



Australian Capital Territory

Road Transport (Safety and Traffic Management) Amendment Regulation 2005 (No 2)

Subordinate Law SL2005-22

The Australian Capital Territory Executive makes the following regulation under the *Road Transport (General) Act 1999* and the *Road Transport (Safety and Traffic Management) Act 1999*.

Dated 12 September 2005.

JOHN HARGREAVES
Minister

TED QUINLAN
Minister



Australian Capital Territory

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1 Name of regulation

This regulation is the *Road Transport (Safety and Traffic Management) Amendment Regulation 2005 (No 2)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

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

Note This regulation also amends other legislation (see sch 2).

4 Division 2.2.1, notes 2 and 3

substitute

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	170 (1)	12A
7	179 (1) (c)	13
8	179 (1) (c) and (2) (c)	13A

Section 4

column 1 item	column 2 ARR provision	column 3 provision of this regulation
9	199 (2)	14
10	206 (2) (b) and (c)	15
11	207 (2) (a)	16
12	213 (5)	16A
13	215 (4)	17
14	216 (3)	18
15	220 (3)	19
16	221 (f)	20
17	222	21
18	225	22
19	236 (6)	22A
20	240 (2)	23
21	266 (3) (b)	23B
22	266 (7)	24
23	267 (3)	25
24	270 (3)	26
25	271 (6)	27
26	280 (2) (a)	27A
27	287 (3) (e) and (4)	28
28	289 (1) (g)	29
29	298	30
30	310 (3) and (4)	31
31	313	32
32	dict, def <i>approved bicycle helmet</i>	33 (1)
33	dict, def <i>authorised person</i>	33 (1)

column 1 item	column 2 ARR provision	column 3 provision of this regulation
34	dict, def <i>emergency worker</i>	33 (1)
35	dict, def <i>GVM</i>	33 (2)
36	dict, def <i>hazard warning lights</i>	33 (3)
37	dict, def <i>mechanical signalling device</i>	33 (1)
38	dict, def <i>oversize vehicle</i>	33 (1)
39	dict, def <i>police officer</i>	33 (1)
40	dict, def <i>portable warning triangle</i>	33 (4)
41	dict, def <i>postal worker</i>	33 (1)
42	dict, def <i>public bus</i>	33 (1)
43	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</i> , s 12
2	13 (2)	<i>Road Transport (General) Act 1999</i> , s 12
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</i> , s 16

column 1 item	column 2 ARR provision	column 3 other law
7	311 (1) (c)	<i>Road Transport (Dimensions and Mass) Act 1990</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

5 Section 13

substitute

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 motor vehicle that is built mainly for the transport of goods if the vehicle is dropping off, or picking up, goods;
 - 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 a 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 the *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.

6 Division 2.3.5 heading

substitute

Division 2.3.5 Metered parking

7 Sections 44 and 45

substitute

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.

8 Sections 49 and 50

substitute

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 to 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.

9 Sections 52 and 53

substitute

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).

10 Sections 55 and 56

substitute

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.

11 Section 58

omit

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

substitute

(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—

12 Section 58 (b)

omit

this division

substitute

a stopping or parking provision of this chapter

13 Division 2.3.6 heading

substitute

Division 2.3.8 Other ACT road rules**14 Section 63**

substitute

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).

15 Section 71

substitute

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.

16 Section 74 (3)

substitute

- (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.

17 Section 76 (2) (c)

substitute

- (c) may install pay parking devices.

18 Section 80 (1) (d)

substitute

- (d) an indication of the ticket parking area where or for which the ticket is issued;

- (da) the fee paid for the issue of the ticket or, for a prepaid ticket, the daily value of the ticket;

19 New section 80 (1), new examples

insert

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).

20 Section 80 (1) (da) to (f) (as amended)

renumber as section 80 (1) (e) to (g)

21 Section 92 (6) (c)

omit

parking bays,

substitute

parking spaces,

22 Sections 100 and 101

substitute

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.

23 Dictionary, definition of *loading zone permit*

omit

24 Dictionary, definition of *parking meter*

omit

fee fixed by the road transport authority

substitute

relevant parking fee

25 Dictionary, definitions of *parking permit* and *pay parking device*

substitute

parking permit means a parking permit issued under section 100.

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

26 Dictionary, new definition of *pay parking sign*

insert

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

27 Dictionary, definitions of *relevant parking fee*, *ticket parking area* and *ticket parking space*

substitute

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.

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 space means a ticket parking space under section 78.

Schedule 1 Road Transport (Safety and Traffic Management) Regulation 2000—technical amendments

(see s 3)

[1.1] Section 3

substitute

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.

Explanatory note

This amendment splits existing section 3 into new sections 2 and 3 to make their operation clearer. It also inserts new sections 3A and 3B to make the extended meanings of *park*, *stop* and *road* for the regulation clear.

[1.2] Section 5, note

substitute

Note 1 The Australian Road Rules are available on the ACT legislation register (www.legislation.act.gov.au).

Note 2 The National Road Transport Commission is now the National Transport Commission (see the *National Transport Commission Act 2003* (Cwlth)).

Explanatory note

This amendment adds new note 2 to clarify the references in the regulation to the National Road Transport Commission and the *National Road Transport Commission Act 1991* (Cwlth) consequent on the repeal of that Act and the enactment of the *National Transport Commission Act 2003* (Cwlth) which established the National Transport Commission.

[1.3] Section 9

omit

police or emergency vehicle

substitute

police vehicle or emergency vehicle

Explanatory note

This amendment brings the language of the provision into line with the Australian Road Rules and revised section 71 which is inserted by another amendment.

[1.4] Section 10

omit

a driver is permitted to drive a vehicle

substitute

a driver is permitted to drive the vehicle

Explanatory note

This amendment brings the section's language into line with the definition of *driver* in the Australian Road Rules, rule 16 (1). The relevant part of the definition is 'the person who is driving a vehicle'.

[1.5] Section 15 heading

substitute

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

Explanatory note

This amendment brings the section's heading more closely into line with the heading to the Australian Road Rules, rule 206 and improves its clarity.

[1.6] Section 16A

substitute

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

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

Explanatory note

This amendment brings the section's heading more closely into line with the heading to the Australian Road Rules, rule 213 and consequentially omits a note about the subject-matter dealt with by the rule.

[1.7] Section 29

omit

drive a vehicle

substitute

drive the driver's vehicle

Explanatory note

This amendment brings the section's language into line with the definition of *driver* in the Australian Road Rules, rule 16 (1). The relevant part of the definition is 'the person who is driving a vehicle'.

[1.8] Section 30 (1) (a)

omit

police or emergency vehicle

substitute

police vehicle or emergency vehicle

Explanatory note

This amendment brings the language of the provision into line with the Australian Road Rules and revised section 71 which is inserted by another amendment.

[1.9] Section 33 (4) (c)

omit

the driver of a vehicle

substitute

a driver

Explanatory note

This amendment brings the section's language into line with the definition of *driver* in the Australian Road Rules, rule 16 (1). The relevant part of the definition is 'the person who is driving a vehicle'.

[1.10] Section 39 (3) (a)

omit

police or emergency vehicle

substitute

police vehicle or emergency vehicle

Explanatory note

This amendment brings the language of the provision into line with the Australian Road Rules and revised section 71 which is inserted by another amendment.

[1.11] Section 39 (3) (c)

omit

if

substitute

if,

Explanatory note

This amendment corrects a typographical error.

[1.12] Section 51 heading

substitute

51 Temporary closure of ticket parking spaces and areas

Explanatory note

This amendment makes the heading more descriptive of the section's contents.

[1.13] Section 73 (2)

substitute

- (2) A metered parking area must be designated by metered parking signs.

Explanatory note

This amendment revises the provision to make use of the definition of *metered parking sign*.

[1.14] Section 76A heading

substitute

76A Ticket parking schemes—parking authorities

Explanatory note

This amendment brings the heading into line with current drafting practice.

[1.15] Section 77 (1)

substitute

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

Explanatory note

This amendment revises the provision to make use of the definition of *ticket parking sign*.

[1.16] Section 77 (3)

substitute

- (3) In this section:

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

Explanatory note

This amendment is consequential on the amendment of section 77 (1) by another amendment.

[1.17] Sections 85 (3) (b), 86 (3) (b) and 87 (3) (b)

omit

in all the circumstances

Explanatory note

This amendment omits unnecessary words.

[1.18] Section 111

substitute

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.

Explanatory note

This amendment brings this section into line with the other provisions of the regulation by moving the reference to the Act into the section's heading.

[1.19] Dictionary, new definition of *emergency worker*

insert

emergency worker—see section 33 (1).

Explanatory note

This amendment defines the term for the regulation by reference to the definition in section 33 (1) for the purposes of the Australian Road Rules.

[1.20] Dictionary, definitions of *park, road and stop*

substitute

park—see section 3B.

road—see section 3A.

stop—see section 3B.

Explanatory note

This amendment is consequential on the insertion of new sections 3A and 3B by another amendment.

Schedule 2 Consequential amendments

(see s 3)

Part 2.1 Road Transport (General) Regulation 2000

[2.1] Section 14 (3) (k)

substitute

- (k) a fee, charge or other amount paid in relation to the issue of a parking permit under the *Road Transport (Safety and Traffic Management) Regulation 2000* if the permit-holder surrenders the permit.

[2.2] Schedule 1, part 1.9, item 3

omit

[2.3] Schedule 1, part 1.9, new item 17A

insert

17A	101A (1)	road transport authority—revoke parking permit/mobility parking scheme authority
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[2.4] Schedule 1, part 1.9, items 4 to 17A (as amended)

renumber as items 3 to 17

Part 2.2 Road Transport (Offences) Regulation 2005

[2.5] Schedule 1, part 1.13, items 17 to 22

substitute

17	44 (1)	park outside metered space	20	68	
18	44 (2)	park in occupied metered space	20	68	
19	44 (3)	park not completely in metered space	20	68	
20	44A (1)	park without paying meter fee	20	68	
21	44B (1)	park after meter expired	20	68	
22	44B (2)	park for longer than allowed by meter signs	20	68	

[2.6] Schedule 1, part 1.13, items 28 to 36

substitute

28	49 (1)	park outside ticket space	20	68	
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29	49 (3)	park in occupied ticket space	20	68	
30	49 (4)	park not completely in ticket space	20	68	
31	49A (1)	park without current/current equivalent ticket displayed/properly displayed	20	68	
32	49B (1)	park after ticket expired	20	68	
33	49B (2)	park for longer than allowed by ticket signs	20	68	
34	51 (3)	park in closed ticket area/space	20	68	
35	52 (2) (a)	display thing falsely resembling parking ticket	20	383	
36	52 (2) (b)	display changed/damaged/defaced parking ticket	20	383	

[2.7] Schedule 1, part 1.13, items 41 to 43

substitute

41	55	interfere with parking ticket	20		
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Schedule 2 Consequential amendments
Part 2.2 Road Transport (Offences) Regulation 2005

Amendment [2.8]

42	56 (1)	display parking permit without being entitled	20		
43	56 (2)	display mobility parking scheme authority without being entitled	20		
43A	56A	interfere with parking permit/mobility parking scheme authority	20		

[2.8] Schedule 1, part 1.13, new item 60A

insert

60A	101B	not return parking permit/mobility parking scheme authority as required	20		
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[2.9] Schedule 1, part 1.13

renumber items when regulation next republished under Legislation Act

Endnotes

1 Notification

Notified under the Legislation Act on 15 September 2005.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
