



Australian Capital Territory

Road Transport (Safety and Traffic Management) Regulation 2000

SL2000-10

made under the

Road Transport (Safety and Traffic Management) Act 1999

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Not all amendments are in force: see last endnote

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Road Transport (Safety and Traffic Management) Regulation 2000*, made under the *Road Transport (Safety and Traffic Management) Act 1999* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 15 March 2010. It also includes any amendment, repeal or expiry affecting the republished law to 15 March 2010.

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):

- 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 or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

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

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$110 for an individual and \$550 for a corporation (see *Legislation Act 2001*, s 133).



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R34
15/03/10

Road Transport (Safety and Traffic Management)
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Effective: 15/03/10-16/03/10

Chapter 1 Preliminary

1 Name of regulation

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

2 Dictionary

The dictionary at the end of this regulation is part of the 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 ‘*semitrailer*—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.’ means that the term ‘semitrailer’ is defined in that dictionary and the definition applies to this regulation.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire 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)).

3 Dictionary—application to Australian Road Rules

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

Note See div 2.2.1, note 2 for the relevant provisions of this regulation.

3A Road includes road related area

In this regulation:

road includes a road related area.

3B Meaning of *park* and *stop*

In this regulation:

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

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

4 Notes

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

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

4A Offences against regulation—application of Criminal Code etc

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

Note 1 Criminal Code

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

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

Note 2 Penalty units

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

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

4B Offences against regulation are strict liability offences

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

4C General defence of accident or reasonable effort

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

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

Chapter 2 Australian Road Rules

Part 2.1 Incorporation into ACT law

5 Meaning of *Australian Road Rules*

In this regulation:

Australian Road Rules means that part of the publication known as the Australian Road Rules, ISBN 0 7240 8874 1 published by the National Transport Commission in February 2008 that consists of the rules approved by the Australian Transport Council under the *National Transport Commission Act 2003* (Cwlth).

Note The Australian Road Rules are accessible at www.legislation.act.gov.au.

6 Incorporation of Australian Road Rules into ACT law

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

6A Transitional—ARR r 266 and r 267

- (1) The Australian Road Rules are to be read as if—
 - (a) rule 266 and rule 267 are not part of the rules; and
 - (b) the repealed Australian Road Rules, rule 266 and rule 267 are part of the rules.
- (2) This section expires on 14 March 2011.

(3) In this section:

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

Part 2.2 How the Australian Road Rules are incorporated

U Division 2.2.1 General

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

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

column 1 item	column 2 ARR provision	column 3 provision of this regulation
1	10 (2)	8
2	95	9
3	104	10
4	151 (3) (b)	11
5	158 (2) (c)	12
6	179 (1) (c)	13
7	179 (1) (c) and (2) (c)	13A
8	183 (1)	13B
9	195 (1)	13C
10	199 (2)	14
11	206 (2) (b) and (c)	15
12	207 (2) (a)	16
13	213 (5)	16A

column 1 item	column 2 ARR provision	column 3 provision of this regulation
14	215 (4)	17
15	216 (3)	18
16	220 (3)	19
17	221 (f)	20
18	222	21
19	225	22
20	236 (6)	22A
21	244C	23
22	266 (3) (b)	23B
23	266 (7)	24
24	267 (3)	25
25	270 (3)	26
26	271 (6)	27
27	280 (2) (a)	27A
28	287 (3) (e) and (4)	28
29	289 (1) (g)	29
30	298	30
31	310 (3) and (4)	31
32	313	32
33	dict, def <i>approved bicycle helmet</i>	33 (1)
34	dict, def <i>authorised person</i>	33 (1)
35	dict, def <i>emergency worker</i>	33 (1)
36	dict, def <i>GVM</i>	33 (2)
37	dict, def <i>hazard warning lights</i>	33 (3)

column 1 item	column 2 ARR provision	column 3 provision of this regulation
38	dict, def <i>mechanical signalling device</i>	33 (1)
39	dict, def <i>oversize vehicle</i>	33 (1)
40	dict, def <i>police officer</i>	33 (1)
41	dict, def <i>portable warning triangle</i>	33 (4)
42	dict, def <i>postal worker</i>	33 (1)
43	dict, def <i>public bus</i>	33 (1)
44	dict, def <i>taxi</i>	33 (1)

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

column 1 item	column 2 ARR provision	column 3 other law
1	12 (2)	<i>Road Transport (General) Act 1999, s 12</i>
2	13 (2)	<i>Road Transport (General) Act 1999, s 12</i>
3	28 (2), n 3	this regulation, s 65
4	32 (2), n 3	this regulation, s 65
5	185 (1)	this regulation, s 100
6	287 (1), n 2	<i>Road Transport (Safety and Traffic Management) Act 1999, s 16</i>

column 1 item	column 2 ARR provision	column 3 other law
7	311 (1) (c)	<i>Road Transport (Mass, Dimensions and Loading) Act 2009</i>
8	312 (3) (c)	<i>Road Transport (Safety and Traffic Management) Act 1999</i> , s 31 and s 32
9	dict, def <i>parking permit for people with disabilities</i>	this regulation, s 101

7 References to another law of this jurisdiction etc

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

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

- (2) In the Australian Road Rules:

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

this jurisdiction means the Australian Capital Territory.

Division 2.2.2 Other provisions for the Australian Road Rules

8 ARR r 10 (2)—penalties for offences

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

9 ARR r 95—emergency stopping lane only signs

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

10 ARR r 104—no truck signs

For the Australian Road Rules, rule 104, a driver is permitted to drive the vehicle on a road (or a bridge, causeway, ramp or similar structure forming part of a road) past a *no trucks sign* mentioned in rule 104 (1), (2) or (3) if the destination of the driver's vehicle is a place on or reached from the road (or structure) and there is no alternative route by which to reach the destination.

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

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

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

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

- (a) taxis;
- (b) hire cars;
- (c) demand responsive service vehicles;
- (d) motorbikes.

Note Section 27A applies the B light rules to drivers of taxis, hire cars, demand responsive service vehicles and motorbikes.

13 ARR r 179 (1) (c)—stopping in a loading zone—goods and permit vehicles

- (1) For the Australian Road Rules, rule 179 (1) (c), the following vehicles are permitted to stop in a loading zone:
 - (a) a motor vehicle that is built mainly for the transport of goods if the vehicle is dropping off, or picking up, goods;
 - (b) a vehicle displaying a current loading zone permit if the vehicle is complying with the conditions of the permit.
- (2) In this section:

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

13A ARR r 179 (1) (c) and (2) (c)—stopping in loading zone—taxis

- (1) For the Australian Road Rules, rule 179 (1) (c), a taxi that is dropping off, or picking up, a passenger is permitted to stop in a loading zone if—
 - (a) the driver of the taxi does not leave the taxi unattended, otherwise than to comply with a passenger assistance requirement; and
 - (b) the driver complies with subsection (2).
- (2) For the Australian Road Rules, rule 179 (2) (c), the driver must complete the dropping off, or picking up, of the passenger, and drive on—
 - (a) within 2 minutes; or
 - (b) if the driver is required to comply with a passenger assistance requirement—as soon as possible after the driver complies with the requirement.

- (3) In this section:

passenger assistance requirement means a requirement under the *Road Transport (Public Passenger Services) Regulation 2002*—

- (a) section 132 (5) (which requires the driver of a wheelchair-accessible taxi to provide reasonable assistance in loading and unloading a wheelchair, or a person in a wheelchair, into or from the taxi); or
- (b) section 135 (5) (which requires a taxi driver to provide reasonable assistance with a passenger's goods).

Note ***Goods*** includes luggage (see *Road Transport (Public Passenger Services) Regulation 2002*, dict).

unattended—a driver leaves a taxi ***unattended*** if the driver leaves the taxi so the driver is over 3m from the closest point of the taxi.

13B ARR r 183—stopping in a bus zone

- (1) Despite the Australian Road Rules, rule 183 (1), the driver of a demand responsive service vehicle may stop in a bus zone if—
- (a) the driver is dropping off, or picking up, a passenger; and
 - (b) the vehicle is authorised to stop in the bus zone.
- (2) In this section:

authorised to stop, in a bus zone, for a DRS vehicle, means a bus zone that the demand responsive service vehicle is authorised to stop in under an authority under the *Road Transport (Public Passenger Services) Regulation 2002*, section 305 (1) (DRS vehicles—bus stop and bus zone authorities).

13C ARR r 195—stopping at or near a bus stop

- (1) Despite the Australian Road Rules, rule 195 (1), the driver of a demand responsive service vehicle may stop at a bus stop, or on the

road, within 20m before a sign on the road that indicates the bus stop, and 10m after the sign, if—

- (a) the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules; or
- (b) the driver is dropping off, or picking up, passengers and the vehicle is authorised to stop at the bus stop.

(2) In this section:

authorised to stop, at a bus stop, for a DRS vehicle, means a bus stop that the demand responsive service vehicle is authorised to stop at under an authority under the *Road Transport (Public Passenger Services) Regulation 2002*, section 305 (1) (DRS vehicles—bus stop and bus zone authorities).

14 ARR r 199 (2)—stopping near postbox

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

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

15 ARR r 206 (2) (b), (c)—time extension for people with disabilities permit

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

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

- (1) For the Australian Road Rules, rule 207 (2) (a), if a *permissive parking sign* applies to a length of road or area that is (or is part of) a pay parking area, the relevant parking fee is payable for parking in a pay parking space on the road or in the area.
- (2) For this section, the relevant parking fee does not become payable under subsection (1) until immediately after a vehicle is parked in the pay parking space concerned.

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

16A ARR r 213 (5)—making a motor vehicle secure—exception

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

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

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

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

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

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

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

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

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

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

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

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

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

22 ARR r 225—use of radar detectors

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

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

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

- (1) For the Australian Road Rules, rule 236 (6)—
- (a) a pedestrian may stand on, or move onto, a road to—
 - (i) solicit contributions, employment or business from an occupant of a vehicle; or
 - (ii) hitchhike; or
 - (iii) display an advertisement; or
 - (iv) sell or offer articles for sale; or
 - (v) wash or clean, or offer to clean, the windscreen of a vehicle; and
 - (b) a person in a vehicle may buy, or offer to buy, an article or service from a person standing on a road.
- (2) In this section:

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

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

23 ARR r 244C—motorised scooters not to be used

For the Australian Road Rules, rule 244C, a person must not use a motorised scooter on a road or road related area.

U 23A ARR r 266—children travelling in interstate registered vehicles

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

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

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

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

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

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

(3) In this section:

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

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

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

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

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

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

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

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

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

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

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

27 ARR r 271 (6)—riding on motorbikes

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

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

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

The following classes of vehicles are specified:

- (a) taxis;
- (b) hire cars;
- (c) demand responsive service vehicles;
- (d) motorbikes.

Note This section applies the B light rules to drivers of taxis, hire cars, demand responsive service vehicles and riders of motorbikes who, under s 12, are allowed to drive in bus lanes.

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

- (1) For the Australian Road Rules, rule 287 (3), a driver of a motor vehicle involved in a crash is taken to have given the driver's required particulars to a police officer if the driver supplies the particulars in accordance with the requirements of the crash reporting website.

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

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

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

- (4) In this section:

crash reporting website means the website operated by the Territory for the purpose of receiving information about crashes.

Note The crash reporting website can be accessed through the Canberra Connect website (www.canberraconnect.act.gov.au). The website can also be accessed through the website for police services in the ACT (www.afp.gov.au/act.html).

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

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

- (a) is a motor vehicle (other than a ride-on lawnmower) that is built and used solely for cutting grass, or for purposes incidental to cutting grass; or
- (b) is a motor vehicle that is designed for cleaning footpaths and is being driven on the nature strip for the purpose of cleaning a footpath and is displaying an amber flashing light; or

- (c) is being used to transport goods or materials for use in (or for the purposes of) the construction or maintenance of roads by or on behalf of the Territory; or
- (d) is a postal vehicle that is —
 - (i) a motorbike with an engine capacity of not more than 110mL; and
 - (ii) being driven at a speed of not more than 10km/h.
- (e) is being used by a person in the course of his or her duties as a person authorised under this regulation to use a traffic offence detection device.

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

- (1) For the Australian Road Rules, rule 298, a trailer is exempt if—
 - (a) the trailer is being towed by a police vehicle or emergency vehicle; or
 - (b) the carriage of passengers is permitted in a part of the trailer and anyone in the trailer is in that part; or
 - (c) anyone who is in the trailer is engaged in the door-to-door delivery or collection of goods, or in the collection of waste or garbage, and the trailer is not travelling faster than 25 km/h; or
 - (d) in all the circumstances, there is no reasonable danger of anyone in the trailer falling from the trailer or being injured.
- (2) For this section, the carriage of passengers is permitted in a part of a trailer if the part is designed primarily for—
 - (a) the carriage of passengers; or
 - (b) the carriage of goods, but is enclosed.
- (3) In this section:

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

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

in includes on.

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

- (1) For the Australian Road Rules, rule 310 (3) (b), the road transport authority may authorise a person to engage in speed zoning tests.
- (2) For the Australian Road Rules, rule 310 (4), definition of *roadworks*, the road transport authority may authorise—
 - (a) installation or maintenance work on, above or below a road; or
 - (b) installation or maintenance of a traffic control device; or
 - (c) a traffic survey.
- (3) This section is additional to, and does not limit, any other power of the road transport authority or anyone else under a territory law to authorise something mentioned in this section.

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

32 ARR r 313—postal workers

For the Australian Road Rules, rule 313—

- (a) the Australian Road Rules, rule 186 (Stopping in a mail zone) does not apply to the driver of a postal vehicle; and
- (b) the Australian Road Rules, rule 288 (Driving on a path) does not apply to the driver of a postal vehicle if—

- (i) the vehicle is a motorbike with an engine capacity of not more than 110mL; and
- (ii) the vehicle is being driven at a speed of not more than 10km/h.

33 ARR dict—definitions for dictionary

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

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

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

emergency worker means—

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

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

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

oversize vehicle means a vehicle with a dimension that, including the dimension of any load, exceeds a relevant dimension limit under—

- (a) the *Road Transport (Mass, Dimensions and Loading) Act 2009*; or
- (b) the *Road Transport (Vehicle Registration) Regulation 2000*.

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

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

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

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

taxi—

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

vehicle registration authority means:

- (a) the road transport authority; or
 - (b) the corresponding authority of another jurisdiction.
- (3) For the Australian Road Rules, dictionary, definition of **hazard warning lights**:

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

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

Part 2.3 Additional ACT road rules

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

Division 2.3.1 Noise and other nuisances

37 Making unnecessary engine noise

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

Maximum penalty: 20 penalty units.

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

38 Emission of waste oil or grease

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

Maximum penalty: 20 penalty units.

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

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

Maximum penalty: 20 penalty units.

Division 2.3.2 Driver and passenger safety

39 Safety of persons on trailers

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

Maximum penalty: 20 penalty units.

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

Maximum penalty: 20 penalty units.

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

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

- (4) In this section:

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

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

Note The Australian Road Rules, r 298 prohibits a driver from driving a motor vehicle towing a trailer with a person in or on the trailer, unless

the trailer is exempt from the rule under another law of this jurisdiction.
Section 30 provides the exemption from the rule.

40 Passengers in sidecars to be seated

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

Maximum penalty: 20 penalty units.

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

Maximum penalty: 20 penalty units.

Division 2.3.3 Trailers and towing

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

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

41 Number of vehicles that may be drawn

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

Maximum penalty: 20 penalty units.

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

Maximum penalty: 20 penalty units.

- (3) The road transport authority may exempt a vehicle or person from subsection (1) or (2).
- (4) Subsection (2) does not apply in relation to a tow truck that is towing an articulated vehicle (other than a B-double or road train) if—
- (a) the articulated vehicle has broken down on a road and it is necessary for it to be towed away; or
 - (b) the articulated vehicle has been involved in a crash on a road and it is necessary for it to be towed away.
- (5) Subsection (2) does not apply to a motor vehicle that is towing another vehicle using a lift and tow trailer if—
- (a) the other vehicle is partly supported by the lift and tow trailer; and
 - (b) the vehicle is not towed at faster than 60 km/h; and
 - (c) the combined weight of the towed vehicle and the lift and tow trailer is not more than the unladen weight of the towing vehicle.
- (6) Subsection (2) does not apply to—
- (a) a tractor-harvester-cutting head trailer combination; or
 - (b) a tractor with multiple implements attached, if the implements are normally used as a single unit when performing agricultural operations; or
 - (c) a tractor and implement combination towing a fuel trailer or laser tower; or

- (d) an articulated low-loader consisting of a prime mover towing a converter dolly and a semitrailer; or
- (e) a B-double, dog trailer or road train.

42 Towing by vehicles under 4.5t

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

Maximum penalty: 20 penalty units.

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

maximum laden weight, for the towed vehicle, means—

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

- (ii) the unladen weight of the towing vehicle in any other case.

Division 2.3.4 Lights on vehicles

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

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

43 Lights on motor vehicles generally

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

- (d) the vehicle is being used by the Territory, the Commonwealth or any public authority.

Maximum penalty: 20 penalty units.

- (2) The driver of a motor vehicle fitted with an additional headlight permitted to be fitted under the *Road Transport (Vehicle Registration) Regulation 2000*, schedule 1 must not operate the headlight, or allow it to be operated, if—

- (a) the vehicle is being driven on a length of road in a built-up area; or
- (b) the driver is driving less than—
- (i) 200m behind a vehicle travelling in the same direction as the driver; or
- (ii) 200m from an oncoming vehicle.

Maximum penalty: 20 penalty units.

Division 2.3.5 Metered parking

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

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

44 Metered parking—parking in spaces

- (1) A driver commits an offence if—
 - (a) the driver parks in a metered parking area; and
 - (b) the driver's vehicle is not parked in a metered parking space.Maximum penalty: 20 penalty units.
- (2) A driver must not park the driver's vehicle in a metered parking space if another vehicle is parked in the space.
Maximum penalty: 20 penalty units.
- (3) A driver who parks in a metered parking space must position the driver's vehicle completely within the space.
Maximum penalty: 20 penalty units.

44A Metered parking—parking fees

- (1) A driver must not park in a metered parking space without paying the relevant parking fee for the space.
Maximum penalty: 20 penalty units.
- (2) A driver does not commit an offence against subsection (1) if—
 - (a) the relevant parking fee for the metered parking space is paid immediately after the driver parks the driver's vehicle in the metered parking space; or
 - (b) the parking meter for the metered parking space indicates that the period for which parking in the space has been paid for has not expired; or
 - (c) the parking meter for the metered parking space—
 - (i) is not working; or

- (ii) is covered with a parking meter hood bearing the words 'out of order time limit applies'.

Note For other exceptions to s (1), see s 45.

44B Metered parking—maximum length of stay

- (1) A driver must not allow the driver's vehicle to remain parked in a metered parking space if the parking meter for the space indicates that the period for which parking in the space has been paid for has expired.

Maximum penalty: 20 penalty units.

Note For exceptions to s (1), see s 45.

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

Maximum penalty: 20 penalty units.

Note For exceptions to s (2), see s 45.

45 Metered parking—exceptions to s 44A and s 44B

Section 44A (Metered parking—parking fees) and section 44B (Metered parking—maximum length of stay) do not apply to—

- (a) a driver for any period the driver's vehicle is parked in a metered parking space outside the controlled parking hours for the space; or
- (b) a driver if—
- (i) the driver's vehicle is parked in a metered parking space; and
 - (ii) the driver displays in or on the vehicle a current mobility parking scheme authority; and

- (iii) the driver complies with the conditions (if any) of the authority; or
- (c) a driver if—
 - (i) the driver's vehicle is parked in a metered parking space designated by a *permit zone sign* for use by the holder of a stated kind of parking permit; and
 - (ii) the driver displays in or on the vehicle a current parking permit of that kind; and
 - (iii) the driver complies with the conditions (if any) of the permit.

46 Temporary closure of metered parking spaces

- (1) If the road transport authority decides that the use of a metered parking space should be temporarily discontinued, the authority may close the space by—
 - (a) installing a sign, at or near the space, that displays words to the effect that the space is closed; or
 - (b) covering the parking meter applying to the space with a parking meter hood bearing the words 'no parking'.
- (2) A driver must not park in a metered parking space that has been closed under subsection (1).

Maximum penalty: 20 penalty units.

- (3) In this section:

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

47 Misuse of parking meters

A person must not—

- (a) insert in a parking meter anything other than coins appropriate for the meter; or
- (b) attach anything (for example, advertising material) to a parking meter.

Maximum penalty: 20 penalty units.

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

48 Interfering with parking meters etc

A person must not—

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

Maximum penalty: 20 penalty units.

Division 2.3.6 Ticket parking

49 Ticket parking—parking in spaces

- (1) A driver commits an offence if—
 - (a) the driver parks in a ticket parking area; and
 - (b) the driver's vehicle is not parked in a ticket parking space.

Maximum penalty: 20 penalty units.

- (2) However, the driver does not commit an offence against subsection (1) if the driver parks in a metered parking space within a

ticket parking area and the driver complies with the provisions of division 2.3.5 (Metered parking) in relation to parking in the space.

- (3) A driver must not park the driver's vehicle in a ticket parking space if another vehicle is parked in the space.

Maximum penalty: 20 penalty units.

- (4) A driver who parks in a ticket parking space must position the driver's vehicle completely within the space.

Maximum penalty: 20 penalty units.

49A Ticket parking—display of tickets

- (1) A driver may park the driver's vehicle in a ticket parking area only if—

- (a) for an RTA multi-stay ticket parking area—

(i) a current parking ticket for the area is correctly displayed in or on the vehicle; or

(ii) a current part-day parking ticket for another RTA multi-stay ticket parking area is correctly displayed in or on the vehicle; or

(iii) a current equivalent all-day parking ticket for another RTA multi-stay ticket parking area is correctly displayed in or on the vehicle; or

- (b) for any other ticket parking area—a current parking ticket for the area is correctly displayed in or on the vehicle.

Maximum penalty: 20 penalty units.

Examples of ticket parking areas for par (b)

- 1 a ticket parking area set up by the road transport authority in which parking up to a maximum of 4 hours is permitted by the ticket parking signs applying to the area

2 a ticket parking area set up by a parking authority

Note 1 Ticket parking areas may be set up by the road transport authority or a parking authority (see s 75A-s 76A).

Note 2 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) Subsection (1) (a) does not apply to a driver if, immediately after parking in the ticket parking area, the driver—
- (a) obtains a parking ticket for the ticket parking area and the ticket is correctly displayed in or on the driver's vehicle; or
 - (b) correctly displays in or on the driver's vehicle a parking ticket mentioned in subsection (1) (a) (ii) or (iii).
- (3) Subsection (1) (b) does not apply to a driver if, immediately after parking in the ticket parking area, the driver obtains a parking ticket for the ticket parking area and the ticket is correctly displayed in or on the driver's vehicle.
- (4) It is a defence to the prosecution of a driver for an offence against subsection (1) if the driver proves that—
- (a) a parking ticket was displayed in accordance with the subsection; and
 - (b) the driver took reasonable steps to ensure that the ticket remained correctly displayed while the driver's vehicle was parked in the ticket parking area.

Note For other exceptions to s (1), see s 50.

- (5) In this section:

all-day parking ticket, for a ticket parking area, means a parking ticket for which the relevant parking fee for parking all-day in the area has been paid.

correctly displayed—a parking ticket is ***correctly displayed*** in or on a vehicle if the ticket is displayed—

- (a) in or on the front left-hand side of the vehicle or, if the ticket requires the driver to display the ticket in or on a part of the vehicle, in or on that part of the vehicle; and
- (b) in a way that its expiry date and expiry time, and the ticket parking area for which it is issued, are clearly visible from outside the vehicle.

equivalent, for a multi-stay ticket parking area, means another ticket parking area for which the relevant parking fee for an all-day parking ticket for the area is the same or higher.

part-day parking ticket means a parking ticket that is not an all-day parking ticket.

RTA multi-stay ticket parking area means a ticket parking area set aside under section 76 (2) (a) (Ticket parking schemes—road transport authority) where all-day parking is permitted by the ticket parking signs applying to the area.

49B Ticket parking—maximum length of stay

- (1) A driver must not allow the driver's vehicle to remain parked in a ticket parking area after the expiry of a parking ticket displayed in or on the vehicle.

Maximum penalty: 20 penalty units.

Note 1 For when a parking ticket expires, see s 81.

Note 2 For exceptions to s (1), see s 50.

- (2) A driver must not allow the driver's vehicle to remain parked in a ticket parking area for longer than the period (if any) indicated on the ticket parking signs applying to the area as the maximum period for which a vehicle may be parked in the area.

Maximum penalty: 20 penalty units.

Note For exceptions to s (2), see s 50.

50 Ticket parking—exceptions to s 49A and s 49B

Section 49A (Ticket parking—display of tickets) and section 49B (Ticket parking—maximum length of stay) do not apply to—

- (a) a driver if the driver parks the driver's vehicle in a metered parking space within a ticket parking area and the driver complies with the provisions of division 2.3.5 (Metered parking) in relation to parking in the space; or
- (b) a driver for any period the driver's vehicle is parked in a ticket parking space outside the controlled parking hours for the space; or
- (c) a driver if—
 - (i) the driver's vehicle is parked in a ticket parking space; and
 - (ii) the driver displays in or on the vehicle a current mobility parking scheme authority; and
 - (iii) the driver complies with the conditions (if any) of the authority; or
- (d) a driver if—
 - (i) the driver's vehicle is parked in a ticket parking space, or on a length of road in a ticket parking area, designated by a *permit zone sign* for use by the holder of a stated kind of parking permit; and

- (ii) the driver displays in or on the vehicle a current parking permit of that kind; and
- (iii) the driver complies with the conditions (if any) of the permit.

51 Temporary closure of ticket parking spaces and areas

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

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

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

Maximum penalty: 20 penalty units.

- (4) In this section:

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

52 Use of false or damaged parking tickets etc

- (1) This section applies in relation to a vehicle that is parked in a ticket parking space within a ticket parking area.
- (2) A person must not display in or on the vehicle—
 - (a) anything resembling a parking ticket that falsely suggests that the relevant parking fee for parking in the space has been paid; or
 - (b) a parking ticket that has been changed, damaged or defaced.

Maximum penalty: 20 penalty units.

- (3) Subsection (2) does not apply if the parking ticket was not changed, damaged or defaced in a material particular.

53 Misuse of parking ticket machines

A person must not—

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

Maximum penalty: 20 penalty units.

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

54 Interfering with parking ticket machines etc

A person must not—

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

Maximum penalty: 20 penalty units.

55 Interfering with parking tickets

A person commits an offence if—

- (a) the person removes, changes, damages, defaces or otherwise interferes with a parking ticket that is in or on a vehicle; and
- (b) the vehicle is parked in a ticket parking area; and
- (c) the person is not—
 - (i) the driver of the vehicle; or
 - (ii) the responsible person for the vehicle.

Maximum penalty: 20 penalty units.

Division 2.3.7 Other ACT road rules about stopping and parking

Note The Australian Road Rules contains rules about the stopping and parking of vehicles, including the following:

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

- r 209 (which is about parallel parking in a median strip parking area)
- r 210 (which is about angle parking)
- r 211 (which is about parking in parking bays).

56 Unauthorised use of parking permits and mobility parking scheme authorities

- (1) A driver must not display a parking permit in or on the driver's vehicle if the driver is not entitled to do so under the conditions of the permit.

Maximum penalty: 20 penalty units.

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

Maximum penalty: 20 penalty units.

56A Interfering with parking permits and mobility parking scheme authorities

A person commits an offence if—

- (a) the person removes, changes, damages, defaces or otherwise interferes with a parking permit or mobility parking scheme authority that is in or on a vehicle; and
- (b) the person is not—
- (i) the driver of the vehicle; or
 - (ii) the responsible person for the vehicle; or
 - (iii) the person to whom the permit or authority was issued.

Maximum penalty: 20 penalty units.

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

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

Maximum penalty: 20 penalty units.

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

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

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

Maximum penalty: 20 penalty units.

- (4) In this section:

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

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

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

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

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

(1) In this section:

stopping or parking provision of this chapter means a provision of the following divisions:

- (a) division 2.3.5 (Metered parking);
- (b) division 2.3.6 (Ticket parking);
- (c) division 2.3.7 (Other ACT road rules about stopping and parking).

(2) A stopping or parking provision of this chapter does not apply to a driver if—

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

- (e) the driver stops at a particular place, or in a particular way, to comply with a provision of the Australian Road Rules or a provision of another law, and the driver stops for no longer than is necessary to comply with the provision.

Division 2.3.8 Other ACT road rules

U 59 Carrying dangerous substances

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

Maximum penalty: 30 penalty units.

- (2) In this section:

explosive substance—

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

major road tunnel means—

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

60 Interrupting funeral processions etc

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

- (a) a funeral procession or any other lawful procession; or

- (b) any vehicle or person forming part of a procession mentioned in paragraph (a).

Maximum penalty: 20 penalty units.

61 Driving on roads closed to traffic

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

Maximum penalty: 20 penalty units.

62 Use of wheeled recreational devices and wheeled toys on roads

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

Maximum penalty: 20 penalty units.

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

Maximum penalty: 20 penalty units.

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

Maximum penalty: 20 penalty units.

Part 2.4 Other provisions

63 **Devices that are prescribed traffic control devices—Act, dict, def *prescribed traffic control device***

The following things are prescribed traffic control devices:

- (a) any traffic control device that has effect for the Australian Road Rules under the Australian Road Rules, rule 315;
- (b) any traffic-related item that has effect for the Australian Road Rules under the Australian Road Rules, rule 319;
- (c) any pay parking device, pay 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).

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

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

Maximum penalty: 20 penalty units.

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

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

Maximum penalty: 20 penalty units.

65 Use of *do not overtake turning vehicle sign*

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

Maximum penalty: 20 penalty units.

U 66 Approvals etc by road transport authority

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

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

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

67 Exemption from requirement about riding on motorbikes

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

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

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

69 Exemption for driver of police vehicles

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

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

70 Exemption for driver of emergency vehicles

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

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

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

- (1) In this section:
- stopping or parking provision of this chapter*—see section 58 (1).
- (2) A stopping or parking provision of this chapter does not apply to the driver of a police vehicle or emergency vehicle if, in the circumstances—
- (a) the driver is taking reasonable care; and
 - (b) it is reasonable that the provision should not apply.

- (3) A stopping or parking provision of this chapter does not apply to an authorised person who is driving a vehicle in the course of the person's duty as an authorised person if, in the circumstances—
- (a) the person is taking reasonable care; and
 - (b) it is reasonable that the provision should not apply.

Chapter 3 Parking

Part 3.1 Parking schemes

Division 3.1.1 Metered parking schemes

72 Metered parking schemes

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

73 Metered parking areas

- (1) The road transport authority may set aside a length of road or area as a metered parking area.
- (2) A metered parking area must be designated by metered parking signs.

74 Parking meters

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

75 Metered parking spaces

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

Division 3.1.2 Ticket parking schemes

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

75A Parking authorities

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

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

- (3) The declaration is a disallowable instrument.

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

75B Parking authority guidelines

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

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

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

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

76 Ticket parking schemes—road transport authority

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

76A 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 pay parking devices.

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

77 Ticket parking areas

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

78 Ticket parking spaces

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

79 Ticket machines

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

80 Parking tickets

- (1) The following information must be printed on a parking ticket:
 - (a) the expiry date (expressed as the day of the month, the month and the year);
 - (b) the expiry time (expressed in hours and minutes);
 - (c) the name of the authority issuing the ticket;
 - (d) 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 a prepaid ticket, the daily value of the ticket;
- (f) a serial number;
- (g) instructions for use of the ticket.

Examples for 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 a prepaid parking 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.

81 Duration of parking tickets

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

Division 3.1.3 Heavy vehicle parking

82 Definitions—div 3.1.3

In this division:

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

land adjoining residential land—see section 83.

residential land means land leased for residential purposes.

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

83 References in div 3.1.3 to land adjoining residential land

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

84 Vehicle parked partly on residential land

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

85 Parking of certain vehicles on residential land prohibited

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

Maximum penalty: 20 penalty units.

85A No more than 1 heavy vehicle on residential land

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

Maximum penalty: 20 penalty units.

- (2) 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.

- (3) In this section:

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.

85B 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) In this section:

setback, in relation to land—see the territory plan, part 13 (Definitions).

86 Parking of certain vehicles on land adjoining residential land prohibited

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

Maximum penalty: 20 penalty units.

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

87 Parking of certain commercial vehicles on land with multi-unit 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) For this section, residential land has multi-unit housing if the land has more than 1 dwelling on it.

(4) In this section:

dwelling—see the territory plan.

Note The territory plan defines ***dwelling*** as meaning ‘a building or part of a building used as a self contained residence which must include food preparation facilities, a bath or shower, and a closet pan and wash basin’.

87A No offence if reasonable necessity etc

A person does not commit an offence against section 85, section 85A, section 85B, section 86 or section 87 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.

87B Heavy vehicle refrigeration units not to be operated on residential land

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.

87C 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) In this section:

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

88 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 85 (Parking of certain vehicles on residential land prohibited);
- (b) section 85A (No more than 1 heavy vehicle on residential land);
- (c) section 85B (Heavy vehicles to be parked away from residential land boundaries);
- (d) section 86 (Parking of certain vehicles on land adjoining residential land prohibited);

- (e) section 87 (Parking of certain commercial vehicles on land with multi-unit housing);
- (f) section 87B (Heavy vehicle refrigeration units not to be operated on residential land).

Division 3.1.3A Heavy vehicle parking—enforcement

89 Meaning of *occupier*—div 3.1.3A

In this division:

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.

90 Power to enter premises

- (1) For division 3.1.3 (Heavy vehicle parking), an authorised person may—
 - (a) enter premises with the occupier's consent; or
 - (b) enter premises if the authorised person believes on reasonable grounds that—
 - (i) a heavy vehicle is parked on the premises in contravention of that 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 87B or section 87C—at any time; and
 - (b) in any other case—between 8 am and 8 pm.

91 **Production of identity card**

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

Note Identity cards for authorised people are provided for in the *Road Transport (General) Act 1999*, s 20.

92 **Consent to entry**

- (1) When seeking the consent of an occupier of premises to enter premises under section 90 (1) (a), an authorised person must—
- (a) produce his or her 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.

93 General powers on entry to premises

- (1) An authorised person who enters premises under this division may, for division 3.1.3 (Heavy vehicle parking) and this division, 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.

Note The Legislation Act, s 170 and s 171 deal with the application of the privilege against self incrimination and client legal privilege.

- (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.

94 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.

95 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 3.1.4 Miscellaneous

97A Other powers to provide pay parking

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

98 Overlapping schemes

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

98A Income from ticket parking scheme

- (1) All fees collected by a parking authority from the operation of a ticket parking scheme belong to the parking authority.
- (2) Any surplus arising from the operation of a ticket parking scheme may be applied at the discretion of the parking authority.

98B Costs of ticket parking scheme

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

99 Trailers not separately chargeable

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

Part 3.2 Parking permits and mobility parking scheme authorities

100 Parking permits

- (1) The road transport authority may issue a permit (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 for 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.

101 Mobility parking scheme authorities

- (1) The road transport authority may issue a mobility parking scheme authority—
- (a) for use by a person with a disability; or
 - (b) for use by an entity for the transport of people with disabilities.
- (2) A mobility parking scheme authority 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.

Note 1 **People with disabilities symbol** is defined in the ARR, dict.

Note 2 For parking by mobility parking scheme authority holders, see s 15 and ARR, r 206.

101A 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.

101B Parking permits and mobility parking scheme authorities—return when cancelled

If a parking permit or mobility parking scheme authority is cancelled under section 101A, 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 no later than 21 days after the date of effect of the cancellation of the permit or authority.

Maximum penalty: 20 penalty units.

Part 3.3 Parking—other provisions

101C Marking tyres by parking inspectors

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.

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

Chapter 4 Traffic offence detection devices

102 Definitions—ch 4

In this chapter:

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

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

- (a) 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.

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 Multi Camera System (MCS) that includes, as a component, a loop detector speed measuring device.

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

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

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

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) Applied Concepts Inc. Stalker Dual; or
- (b) Gatsometer Radar 24; or
- (c) Kustom Signals, Inc. Silver Eagle; or
- (d) Kustom Signals, Inc. Silver Eagle II; or
- (e) 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.

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 in writing by the chief police officer to test approved police speedometers.

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

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

103 Approved traffic offence detection devices

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

103A Approval of police vehicle speedometers

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

- (2) An approval is a notifiable instrument.

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

104 Major testing of laser speed measuring devices

- (1) The following devices must be tested in accordance with this section at least once every 12 months:
- (a) a laser speed measuring device;
 - (b) the laser speed measuring device component of a digital camera detection device.

- (2) The test must be carried out—

- (a) by a person approved under section 106 (Approved people—testing and sealing); and
- (b) in accordance with Australian Standard AS 4691.1-2, as in force on the commencement of this paragraph.

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

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

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

separately from the other components of the device, and it is not necessary for the other components to be tested.

104A Major testing of other traffic offence detection devices

- (1) The following devices must be tested in accordance with this section:
 - (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.
- (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 106 (Approved people—testing and sealing).
- (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 on the commencement of this subsection.

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

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

- (5) The Legislation Act, section 47 (5) does not apply in relation to 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 2%.
- (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.

104B Certification and sealing of traffic offence detection devices

- (1) This section applies if a test of a traffic offence detection device under section 104 or section 104A establishes—
 - (a) a matter mentioned in section 104A (5) or (7) in relation to the device; or
 - (b) the matters mentioned in section 104 (4) or section 104A (3) in relation to the device.
- (2) The person who carried out the test must—
 - (a) sign a certificate to that effect; and
 - (b) if a seal on the device has been damaged or removed—seal the device.

105 Use of certain digital camera detection devices

- (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) 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.
- (5) If the requirements set out in this section are met, the device may operate unattended.
- (6) 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.
- (7) In this section:
- operator* means a person approved to use a traffic offence detection device under section 107 (Approved people—use).

105A Use of certain laser speed measuring devices

- (1) This section applies to a laser speed measuring device, other than a device mentioned in section 105 (Use of certain digital camera detection devices).
- (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 (1) (a) each time the device is activated at a different place.
- (4) If the device is used by 2 or more operators who are working together during the shift, the tests mentioned in subsection (1) (a) and (d) may be carried out by different operators.
- (5) In this section:

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

105B Use of certain radar speed measuring devices

- (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 2 km/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.
- (7) In this section:

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

106 Approved people—testing and sealing

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

107 Approved people—use

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

107A Recording of 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 WORM disk or other storage medium for electronic data (the *recording medium*).

Note **Camera detection device**—see the Act, s 23.

- (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.

107B 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.

108 Meaning of vehicle image codes

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

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

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

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.

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

Example

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

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

Example

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

- (6) For subsection (5) and schedule 1, if a road (however described) mentioned in an item of schedule 1 intersects with another road

(however described) more than once, the word ‘(north)’ or ‘(south)’ is included after the name of the road to indicate the intersection relevant to the meaning of the location code.

Example

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

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

Example

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

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

Examples

- 1 ‘Time: 11.07.00.23’ indicates that the image was taken at 0.23 seconds after 11.07 am.
- 2 ‘Time: 13:53:10:07’ indicates that the image was taken at 10.07 seconds after 1.53 pm.

- (9) The letter in the field immediately after ‘Direction’ or ‘Dir’ indicates—

- (a) for an image taken by a digital camera detection device—whether the general direction in which the vehicle was travelling was away from or towards the device, with ‘A’ indicating away from the device and ‘T’ indicating towards the device; or
- (b) for an image taken by a 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 for par (a)

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

Example for par (b)

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

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

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

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

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

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

Example

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

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

Example

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

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

Example

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

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

Example

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

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

Example

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

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

Example

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

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

Chapter 5 Miscellaneous

109 Additional powers of police

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

Maximum penalty: 20 penalty units.

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

110 Prohibition on car minding

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

Maximum penalty: 20 penalty units.

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

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

A police officer or authorised person may move an unattended vehicle from a road or road related area to a retention area if the vehicle is in—

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

112 Disposal of impounded vehicles—Act, s 10K

- (1) This section applies to a vehicle impounded under the following provisions of the Act:
- (a) section 10A (Impounding of vehicles used for menacing driving on court order before conviction etc);
 - (b) section 10B (Impounding or forfeiture of vehicles on conviction etc for certain offences);
 - (c) section 10C (Powers of police officers to seize and impound vehicles used in committing certain offences).

- (2) If a person has not applied to the chief police officer for the release of the vehicle at the end of the period of impoundment, the chief police officer must, by notice served on the registered operator of the vehicle and every person who has a registered interest in the vehicle, warn them that the vehicle may be offered for sale if the vehicle is not removed from the place of impoundment within 28 days after the day of service of the notice.
- (3) The vehicle may be offered for sale, by public auction or public tender, if the vehicle is not removed within 28 days after service of the notice or, if more than 1 notice is served under subsection (2), the later of the notices.
- (4) A person may apply to the chief police officer for payment to the person of the balance of the proceeds of sale of a vehicle within 1 year after the vehicle is sold in accordance with subsection (3).
- (5) The balance of the proceeds of sale may be paid to the person if the person satisfies the chief police officer that—
 - (a) the person was lawfully entitled to possession of the vehicle immediately before its sale; and
 - (b) there was a reasonable excuse for the person's failure to obtain release of the vehicle before it was sold.
- (6) In this section:

balance of the proceeds of sale, of a vehicle, means the proceeds of the sale of the vehicle less—

 - (a) any fee or other amount payable under the *Road Transport (General) Act 1999* for the seizure, impounding and storage of the vehicle; and
 - (b) the reasonable costs of or incidental to the sale.

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

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

113 Responsible person to inspect driver licence

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

Maximum penalty: 20 penalty units.

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

114 Responsible person's consent

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

Maximum penalty: 20 penalty units.

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

The prescribed standards are the performance standards in 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.

Schedule 1 **Meaning of location codes on images**

(see s 108)

Part 1.1 **Digital camera detection devices**

Table 1.1

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

column 1 item	column 2 location code	column 3 place where image was taken
14	0014	Hindmarsh Drive between Athllon Drive and Melrose Drive
15	0015	Kingsford Smith Drive between Kuringa Drive and Spalding Street
16	0016	Lady Denman Drive between Cotter Road and Barrenjoey Drive
17	0017	Long Gully Road
18	0018	Melrose Drive between Athllon Drive and Hindmarsh Drive
19	0019	Monaro Highway between Canberra Avenue and Hindmarsh Drive
20	0020	Monaro Highway between Hindmarsh Drive and Isabella Drive
21	0021	Mugga Lane between Narrabundah Lane and Long Gully Road
22	0022	Northbourne Avenue between Macarthur Avenue and Antill Street
23	0023	Parkes Way between Clunies Ross Street and Glenloch Interchange
24	0024	Tuggeranong Parkway between Lakeside Interchange and Cotter Road
25	0025	Tuggeranong Parkway between Hindmarsh Drive and Cotter Road
26	0026	Tuggeranong Parkway between Hindmarsh Drive and Sulwood Drive
27	0027	Yamba Drive between Mawson Drive and Beasley Street
28	0028	Pocket Avenue
29	0029	Owen Dixon Drive (excluding residential service road of same name)
30	0030	Taverner Street
31	0031	Springvale Drive
32	0032	Kerrigan Street
33	0033	Gladstone Street, Hall
34	0034	Heysen Street

Schedule 1
Part 1.1

Meaning of location codes on images
Digital camera detection devices

column 1 item	column 2 location code	column 3 place where image was taken
35	0035	Mugga Way
36	0036	Badimara Street
37	0037	Namatjira Drive
38	0038	Empire Circuit between Grey Street and Canberra Avenue
39	0039	Longmore Crescent
40	0040	Maribyrnong Avenue
41	0041	Learmonth Drive
42	0042	Petterd Street
43	0043	Williamson Street
44	0044	Tillyard Drive
45	0045	Dryandra Street between Fairfax Street and Archibald Street
46	0046	Newman Morris Circuit
47	0047	Chuculba Crescent
48	0048	Livingston Avenue
49	0049	Clive Steele Avenue
50	0050	Darwinia Terrace
51	0051	La Perouse Street
52	0052	Novar Street
53	0053	Goyder Street between Dalrymple Street and Jerrabomberra Avenue
54	0054	Launceston Street between Hindmarsh Drive and Melrose Drive
55	0055	Athllon Drive between Hindmarsh Drive and Beasley Street (south)
56	0056	Athllon Drive between Sulwood Drive and Anketell Street (north)
57	0057	Northbourne Avenue between Barry Drive and Macarthur Avenue
58	0058	Northbourne Avenue between Antill Street and Barton Highway

column 1 item	column 2 location code	column 3 place where image was taken
59	0059	Belconnen Way between Coulter Drive and Kingsford Smith Drive
60	0060	Phillip Avenue between Majura Avenue and Federal Highway
61	0061	Barton Highway between Federal Highway and Kuringa Drive
62	0062	Drakeford Drive between Athllon Drive and Isabella Drive
63	0063	Hindmarsh Drive between Athllon Drive and Dalrymple Street
64	0064	Hindmarsh Drive between Jerrabomberra Avenue and Canberra Avenue
65	0065	Barry Drive
66	0066	Ginninderra Drive between Braybrook Street and Kingsford Smith Drive
67	0067	Ginninderra Drive between Tillyard Drive and Florey Drive
68	0068	Erindale Drive between Long Gully Road and Sulwood Drive
69	0069	Erindale Drive between Soward Way and Judkins Street
70	0070	Kuringa Drive between Owen Dixon Drive and Barton Highway
71	0071	Launceston Street between Bowes Street and Furzer Street
72	0072	Monaro Highway between Johnson Drive and Isabella Drive
73	0073	Mugga Lane between Hindmarsh Drive and Narrabundah Lane
74	0074	Mugga Lane between Long Gully Road and Monaro Highway
75	0075	Parkes Way between Clunies Ross Street and Edinburgh Avenue
76	0076	Yamba Drive between Kitchener Street and Bateson Road
77	0077	Yarra Glen between Carruthers Street and Adelaide Avenue
78	0078	Canberra Avenue between Mildura Street and Monaro Highway
79	0079	Canberra Avenue between Harman Naval Station and Newcastle Street
80	0080	Kings Avenue between Bowen Drive and Parkes Way
81	0081	William Hovell Drive between Bindubi Street and Coulter Drive

Schedule 1
Part 1.1

Meaning of location codes on images
Digital camera detection devices

column 1 item	column 2 location code	column 3 place where image was taken
82	0082	William Hovell Drive between Coulter Drive and Drake Brockman Drive
83	0083	Commonwealth Ave between King Edward Terrace and London Circuit
84	0084	Gundaroo Drive between Burrowa Street and Gungahlin Drive
85	0085	Gundaroo Drive between Barton Highway and Nudurr Drive
86	0086	Bindubi Street between Bandjalong Cres and Cross Street
87	0087	Clift Crescent between Hemmings Crescent and Rohan Street
88	0088	Cotter Road between Eucumbene Drive and Mount Stromlo Road
89	0089	Federal Highway between Antill Street and Majura Road
90	0090	Majura Road between Federal Highway and Fairbairn Avenue
91	0091	Ellenborough Street between Ginninderra Drive and Maribyrnong Avenue
92	0092	Northbourne Avenue between Barton Highway and Stirling Avenue
93	0093	Southern Cross Drive between Coulter Drive and Kingsford Smith Drive
94	0094	Southern Cross Drive between Kingsford Smith Drive and Spofforth Street
95	0095	Sulwood Drive between Erindale Drive and Tuggeranong Parkway
96	0096	Coulter Drive between Belconnen Way and Lachlan Street
97	0097	Eastern Valley Way between Belconnen Way and College Street
98	0098	Haydon Drive between Belconnen Way and Ginninderra Drive
99	0099	Yamba Drive between Hindmarsh Drive and Wisdom Street
100	0100	Jansz Crescent between La Perouse Street and Carnegie Crescent
101	0101	Nemarang Crescent between the north and south intersections

column 1 item	column 2 location code	column 3 place where image was taken
		with Badimara Street
102	0102	Fairbairn Avenue between Anzac Parade and Pialligo Avenue
103	0103	Flinders Way between Mugga Way and Canberra Avenue
104	0104	Mawson Drive between Athllon Drive and Yamba Drive
105	0105	Stonehaven Crescent between Hopetoun Circuit and Strickland Crescent
106	0106	William Webb Drive between Ginninderra Drive and Owen Dixon Drive
107	0107	Ross Smith Crescent between Chewings Street and Southern Cross Drive
108	0108	Spofforth Street between Drake Brockman Drive and Southern Cross Drive
109	0109	Ginninderra Drive between Florey Drive and Kerrigan Street
110	0110	Archdall Street between Ginninderra Drive and Osburn Drive
111	0111	Limestone Avenue between Ainslie Avenue and Wakefield Avenue
112	0112	Copland Drive between Ginninderra Drive and Owen Dixon Drive
113	0113	Anketell Street between the north and south intersections with Athllon Drive
114	0114	Groom Street between Carruthers Street and Kent Street
115	0115	Isabella Drive between Drakeford Drive and Monaro Highway
116	0116	Ashley Drive between Johnson Drive and Erindale Drive
117	0117	Tharwa Drive between Drakeford Drive and Johnson Drive
118	0118	Tharwa Drive between Drakeford Drive and Knoke Avenue
119	0119	Horse Park Drive between Federal Highway and Katherine Avenue
120	0120	Kalgoorlie Crescent between the east and west intersections with Badimara Street

Part 1.2 **Fixed camera detection devices**

Table 1.2

column 1 item	column 2 location code	column 3 place where image was taken
1	1001	Northbourne Avenue/London Circuit
2	1002	Northbourne Avenue/Barry Drive/Cooyong Street
3	1003	Coulter Drive/Southern Cross Drive/Luxton Street
4	1004	Drakeford Drive/Boddington Crescent/Marconi Crescent
5	1005	Benjamin Way/Chan Street/Cameron Avenue
6	1006	Northbourne Avenue/Antill Street/Mouat Street
7	1007	Ginninderra Drive/Aikman Drive
8	1008	Hindmarsh Drive/Tuggeranong Parkway
9	1009	Kingsford Smith Drive/Southern Cross Drive
10	1010	Belconnen Way/Bindubi Street/Eastern Valley Way
11	1011	Ginninderra Drive/Coulter Drive
12	1012	Ginninderra Drive/Baldwin Drive/Haydon Drive
13	1013	Macarthur Avenue/David Street/Wattle Street
14	1014	Benjamin Way/College Street
15	1015	Barry Drive/North Road/McCaughey Street
16	1016	Ginninderra Drive/Copland Drive/John Cleland Crescent
17	1017	Hindmarsh Drive/Ainsworth Street
18	1018	Monaro Highway/Newcastle Street/Dairy Road
19	1019	Belconnen Way/Caswell Drive
20	1020	Barry Drive/Marcus Clarke Street
21	1021	Hindmarsh Drive/Yamba Drive
22	1022	Hindmarsh Drive/Ball Street
23	1023	Canberra Avenue/Hindmarsh Drive/Newcastle Street

column 1 item	column 2 location code	column 3 place where image was taken
24	1024	Canberra Avenue/Captain Cook Crescent/Manuka Circle
25	1025	Gungahlin Drive/Gundaroo Drive
26	1026	Barton Highway between Curran Drive and Gold Creek Road
27	1027	Barton Highway between Gungahlin Drive and Ellenborough Street
28	1028	Monaro Highway between Lanyon Drive and Sheppard Street
29	1029	Monaro Highway between Mugga Lane and Isabella Drive
30	1030	Federal Highway between Zelling Street and Antill Street
31	1031	Federal Highway between Antill Street and Majura Road
32	1032	Monaro Highway near Hindmarsh Drive overpass
33	1033	Tuggeranong Parkway near Hindmarsh Drive underpass
34	1034	Tuggeranong Parkway near Cotter Road overpass, northbound
35	1035	Tuggeranong Parkway near Cotter Road overpass, southbound

Dictionary

(see s 3)

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

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

- ambulance service
- chief police officer
- contravene
- exercise
- fire brigade
- rural fire service
- SES
- 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)
- indicated on
- registered interest
- road related area
- speed measuring device
- traffic offence detection device.

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

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

area—see the Australian Road Rules, dictionary.

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

ARR means Australian Road Rules.

articulated vehicle means a motor vehicle with—

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

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

Australian Road Rules—see section 5.

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

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

bicycle—see the Australian Road Rules, dictionary.

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

bus—see the Australian Road Rules, dictionary.

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

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

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

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

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

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

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

crash—see the Australian Road Rules, dictionary.

demand responsive service vehicle—see the *Road Transport (Public Passenger Services) Act 2001*, section 81.

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

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

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

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

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

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

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

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

emergency worker—see section 33 (1).

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

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

footpath—see the Australian Road Rules, dictionary.

give way—see the Australian Road Rules, dictionary.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

motor vehicle—see the Act, dictionary.

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

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

nature strip—see the Australian Road Rules, dictionary.

night—see the Australian Road Rules, dictionary.

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

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

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

park—see section 3B.

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

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

parking bay—see the Australian Road Rules, dictionary.

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

parking meter means a device designed to indicate, or capable of indicating, whether the 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 meter hood means a hood or other cover designed to be fitted to a parking meter and to cover the part of the meter that would normally display a sign with the word 'expired' when the meter is not in operation.

parking permit means a parking permit issued under section 100.

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

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

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

pay parking device means a parking meter or parking ticket machine.

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

pay parking sign means a metered parking sign or ticket parking sign.

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

pedestrian—see the Australian Road Rules, rule 18.

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

person with a disability means a person—

- (a) who cannot walk because of permanent or temporary loss of the use of 1 or both legs or another permanent medical or physical condition; or
- (b) whose physical condition is detrimentally affected by walking 100m; or
- (c) who needs to use a walking frame, crutches, callipers, a scooter, a wheelchair or a similar mobility aid.

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

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

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

postal vehicle—see the Australian Road Rules, dictionary.

premises includes land.

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

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

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

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

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

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

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

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

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

ride—see the Australian Road Rules, dictionary.

rider—see the Australian Road Rules, rule 17.

road—see section 3A.

road marking—see the Australian Road Rules, dictionary.

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

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

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

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

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

stop—see section 3B.

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

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

ticket parking area—

- (a) means a length of road or area that is set aside as a ticket parking area under section 76 (2) (a) or section 76A (2) (a); but
- (b) does not include a length of road or area that, under section 77 (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 3.1.2.

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

ticket parking space means a ticket parking space under section 78.

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

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

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

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

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

traffic sign—see the Australian Road Rules, dictionary.

traffic signals—see the Australian Road Rules, dictionary.

trailer—see the Act, dict.

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

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

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

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

vehicle—see the Australian Road Rules, rule 15.

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

wheeled toy—see the Australian Road Rules, dictionary.

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

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

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

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

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

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

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

The endnotes also include a table of earlier republications.

2 Abbreviation key

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

3 **Legislation history**

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

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

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

as amended by

Legislative Assembly AR2000-2

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

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

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

Road Transport Legislation Regulations Amendment SL 2000 No 33 pt 2

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

Road Transport Legislation Regulations Amendment SL 2000 No 52 pt 2

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

Road Transport Legislation Amendment Act 2001 No 27 sch 4

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

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

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

Endnotes

3 Legislation history

Legislation (Consequential Amendments) Act 2001 No 44 pt 348

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

Statute Law Amendment Act 2001 No 56 pt 3.46

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

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

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

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

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

Road Transport Legislation Amendment Regulations 2002 SL No 2 pt 5

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

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

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

Statute Law Amendment Act 2002 No 30 pt 3.73

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

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

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

Criminal Code 2002 No 51 pt 1.20

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

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

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

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

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

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

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

Dangerous Substances Act 2004 A2004-7 sch 1 pt 1.8

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

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

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

Endnotes

3 Legislation history

Emergencies Act 2004 A2004-28 sch 3 pt 3.20

notified LR 29 June 2004

s 1, s 2 commenced 29 June 2004 (LA s 75 (1))

sch 3 pt 3.20 commenced 1 July 2004 (s 2 (1) and CN2004-11)

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

notified LR 9 September 2004

s 1, s 2 commenced 9 September 2004 (LA s 75 (1))

pt 5 commenced 10 September 2004 (s 2)

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

notified LR 7 March 2005

s 1, s 2 commenced 7 March 2005 (LA s 75 (1))

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

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

notified LR 8 April 2005

s 1, s 2 commenced 8 April 2005 (LA s 75 (1))

remainder commenced 9 April 2005 (s 2)

**Road Transport (Safety and Traffic Management) Amendment
Regulation 2005 (No 2) SL2005-22**

notified LR 15 September 2005

s 1, s 2 commenced 15 September 2005 (LA s 75 (1))

remainder commenced 16 September 2005 (s 2)

Statute Law Amendment Act 2005 (No 2) A2005-62 sch 1 pt 1.4

notified LR 21 December 2005

s 1, s 2 commenced 21 December 2005 (LA s 75 (1))

sch 1 pt 1.4 commenced 11 January 2006 (s 2 (1))

**Road Transport (Safety and Traffic Management) Amendment
Regulation 2006 (No 1) SL2006-4**

notified LR 16 January 2006

s 1, s 2 commenced 16 January 2006 (LA s 75 (1))

remainder commenced 17 January 2006 (s 2)

Road Transport (Public Passenger Services) Amendment Regulation 2006 (No 1) SL2006-32 sch 1 pt 1.5

notified LR 26 June 2006
s 1, s 2 commenced 26 June 2006 (LA s 75 (1))
sch 1 pt 1.5 commenced 3 July 2006 (s 2 (2))

Road Transport (Safety and Traffic Management) Amendment Regulation 2006 (No 2) SL2006-51

notified LR 4 December 2006
s 1, s 2 commenced 4 December 2006 (LA s 75 (1))
remainder commenced 5 December 2006 (s 2)

Road Transport (Safety and Traffic Management) Amendment Regulation 2007 (No 1) SL2007-20

notified LR 30 July 2007
s 1, s 2 commenced 30 July 2007 (LA s 75 (1))
remainder commenced 31 July 2007 (s 2)

Planning and Development (Consequential Amendments) Act 2007 A2007-25 sch 1 pt 1.29

notified LR 13 September 2007
s 1, s 2 commenced 13 September 2007 (LA s 75 (1))
sch 1 pt 1.29 commenced 31 March 2008 (s 2 and see Planning and Development Act 2007 A2007-24, s 2 and CN2008-1)

Road Transport (Safety and Traffic Management) Amendment Regulation 2008 (No 1) SL2008-40

notified LR 11 September 2008
s 1, s 2 commenced 11 September 2008 (LA s 75 (1))
remainder commenced 11 March 2009 (s 2 and LA s 79)

Road Transport Legislation Amendment Regulation 2008 (No 2) SL2008-47 sch 1 pt 1.3

notified LR 1 December 2008
s 1, s 2 commenced 1 December 2008 (LA s 75 (1))
sch 1 pt 1.3 commenced 2 December 2008 (s 2)

Endnotes

4 Amendment history

Road Transport Legislation Amendment Regulation 2009 (No 1) SL2009-6 pt 4

notified LR 11 March 2009
s 1, s 2 commenced 11 March 2009 (LA s 75 (1))
pt 4 commenced 16 March 2009 (s 2 and CN2009-7)

Road Transport (Safety and Traffic Management) Amendment Regulation 2009 (No 1) SL2009-7

notified LR 12 March 2009
s 1, s 2 commenced 12 March 2009 (LA s 75 (1))
remainder commenced 13 March 2009 (s 2)

Road Transport (Mass, Dimensions and Loading) Act 2009 A2009-22 sch 1 pt 1.10

notified LR 3 September 2009
s 1, s 2 commenced 3 September 2009 (LA s 75 (1))
sch 1 pt 1.10 commenced 3 March 2010 (s 2 and LA s 79)

Dangerous Goods (Road Transport) Act 2009 A2009-34 sch 1 pt 1.3

notified LR 28 September 2009
s 1, s 2 commenced 28 September 2009 (LA s 75 (1))
sch 1 pt 1.3 awaiting commencement (s 2)

Note default commencement under s 2 (2): 28 September 2010 (LA s 79 does not apply to this Act)

Road Transport Legislation Amendment Regulation 2010 (No 1) SL2010-5 pt 4

notified LR 1 March 2010
s 1, s 2 commenced 1 March 2010 (LA s 75 (1))
s 55, ss 58-62 commence 15 March 2011 (s 2 (2))
pt 4 remainder commenced 15 March 2010 (s 2 (1))

4 Amendment history

Name of regulation

s 1 am R18 LA

Dictionary

s 2 om Act 2001 No 27 amdt 4.24
ins SL2005-22 amdt 1.1

Dictionary—application to Australian Road Rules

s 3 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 3 am Act 2001 No 44 amdt 1.3793
 sub SL2005-22 amdt 1.1

Road includes road related area

s 3A ins SL2005-22 amdt 1.1

Meaning of *park and stop*

s 3B ins SL2005-22 amdt 1.1

Notes

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

Offences against regulation—application of Criminal Code etc

s 4A ins SL2003-1 s 16

Offences against regulation are strict liability offences

s 4B ins SL2003-1 s 16

General defence of accident or reasonable effort

s 4C ins SL2003-1 s 16

Meaning of *Australian Road Rules*

s 5 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 5 sub SL2004-16 s 25
 am SL2005-22 amdt 1.2
 sub SL2010-5 s 51

Incorporation of Australian Road Rules into ACT law

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

Transitional—ARR r 266 and r 267

s 6A ins SL2010-5 s 52
exp 14 March 2011 (s 6A (2))

General

div 2.2.1 hdg
 note 2 am 2000 No 52 s 3; 2001 No 32 s 3; 2002 No 31 s 22;
 SL2003-12 s 4; SL2004-16 ss 26-30
 sub SL2005-22 s 4
 am SL2006-32 amdt 1.92; items renum R24 LA; SL2010-5
 s 53, s 54; items renum R34 LA; SL2010-5 s 55

div 2.2.1 hdg
 note 3 sub SL2005-22 s 4
 am A2009-22 amdt 1.25

Endnotes

4 Amendment history

References to another law of this jurisdiction etc

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

ARR r 10 (2)—penalties for offences

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

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

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

ARR r 95—emergency stopping lane only signs

s 9 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 9 am SL2005-22 amdt 1.3

ARR r 104—no truck signs

s 10 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 10 am SL2005-22 amdt 1.4

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

s 12 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 12 sub 2002 No 31 s 23; SL2005-4 amdt 2.38
am SL2006-32 amdt 1.93

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

s 12A ins SL2004-16 s 32
om SL2010-5 s 56

ARR r 179 (1) (c)—stopping in a loading zone—goods and permit vehicles

s 13 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 13 sub SL2005-22 s 5

ARR r 179 (1) (c) and (2) (c)—stopping in loading zone—taxis

s 13A ins SL2005-22 s 5

ARR r 183—stopping in a bus zone

s 13B ins SL2006-32 amdt 1.94

ARR r 195—stopping at or near a bus stop

s 13C ins SL2006-32 amdt 1.94

ARR r 199 (2)—stopping near postbox

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

ARR r 206 (2) (b), (c)—time extension for people with disabilities permit

s 15 hdg bracketed note exp 17 September 2002 (s 4 (3))
sub SL2005-22 amdt 1.5

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

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

ARR r 213 (5)—making a motor vehicle secure—exception

s 16A ins Legislative Assembly AR2000-2 (see Gaz 2000 No 20)
 am SL2004-16 s 33
 sub SL2005-22 amdt 1.6

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

s 18 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 18 sub A2009-34 amdt 1.6

ARR r 225—use of radar detectors

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

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

s 22A ins SL2004-16 s 34

ARR r 244C—motorised scooters not to be used

s 23 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 23 sub SL2010-5 s 57

ARR r 266—children travelling in interstate registered vehicles

s 23A ins 2000 No 21 s 3
 om SL2004-16 s 35
 ins SL2010-5 s 58

ARR r 266 (2B)—children travelling in goods compartments

s 23B ins 2001 No 32 s 4
 am 2002 No 2 s 28; Act 2002 No 51 amdt 1.38; SL2005-4
 amdt 2.39, amdt 2.40; SL2006-32 amdt 1.95
 sub SL2010-5 s 58

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

s 24 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 24 am SL2010-5 s 59

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

s 25 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 25 om SL2010-5 s 60

ARR r 270 (3)—wearing motorbike helmets

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

ARR r 271 (6)—riding on motorbikes

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

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

s 27A ins 2002 No 31 s 24
 sub SL2005-4 amdt 2.41; SL2006-32 amdt 1.96

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

s 28 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 28 sub SL2008-40 s 4

Endnotes

4 Amendment history

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

s 29 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 29 am SL2004-16 s 36; pars renum R16 LA (see
SL2004-16 s 37); SL2005-22 amdt 1.7

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

s 30 am SL2005-22 amdt 1.8

ARR r 313—postal workers

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

ARR dict—definitions for dictionary

s 33 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 33 am SL2005-22 amdt 1.9
def **emergency worker** am A2004-28 amdt 3.61
def **hire car** ins SL2005-4 amdt 2.43
def **oversize vehicle** sub A2009-22 amdt 1.26
def **police officer** sub Act 2001 No 56 amdt 3.475
def **private hire car** om SL2005-4 amdt 2.44
def **public bus** sub Act 2001 No 62 amdt 1.38
def **restricted hire vehicle** om SL2005-4 amdt 2.44
def **taxi** sub 2002 No 2 s 29
am SL2005-4 amdt 2.42

Offences against the Australian Road Rules

div 2.2.3 hdg om SL2003-1 s 17

Application of Criminal Code

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

Offences are strict liability offences

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

General defence of accident or reasonable effort

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

Making unnecessary engine noise

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

Emission of waste oil or grease

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

Safety of persons on trailers

s 39 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 39 am SL2005-22 amdt 1.10, amdt 1.11

Passengers in sidecars to be seated

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

Number of vehicles that may be drawn

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

Towing by vehicles under 4.5t

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

Lights on motor vehicles generally

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

Metered parking

div 2.3.5 hdg sub SL2005-22 s 6

Metered parking—parking in spaces

s 44 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 44 sub SL2005-22 s 7

Metered parking—parking fees

s 44A ins SL2005-22 s 7

Metered parking—maximum length of stay

s 44B ins SL2005-22 s 7

Metered parking—exceptions to s 44A and s 44B

s 45 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 45 sub SL2005-22 s 7

Temporary closure of metered parking spaces

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

Misuse of parking meters

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

Interfering with parking meters etc

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

Ticket parking

div 2.3.6 hdg orig div 2.3.6 hdg renum as div 2.3.8 hdg
ins by SL2005-22 s 8

Ticket parking—parking in spaces

s 49 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 49 sub SL2005-22 s 8

Ticket parking—display of tickets

s 49A ins SL2005-22 s 8

Endnotes

4 Amendment history

Ticket parking—maximum length of stay

s 49B ins SL2005-22 s 8

Ticket parking—exceptions to s 49A and s 49B

s 50 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 50 sub SL2005-22 s 8

Temporary closure of ticket parking spaces and areas

s 51 hdg bracketed note exp 17 September 2002 (s 4 (3))
sub SL2005-22 amdt 1.12
s 51 am 2002 No 7 s 4, s 5; regs renum R6 LA (see 2002 No 7 s 6)

Use of false or damaged parking tickets etc

s 52 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 52 sub SL2005-22 s 9

Misuse of parking ticket machines

s 53 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 53 sub SL2005-22 s 9

Interfering with parking ticket machines etc

s 54 hdg bracketed note exp 17 September 2002 (s 4 (3))

Interfering with parking tickets

s 55 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 55 sub SL2005-22 s 10

Other ACT road rules about stopping and parking

div 2.3.7 hdg ins SL2005-22 s 10

Unauthorised use of parking permits and mobility parking scheme authorities

s 56 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 56 am Act 2002 No 30 amdt 3.770
sub SL2005-22 s 10

Interfering with parking permits and mobility parking scheme authorities

s 56A ins SL2005-22 s 10

No stopping on a road with a red kerb

s 57 am 2001 No 32 s 5
exp 1 December 2002 (s 57 (2))

Stopping public buses in bus zones and at bus stops

s 57A hdg bracketed note exp 17 September 2002 (s 4 (3))
s 57A ins 2000 No 33 s 3
am 2001 Act No 62 amdts 1.39-1.41

Stopping in an emergency etc or to comply with another law

s 58 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 58 am SL2005-22 s 11, s 12

Other ACT road rules

div 2.3.8 hdg (prev div 2.3.6 hdg) ins SL2005-22 s 13

Carrying dangerous substances

s 59 hdg bracketed note exp 17 September 2002 (s 4 (3))
sub A2004-7 amdt 1.14

s 59 am A2004-7 amdt 1.15, amdt 1.16
om A2009-34 amdt 1.7

Interrupting funeral processions etc

s 60 hdg bracketed note exp 17 September 2002 (s 4 (3))

Driving on roads closed to traffic

s 61 hdg bracketed note exp 17 September 2002 (s 4 (3))

Use of wheeled recreational devices and wheeled toys on roads

s 62 hdg bracketed note exp 17 September 2002 (s 4 (3))

Devices that are prescribed traffic control devices—Act, dict, def *prescribed traffic control device*

s 63 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 63 sub SL2005-22 s 14

Preventing prescribed traffic control devices being clearly visible

s 64 hdg bracketed note exp 17 September 2002 (s 4 (3))

Use of *do not overtake turning vehicle sign*

s 65 hdg bracketed note exp 17 September 2002 (s 4 (3))

Approvals etc by road transport authority

s 66 am Act 2001 No 44 amdt 1.3797, amdt 1.3798
s 66 am SL2010-5 s 61, s 62

Defence of complying with direction of police officer or authorised person

s 68 hdg bracketed note exp 17 September 2002 (s 4 (3))

Exemption for driver of police vehicles

s 69 hdg bracketed note exp 17 September 2002 (s 4 (3))

Exemption for driver of emergency vehicles

s 70 hdg bracketed note exp 17 September 2002 (s 4 (3))

Stopping and parking exemption for police and emergency vehicles and authorised people

s 71 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 71 sub 2002 No 7 s 7; SL2005-22 s 15

Parking

ch 3 hdg ins 2001 No 32 s 6

Metered parking schemes

s 72 hdg bracketed note exp 17 September 2002 (s 4 (3))

Endnotes

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Metered parking areas

s 73 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 73 am SL2005-22 amdt 1.13

Parking meters

s 74 hdg bracketed note exp 17 September 2002 (s 4 (3))

Metered parking spaces

s 75 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 74 am SL2005-22 s 16

Parking authorities

s 75A ins 2002 No 7 s 8

Parking authority guidelines

s 75B hdg bracketed note exp 17 September 2002 (s 4 (3))
s 75B ins 2002 No 7 s 8

Ticket parking schemes—road transport authority

s 76 hdg sub 2002 No 7 s 9
bracketed note exp 17 September 2002 (s 4 (3))
s 76 am SL2005-22 s 17

Ticket parking schemes—parking authorities

s 76A hdg bracketed note exp 17 September 2002 (s 4 (3))
sub SL2005-22 amdt 1.14
s 76A ins 2002 No 7 s 10

Ticket parking areas

s 77 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 77 am SL2005-22 amdt 1.15, amdt 1.16
(3), (4) exp 1 December 2006 (s 77 (4))

Ticket parking spaces

s 78 hdg bracketed note exp 17 September 2002 (s 4 (3))

Ticket machines

s 79 hdg bracketed note exp 17 September 2002 (s 4 (3))

Parking tickets

s 80 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 80 am 2002 No 7 s 11; SL2005-22 ss 18-20

Duration of parking tickets

s 81 hdg bracketed note exp 17 September 2002 (s 4 (3))

Definitions—div 3.1.3

s 82 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 82 def **code of practice** om SL2008-47 amdt 1.4
def **exemption** om SL2008-47 amdt 1.4
def **existing operator** om SL2008-47 amdt 1.4

def *existing operator's certificate* om SL2008-47 amdt 1.4

References in div 3.1.3 to land adjoining residential land

s 83 hdg bracketed note exp 17 September 2002 (s 4 (3))

Vehicle parked partly on residential land

s 84 hdg bracketed note exp 17 September 2002 (s 4 (3))

Parking of certain vehicles on residential land prohibited

s 85 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 85 am SL2005-22 amdt 1.17; SL2008-47 amdt 1.5

No more than 1 heavy vehicle on residential land

s 85A ins SL2008-47 amdt 1.6

Heavy vehicles to be parked away from residential land boundaries

s 85B ins SL2008-47 amdt 1.6

Parking of certain vehicles on land adjoining residential land prohibited

s 86 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 86 am SL2005-22 amdt 1.17; SL2008-47 amdt 1.7, amdt 1.8;
ss renum R29 LA

Parking of certain commercial vehicles on land with multi-unit housing

s 87 hdg bracketed note exp 17 September 2002 (s 4 (3))

sub A2007-25 amdt 1.165

s 87 am Act 2002 No 30 amdt 3.771; SL2005-22 amdt 1.17;
A2007-25 amdt 1.166, amdt 1.167; SL2008-47 amdt 1.9;
ss renum R29 LA

No offence if reasonable necessity etc

s 87A ins SL2008-47 amdt 1.10

Heavy vehicle refrigeration units not to be operated on residential land

s 87B ins SL2008-47 amdt 1.10

Prohibition on night operation of heavy vehicle

s 87C ins SL2008-47 amdt 1.10

Daily infringement

s 88 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 88 am A2007-25 amdt 1.168

sub SL2008-47 amdt 1.11

Heavy vehicle parking—enforcement

div 3.1.3A hdg ins SL2008-47 amdt 1.13

Meaning of *occupier*—div 3.1.3A

s 89 hdg bracketed note exp 17 September 2002 (s 4 (3))

s 89 am Act 2001 No 44 amdt 1.3799, amdt 1.3800

om SL2008-47 amdt 1.12

ins SL2008-47 amdt 1.13

Endnotes

4 Amendment history

Power to enter premises

s 90 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 90 am Act 2001 No 44 amds 1.3801-1.3803
def *the code of practice* om Act 2001 No 44 amdt 1.3803
om SL2008-47 amdt 1.12
ins SL2008-47 amdt 1.13

Production of identity card

s 91 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 91 om SL2008-47 amdt 1.12
ins SL2008-47 amdt 1.13

Consent to entry

s 92 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 92 am SL2005-22 s 21
om SL2008-47 amdt 1.12
ins SL2008-47 amdt 1.13

General powers on entry to premises

s 93 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 93 om SL2008-47 amdt 1.12
ins SL2008-47 amdt 1.13

Damage etc to be minimised

s 94 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 94 om SL2008-47 amdt 1.12
ins SL2008-47 amdt 1.13

Compensation for exercise of enforcement powers

s 95 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 95 om SL2008-47 amdt 1.12
ins SL2008-47 amdt 1.13

Loss etc of existing operator's certificate

s 96 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 96 om SL2008-47 amdt 1.12

Cancellation of existing operator's certificate etc

s 97 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 97 am Act 2002 No 30 amdt 3.772
om SL2008-47 amdt 1.12

Other powers to provide pay parking

s 97A hdg bracketed note exp 17 September 2002 (s 4 (3))
s 97A ins 2002 No 7 s 12

Overlapping schemes

s 98 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 98 am 2002 No 7 s 13

Income from ticket parking scheme

s 98A hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 98A ins 2002 No 7 s 14

Costs of ticket parking scheme

s 98B hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 98B ins 2002 No 7 s 14

Trailers not separately chargeable

s 99 hdg bracketed note exp 17 September 2002 (s 4 (3))

Parking permits

s 100 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 100 sub SL2005-22 s 22

Mobility parking scheme authorities

s 101 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 101 sub SL2005-22 s 22

Parking permits and mobility parking scheme authorities—cancellation

s 101A ins SL2005-22 s 22

Parking permits and mobility parking scheme authorities—return when cancelled

s 101B ins SL2005-22 s 22

Parking—other provisions

pt 3.3 hdg ins SL2006-51 s 4

Marking tyres by parking inspectors

s 101C ins SL2006-51 s 4

Definitions—ch 4

s 102 hdg bracketed note exp 17 September 2002 (s 4 (3))
 s 102 am 2000 No 33 s 4; 2000 No 52 s 4
 def **approved police speedometer** ins 2001 No 32 s 7
 def **digital camera detection device** sub 2001 No 32 s 8;
 SL2007-20 s 4
 def **fixed camera detection device** ins SL2007-20 s 5
 def **laser speed measuring device** sub SL2004-47 s 40
 am SL2009-7 s 4
 def **loop detector speed measuring device** ins SL2006-51
 s 5
 def **piezo strip speed measuring device** sub SL2006-51 s 6
 def **radar speed measuring device** sub SL2004-47 s 41;
 SL2007-20 s 6
 am SL2009-7 s 5
 def **security checksum** ins 2001 No 32 s 9
 def **testing authority** am 2001 No 32 s 10; SL2004-47 s 42;
 SL2009-6 s 33

Endnotes

4 Amendment history

def **traffic lights camera detection device** am SL2006-51 s 7
om SL2007-20 s 7
def **WORM disk** ins SL2004-47 s 43

Approved traffic offence detection devices

s 103 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 103 sub 2000 No 52 s 5
am 2001 No 32 s 11; SL2006-51 s 8; SL2007-20 s 8

Approval of police vehicle speedometers

s 103A ins 2001 No 32 s 12

Major testing of laser speed measuring devices

s 104 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 104 am 2000 No 33 s 5
sub 2000 No 52 s 5
am 2001 No 32 regs 13-17
sub SL2004-47 s 44

Major testing of other traffic offence detection devices

s 104A ins SL2004-47 s 44
am SL2006-51 ss 9-11; ss renum R26 LA
sub SL2007-20 s 9

Certification and sealing of traffic offence detection devices

s 104B ins SL2004-47 s 44

Use of certain digital camera detection devices

s 105 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 105 sub 2001 No 32 s 18; SL2007-20 s 10

Use of certain laser speed measuring devices

s 105A hdg bracketed note exp 17 September 2002 (s 4 (3))
sub SL2007-20 s 11
s 105A ins 2001 No 32 s 18
am SL2007-20 s 11; ss renum R27 LA

Use of certain radar speed measuring devices

s 105B hdg bracketed note exp 17 September 2002 (s 4 (3))
sub SL2007-20 s 12
s 105B ins 2001 No 32 s 18
am SL2007-20 s 12; ss renum R27 LA

Approved people—testing and sealing

s 106 hdg bracketed note exp 17 September 2002 (s 4 (3))

Approved people—use

s 107 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 107 am 2000 No 52 s 6; SL2007-20 s 13

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

s 107A ins 2001 No 32 s 19
am SL2004-47 s 45
sub SL2007-20 s 14

Verification of camera detection device image files—Act, s 23 (2) (c) (iii)

s 107B ins 2001 No 32 s 19
sub SL2007-20 s 14

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

s 107C ins 2001 No 32 s 19
om SL2007-20 s 14

Meaning of vehicle image codes

s 108 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 108 sub 2000 No 33 s 6; 2000 No 52 s 7
am 2001 No 32 regs 20-22; SL2005-7 ss 4-6; SL2006-51 s 12;
SL2007-20 s 15, s 16

Additional powers of police

s 109 hdg bracketed note exp 17 September 2002 (s 4 (3))

Prohibition on car minding

s 110 hdg bracketed note exp 17 September 2002 (s 4 (3))

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

s 111 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 111 sub SL2005-22 amdt 1.18

Disposal of impounded or forfeited vehicles

s 112 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 112 am Act 2001 No 29 s 14
sub 2001 No 32 s 23

Disposal of forfeited vehicles—Act, s 10J

s 112A hdg bracketed note exp 17 September 2002 (s 4 (3))
s 112A ins 2001 No 32 s 23

Responsible person to inspect driver licence

s 113 hdg bracketed note exp 17 September 2002 (s 4 (3))

Responsible person's consent

s 114 hdg bracketed note exp 17 September 2002 (s 4 (3))

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

s 115 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 115 sub Act 2002 No 51 amdt 1.42
om SL2003-1 s 18
ins A2005-62 amdt 1.6

Endnotes

4 Amendment history

Offences against regulation are strict liability offences

s 116 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 116 am Act 2002 No 51 amdt 1.43
om SL2003-1 s 18

General defence of accident or reasonable effort

s 117 hdg bracketed note exp 17 September 2002 (s 4 (3))
s 117 am Act 2002 No 51 amdt 1.44
om SL2003-1 s 18

Transitional

ch 6 hdg exp 1 March 2002 (s 128)

Parking

pt 6.1 hdg exp 1 March 2002 (s 128)

Existing Class A and Class B parking spaces

s 118 exp 1 March 2002 (s 128)

Existing parking labels

s 119 exp 1 March 2002 (s 128)

Existing disability labels

s 120 exp 1 June 2000 (s 120)

Existing codes of practice

s 121 exp 1 March 2002 (s 128)

Existing exemptions

s 122 exp 1 March 2002 (s 128)

Existing applications for exemptions and variation of conditions

s 123 exp 1 March 2002 (s 128)

Existing notices to show cause

s 124 exp 1 March 2002 (s 128)

Traffic offence detection devices

pt 6.2 hdg exp 1 March 2002 (s 128)

Existing tests and certificates

s 125 am 2001 No 32 s 24
exp 1 March 2002 (s 128)

Existing approved people—use

s 126 exp 1 March 2002 (s 128)

Other transitional provisions

pt 6.3 hdg exp 1 March 2002 (s 128)

Existing medical certificate about seatbelts

s 127 exp 1 March 2002 (s 128)

Expiry of ch 6

s 128 am Act 2001 No 27 amdt 4.25
 am Act 2001 No 44 amdt 1.3804
 exp 1 March 2002 (s 128)

Meaning of location codes on images

sch 1 sub 2000 No 33 s 8

Digital camera detection devices

sch 1 pt 1.1 hdg (prev sch 1 pt 1 hdg) ins SL2000-52 s 8
 renum R4 LA
 sch 1 pt 1.1 am SL2000-52 s 8; SL2005-7 s 7; SL2006-4 s 4; SL2006-51
 ss 13-15

Fixed camera detection devices

sch 1 pt 1.2 hdg (prev sch 1 pt 2 hdg) ins SL2000-52 s 8
 renum R4 LA
 sub SL2007-20 s 17
 sch 1 pt 1.2 ins SL2000-52 s 8
 am SL2003-14 s 4; items renum SL2005-7 s 8; SL2006-51
 s 16; SL2007-20 s 18

Dictionary

dict am A2004-28 amdt 3.62; SL2007-20 s 19; A2007-25
 amdt 1.169; SL2008-47 amdt 1.14
 def **approved police speedometer** ins 2001 No 32 s 26
 def **area of operations** ins 2002 No 7 s 15
 def **ARR** ins SL2003-12 s 6
 def **camera detection device** ins 2000 No 52 s 9
 sub 2001 No 32 s 25
 def **centre of the road** ins 2000 No 52 s 9
 def **code of practice** om SL2008-47 amdt 1.15
 def **demand responsive service vehicle** ins SL2006-32
 amdt 1.97
 def **digital camera detection device** ins 2000 No 52 s 9
 def **emergency worker** om SL2004-16 s 38
 ins SL2005-22 amdt 1.19
 def **exemption** om SL2008-47 amdt 1.15
 def **existing operator's certificate** om SL2008-47 amdt 1.15
 def **fixed camera detection device** ins SL2007-20 s 20
 def **give way** ins 2000 No 21 s 4
 def **hire car** ins SL2005-4 amdt 2.43
 def **indicated on** ins 2001 No 32 s 26
 om R18 LA
 def **laser speed measuring device** ins 2000 No 52 s 9
 def **length** ins 2000 No 52 s 9
 def **length of road** om 2000 No 52 s 9
 def **loading zone permit** om SL2005-22 s 23

Endnotes

4 Amendment history

- def **marked foot crossing** ins 2000 No 21 s 4
- def **motor vehicle** ins 2000 No 52 s 9
- def **park** sub SL2005-22 amdt 1.10
- def **parking authority** ins 2002 No 7 s 15
- def **parking authority guidelines** ins 2002 No 7 s 15
- def **parking meter** am SL2005-22 s 24
- def **parking permit** sub SL2005-22 s 25
- def **parking ticket** am 2002 No 7 s 16
- def **pay parking device** sub SL2005-22 s 25
- def **pay parking sign** ins SL2005-22 s 26
- def **pedestrian** ins 2000 No 21 s 4
- def **piezo strip speed measuring device** ins 2000 No 52 s 9
- def **postal vehicle** am SL2004-16 s 39
- def **premises** ins SL2008-47 amdt 1.16
- def **private hire car** om SL2005-4 amdt 2.44
- def **public bus** sub Act 2001 No 62 amdt 1.42
- def **radar speed measuring device** ins 2000 No 52 s 9
- def **recording medium** ins 2001 No 32 s 26
- def **red traffic arrow** ins 2000 No 52 s 9
- def **red traffic light** ins 2000 No 52 s 9
- def **registered interest** om R18 LA
- def **relevant parking fee** sub SL2005-22 s 27
- def **restricted hire vehicle** om SL2005-4 amdt 2.44
- def **restricted taxi** om 2002 No 2 s 30
- def **ride** ins 2000 No 21 s 4
- def **rider** ins 2000 No 21 s 4
- def **road** sub Act 2002 No 30 amdt 3.773; SL2005-22 amdt 1.20
- def **road related area** ins Act 2002 No 30 amdt 3.774 om R18 LA
- def **security checksum** ins 2001 No 32 s 26
- def **speed measuring device** ins 2000 No 52 s 9 om R18 LA
- def **stop** sub SL2005-22 amdt 1.20
- def **taxi** sub 2002 No 2 s 31
- def **testing authority** ins 2000 No 52 s 9
- def **the Act** om Act 2001 No 44 amdt 1.3805
- def **ticket parking area** sub SL2005-22 s 27
- def **ticket parking space** sub SL2005-22 s 27
- def **traffic lights camera detection device** ins 2000 No 52 s 9 om SL2007-20 s 21
- def **trailer** ins 2000 No 52 s 9
- def **vehicle** ins 2000 No 52 s 9
- def **WORM disk** ins 2001 No 32 s 26 sub SL2004-47 s 46

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	1 March 2000
2	Act 2001 No 56	12 September 2001
3	Act 2001 No 62	3 December 2001
4	SL 2002 No 2	1 March 2002
5*	SL 2002 No 2	2 March 2002
6	SL 2002 No 7	16 April 2002
7	Act 2002 No 30	10 October 2002
8	SL2002-31	1 November 2002
9	SL2002-31	2 December 2002
10	Act 2002 No 51	1 January 2003
11	SL2003-1	10 January 2003
12*	SL2003-12	1 June 2003
13	SL2003-14	11 June 2003
14	A2004-7	5 April 2004
15	A2004-28	1 July 2004
16	A2004-28	19 July 2004
17	SL2004-47	10 September 2004
18	SL2004-47	2 November 2004
19	SL2005-4	9 March 2005
20	SL2005-7	9 April 2005
21*	SL2005-22	16 September 2005

Endnotes

6 Uncommenced amendments

Republication No	Amendments to	Republication date
22	A2005-62	11 January 2006
23	SL2006-4	17 January 2006
24	SL2006-32	3 July 2006
25	SL2006-32	2 December 2006
26	SL2006-51	5 December 2006
27	SL2007-20	31 July 2007
28	A2007-25	31 March 2008
29	SL2008-47	2 December 2008
30	SL2008-47	11 March 2009
31	SL2009-7	13 March 2009
32	SL2009-7	16 March 2009
33	<u>SL2010-5</u>	3 March 2010

6 Uncommenced amendments

The following amendments have not been included in this republication because they were uncommenced at the republication date:

Dangerous Goods (Road Transport) Act 2009 A2009-34 sch 1 pt 1.3
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Part 1.3 Road Transport (Safety and Traffic Management) Regulation 2000

[1.6] Section 18

substitute

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

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

dangerous goods—see the *Dangerous Goods (Road Transport) Act 2009*, dictionary.

placard load—see the *Dangerous Goods (Road Transport) Act 2009*, dictionary.

[1.7] Section 59

omit

**Road Transport Legislation Amendment Regulation 2010
(No 1) SL2010-5 s 55, ss 58-62**

55 Division 2.2.1, note 2, table, item 22

substitute

22	266	23A
22A	266 (2B)	23B

58 Section 23B

substitute

23A ARR r 266—children travelling in interstate registered vehicles

- (1) This section applies to a passenger in or on a motor vehicle (other than a bus or motorbike) who is under 7 years old.
- (2) For the Australian Road Rules, rule 266, the passenger is exempt from rule 266 if the motor vehicle is registered in a State that does not have a law that substantially corresponds to rule 266.

23B ARR r 266 (2B)—children travelling in goods compartments

- (1) This section applies to a passenger in a motor vehicle who is—
 - (a) at least 4 years old; and
 - (b) under 7 years old; and
 - (c) travelling in a seating position in a part of the vehicle that is designed primarily for the carriage of goods.
- (2) For the Australian Road Rules, rule 266 (2B), the passenger is exempt from—
 - (a) being restrained in an approved child restraint; or
 - (b) being placed in an approved booster seat and restrained by a seatbelt.
- (3) However, the passenger must be—
 - (a) restrained by a suitable lap and sash type seatbelt; or
 - (b) restrained by—
 - (i) for the midsection of the passenger's body—a lap type seatbelt; and
 - (ii) for the passenger's upper body—an approved child safety harness.

Note A person must not travel in a seating position in a part of a vehicle that is designed primarily for the carriage of goods unless the position is suitable for the size and weight of the person (see ARR, r 268 (2)).

59 Section 24, new definitions

insert

approved booster seat means a booster seat that is approved by the road transport authority under section 66 (1) (aa) (Approvals etc by road transport authority).

approved child safety harness means a child safety harness that is approved by the road transport authority under section 66 (1) (ba) (Approvals etc by road transport authority).

60 Section 25

omit

61 New section 66 (1) (aa)

insert

(aa) approve a booster seat as an approved booster seat; or

62 New section 66 (1) (ba)

insert

(ba) approve a child safety harness as an approved child safety harness; or

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