

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Section 139	failing to obey directions given by officer or member of police force in uniform with respect to manner of approaching or departing from place or of picking up or setting down passengers or goods or regulating or controlling movement of traffic or stopping or parking of motor vehicles	\$105
Section 141	driving motor vehicle in public place at speed exceeding 20 km per hour	\$75
Section 142	exceeding speed limit by less than 15 km per hour	\$85
Section 142	exceeding speed limit by 15 km per hour or more but less than 30 km per hour	\$125
Section 142	exceeding speed limit by 30 km per hour or more but less than 45 km per hour	\$250
Section 142	exceeding speed limit by 45 km per hour or more	\$500
Section 145	driving heavy vehicle at speed of more than 100 km per hour but not more than 110 km per hour	\$85
Section 145	driving heavy vehicle at speed of more than 110 km per hour	\$135
Subsection 147 (1)	driving in school zone at speed exceeding 40 km per hour	\$135
Section 164B	occupying driving position of prescribed vehicle without wearing securely fastened and adjusted seat belt	\$75
Subsection 164C (2)	being passenger in motor vehicle without wearing securely fastened and adjusted seat belt	\$75
Subsection 164D (1)	driving prescribed vehicle in which young person is not wearing securely fastened and adjusted seat belt while there is unoccupied position with seat belt	\$75

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Subsection 164D (2)	driving prescribed vehicle in which child is not appropriately restrained in a securely fastened and adjusted child restraint or seat belt while motor vehicle is fitted with child restraint or seat belt	\$75
Subsection 164D (3)	driving prescribed vehicle with an unrestrained child in position abreast of driver while there is unoccupied position to rear of the driver	\$75
Subsection 164D (3A)	driving prescribed vehicle with child under 1 year in vehicle without providing child restraint suitable for use by that child	\$75
Paragraph 165 (a)	driving unregistered vehicle, or leaving it standing, on public street	\$135
Section 166	driving motor vehicle which differs in material particular from description appearing in certificate of registration of motor vehicle	\$35
Section 171	placing frame around number-plate of motor vehicle in such manner as to hide or render indistinct any letter or figures on number-plate	\$35
Subsection 172 (1)	failing to produce driver's licence when requested to do so	\$35
Paragraph 176 (1) (a)	driving motor vehicle of any class without holding licence to drive motor vehicle of that class	\$135
Paragraph 176 (1) (b)	causing or permitting person to drive motor vehicle of any class when that person does not hold licence to drive vehicle of that class	\$85
Paragraph 176 (1) (c)	driving a motor vehicle or allowing it to stand on public street when the number-plate is not properly affixed or is so obscured, defaced or damaged that the registration number is not clearly legible	\$35

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Section 181	driving motor vehicle or allowing a motor vehicle or trailer to stand on public street without proper parts and equipment	\$75
Subsection 182 (1)	driving motor vehicle, other than motor cycle, at night without appropriate lighted lamps	\$75
Subsection 182 (2)	driving motor cycle at night without appropriate dipping device for headlamps	\$75
Subsection 182 (2A)	driving motor vehicle without appropriate lighted lamps	\$75
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 vehicle has passed other vehicle	\$85
Subsection 183 (2)	driving motor vehicle on which reflectors are not properly affixed or kept clean and unobscured	\$35
Section 184	driving motor vehicle which has lamp at rear which may be extinguished while leaving headlamp or headlamps of vehicle lighted	\$35
Subsection 185 (1)	parking motor vehicle or trailer on public street between sunset and sunrise without proper reflectors and lighted lamps	\$35
Section 186	towing vehicle in unsafe or improper manner	\$85
Section 187	driving motor vehicle where vehicle causes smoke or undue or unnecessary noise, whether undue or unnecessary noise is caused by lack of efficient silencer affixed to exhaust, use of horn or other means of alarm other than as warning of danger or otherwise	\$75

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
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	\$135
Paragraph 189 (1) (c)	driving motor vehicle with more than one trailer attached thereto	\$85
Paragraph 189 (1) (d)	driving motor vehicle with trailer attached thereto where trailer is not securely fastened close to rear of motor vehicle	\$85
Paragraph 189 (1) (e)	driving motor vehicle without efficient horn or other means of alarm attached thereto in convenient position	\$85
Paragraph 189 (1) (h)	driving motor vehicle that is apparently used only for exhibiting advertisement	\$85
Paragraph 189 (1) (i)	driving motor vehicle where motor vehicle or its equipment is 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 on any public street or other place	\$85
Paragraph 189 (1) (j)	driving motor vehicle in or on which, or in or on a trailer attached to which, is carried load or other thing which is so distributed, placed or carried, as to be likely to cause injury or damage	\$85
Paragraph 189 (1) (k)	driving motor vehicle from which, or from trailer attached to which, any article or thing falls to roadway	\$85
Subsection 190 (1)	driving motor vehicle where width of vehicle or trailer attached thereto exceeds 2.50 metres without permit	\$85
Subsection 190A (1)	driving motor cycle or being passenger on motor cycle or in sidecar of motor cycle without wearing appropriately adjusted safety helmet of approved type	\$75

SCHEDULE—continued

Column 1 Provision	Column 2 Description	Column 3 Penalty
Subsection 191 (1)	carrying more than one other person on motor cycle	\$105
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	\$85
Subsection 200 (3)	failing to observe and comply with direction to drive loaded motor vehicle to weighbridge	\$105
Section 208	failing to properly paint name, address and weight on motor lorry or motor omnibus	\$35
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	\$75

SCHEDULE—continued

PART II—PROVISIONS OF THE REGULATIONS

Column 1 Provision	Column 2 Description	Column 3 Penalty
Subregulation 11B (1)	failing to have at least one brake or combination of brakes capable of being readily applied by driver of towing vehicle or some other person who is carried on or walking alongside trailer on trailer weighing over 2 tonnes	\$35
Subregulation 11B (2)	failing to have at least one brake or combination of brakes capable of being readily applied by driver of towing vehicle or automatically by over-run of trailer on trailer whose weight is less than 2 tonnes but exceeds 254 kilograms	\$35
Subregulation 11C (1)	failing to have safety chain that complies with requirements of Australian Standard D25-1972 on trailer which does not exceed 2.30 tonnes	\$35
Subregulation 18 (1)	failing to affix registration label to motor vehicle or trailer as required	\$35
Subregulation 20 (2)	failing to affix registration label to clear glass in holder such that all particulars on label are clearly visible where registration label is required to be displayed in holder	\$35

NOTE

1. Notified in the ACT Gazette on 20 December 1991.
2. Regulations notified in the *Gazette* on 22 March 1934 as amended by Regulations 1941 No. 9; 1942 No. 12; 1943 No. 8; 1947 No. 5; 1953 Nos. 6 and 14; 1955 No. 3; 1956 No. 1; 1959 No. 8; 1960 No. 2; 1961 No. 1; 1963 No. 8; 1965 No. 5; 1968 No. 2; 1974 Nos. 3 and 17; 1978 No. 18; 1976 No. 3; 1977 Nos 18 and 27; 1979 No. 26; 1981 No. 23; 1982 No. 38; 1983 Nos. 6 and 9; 1984 No. 20; 1985 No. 10; Ordinance No. 21, 1989.

© Australian Capital Territory 1991