

TRAFFIC ACT 1909—REGULATION

(Relating to parking meters and other paid parking)

NEW SOUTH WALES



[Published in Gazette No. 111 of 31 August 1994]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Traffic Act 1909, has been pleased to make the Regulation set forth hereunder.

BRUCE BAIRD

Minister for Transport and Minister for Roads.

Commencement

1. This Regulation commences on 1 September 1994.

Amendment of Motor Traffic Regulations 1935

2. The Motor Traffic Regulations 1935 are amended:

- (a) by inserting in Regulation 2 (1), in alphabetical order, the following definitions:

“Disabled person” means a person who is unable to walk, or who is able to walk only short distances, because of permanent loss of the use of one or both legs or other severe permanent medical or physical handicap.

“Disabled person’s parking authority” means an authority issued by the Authority:

- (a) to a disabled person; or
 - (b) to an organisation for the purpose of conveying a specified disabled person or persons.
- (b) by omitting Regulation 54 (4A);
 - (c) by inserting in Regulation 54 (6) (a1) before the words “preceded by” the words “or the symbol ‘P’”;

(d) by inserting after Part 5 the following Part:

**PART 5A—PARKING METERS AND OTHER PAID
PARKING**

Division 1—Definitions

Definitions

91C. In this Part:

“controlled parking hours”, in relation to a metered space, ticket parking space or coupon parking space, means the periods, as set out on the relevant traffic control signs, during which a motor vehicle may not be parked in the space unless the relevant parking fee has been paid;

“council” has the same meaning as it has in section 10Q of the Act;

“coupon parking scheme” means a scheme adopted by a council, as referred to in Regulation 91X;

“coupon parking sign” means a traffic control sign of the kind illustrated by Diagram 1 or 2 to Regulation 91W;

“coupon parking space” means a pay parking space, for use in connection with coupon parking, that is designated as a coupon parking space in accordance with Regulation 91W;

“current parking coupon” means a parking coupon:

(a) that has been issued by a council for use in connection with the coupon parking scheme ~~or~~ the coupon parking space concerned, as indicated on the period parking signs or coupon parking signs ~~or~~ the space; and

(b) that has taken effect and has not yet expired, as referred to in Regulation 91AA;

“current parking ticket” means a parking ticket that has taken effect and has not yet expired, as referred to in Regulation 91Q;

“metered parking sign” means a traffic control sign of the kind illustrated by Diagram 1 or 2 to Regulation 91D;

“metered parking zone” means a zone designated as a metered parking zone, as referred to in Regulation 91D;

“metered space” has the same meaning as it has in section 10Q of the Act;

“money based coupon” means a parking coupon that allows a person to park a vehicle in a coupon parking space for a period of time calculated by reference to:

- (a) the amount specified on the coupon as the parking fee that has been pre-paid for parking the vehicle in a coupon parking space; and
- (b) the relevant fee for the space;

“multi-space parking meter” means a parking meter that applies to more than one metered space;

“park” has the same meaning as it has in section 10Q of the Act;

“parking coupon” means a voucher, card or similar article issued by a council (otherwise than by means of a parking ticket machine) for display in or on a motor vehicle as evidence of the pre-payment of a parking fee;

“parking meter” has the same meaning as it has in section 10Q of the Act;

“parking ticket” means a ticket issued by a council (by means of a parking ticket machine) for display in or on a motor vehicle as evidence of the pre-payment of a parking fee;

“parking ticket machine” means a device designed to issue parking tickets, and includes the stand on which such a device is erected;

“pay parking space” has the same meaning as it has in section 10Q of the Act;

“period parking sign” means a traffic control sign of the kind referred to in Regulation 54 (6) (a1);

“relevant parking fee”, in relation to the parking of a motor vehicle in a metered space, ticket parking space or coupon parking space, means the fee for parking a motor vehicle in the space, for the day and time during which the vehicle is parked in the space, as indicated on:

- (a) the parking meter or ticket machine for the space (in relation to a metered space or a ticket parking space); or
- (b) the period parking signs or coupon parking signs for the space (in relation to a coupon parking space);

“ticket parking sign” means a traffic control sign of the kind illustrated by Diagram 1 or 2 to Regulation 91L;

“ticket parking space” means a pay parking space, for use in connection with ticket parking, that is designated as a ticket parking space in accordance with Regulation 91L;

“**time based coupon**” means a parking coupon that allows a person to park a vehicle in a coupon parking space for the period of time specified on the coupon;

“**vehicle**” has the same meaning as it has in section 10Q of the Act.

Division 2—Metered parking

Metered parking zones

91D. (1) A council may set aside the whole or any part of one or more public streets in its area as a metered parking zone.

(2) A metered parking zone must be designated;

(a) by period parking signs, on which the word “**METER**” is added, situated along the public street or streets; or

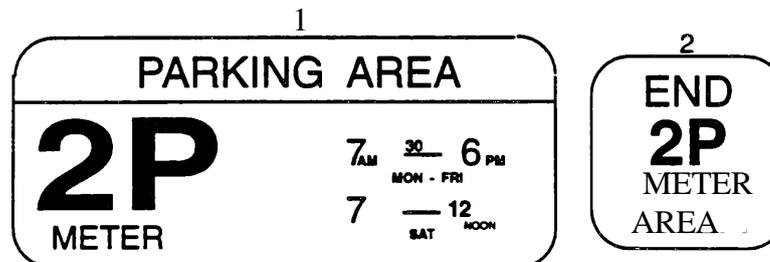
(b) by traffic control signs, of the kind illustrated by Diagrams 1 and 2 to this Regulation, situated at each point of entry to or exit from the space.

(3) In a traffic control sign of the kind referred to in Diagram 1 or 2 to this Regulation (a “**metered parking sign**”):

(a) the numeral or fraction appearing before the symbol “**P**” indicates the maximum period (in hours or fractions of an hour) for which a motor vehicle may be parked in the metered space to which the sign relates; and

(b) the times, days and months (if any) indicate the periods during which a motor vehicle may not be parked in the metered space to which the sign relates unless the relevant parking fee has been paid.

DIAGRAMS



Council to fix fees

91E. (1) For each metered space within the council's area, the council must fix the fee payable for parking a motor vehicle in the space.

(2) Different fees may be fixed for different metered spaces and for different days and different times of day.

Parking meters

91F. (1) The parking meter for a metered space must indicate:

- (a) the fees fixed for the space under this Division; and
- (b) the denomination of coins to be used in the meter.

(2) A parking meter must clearly show the status of the metered space or spaces that it controls and, in the case of a multi-space parking meter, must identify each metered space by its number.

Metered spaces

91G. (1) For the purposes of paragraph (b) of the definition of "metered space" in section 10Q of the Act, studs, pads, plates or strips are prescribed methods for marking a metered space on a public street.

(2) In the case of a metered space controlled by a multi-space parking meter, the number for the space and an arrow indicating the direction of the meter must be marked in or adjacent to the space.

Use of parking meters for parking in metered parking zones

91H. (1) A person must not park a motor vehicle in a metered parking zone except in a metered space.

(2) A person must not park a motor vehicle in a metered space without paying the relevant fee for the space for at least the minimum period of time for which parking in the space must be paid for.

(3) A person does not commit an offence under clause (2) if the person parks a motor vehicle in a metered space before paying the relevant fee, so long as the person pays the relevant fee immediately after parking the vehicle.

(4) The driver of a motor vehicle must not allow the vehicle to remain parked in a metered space if the parking meter for the space indicates that the period of time for which parking in the space has been paid for has expired.

(5) In the case of a metered parking space that is designated by metered parking signs, the driver of a motor vehicle must not allow the vehicle to remain parked in the space for more than the period of time indicated on the signs as the maximum number of hours for which a motor vehicle may be parked in the space.

(6) A person does not commit an offence against this Regulation:

- (a) if the metered space is, or forms part of, a coupon parking space; and
- (b) if the person has complied with Division 4 in relation to the parking of the motor vehicle in the space.

(7) A person does not commit an offence against this Regulation:

- (a) if the metered space is, or forms part of, a pay parking space provided in connection with any other pay parking scheme approved by the Authority under section 10T (1) (b) of the Act; and
- (b) if the person has complied with the requirements of the scheme in relation the parking of the motor vehicle in the space.

(8) A person does not commit an offence against this Regulation if the parking meter for the metered space is inoperable.

(9) This Regulation:

- (a) does not apply to a metered parking space outside the controlled parking hours for the space; and
- (b) does not apply to a motor vehicle displaying a current disabled person's parking authority.

Parking in metered parking spaces

91I. A person must not park a motor vehicle in a metered space:

- (a) while any other vehicle is parked in the space; or
- (b) in such a manner that any part of the vehicle lies over the markings for the space.

Temporary closure of metered spaces

91J. (1) If the council decides that the use of a metered space should be temporarily discontinued, a sign displaying words to that effect may be erected in, or in close proximity to, the space.

(2) A person must not park a motor vehicle in a metered space to which such a sign relates.

Misuse of parking meters

91K. A person must not:

- (a) insert in a parking meter anything other than coins or other means of payment, as specified on the meter; or
- (b) deface any parking meter or affix anything (such as advertising matter) to any parking meter.

Division 3—Ticket parking

Ticket parking spaces

91L. (1) A council may set aside the whole or any part of one or more public streets in its area as a ticket parking space.

(2) A ticket parking space must be designated;

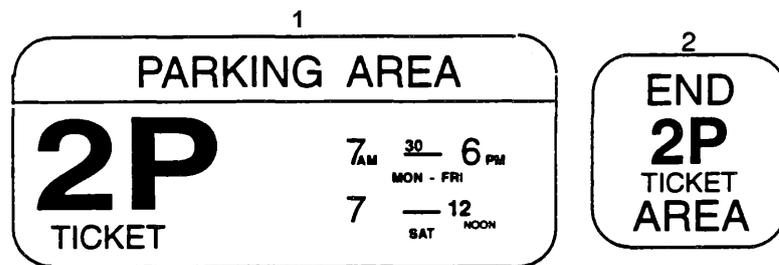
- (a) by period parking signs, on which the word “TICKET” is added, situated along the public street or streets; or
- (b) by traffic control signs, of the kind illustrated by Diagrams 1 and 2 to this Regulation, situated at each point of entry to or exit from the space.

(3) In a traffic control sign of the kind referred to in Diagram 1 or 2 to this Regulation (a “**ticket parking sign**”):

- (a) the numeral or fraction appearing before the symbol “P” indicates the maximum period (in hours or fractions of an hour) for which a motor vehicle may be parked in the ticket parking space to which the sign relates; and
- (b) the times, days and months (if any) indicate the periods during which a motor vehicle may not be parked in the ticket parking space to which the sign relates unless the relevant parking fee has been paid.

(4) A ticket parking space is taken to include only such parts of the public street or streets to which ticket parking signs apply as are lawfully available, apart from the provisions of this Division, for the parking of motor vehicles.

DIAGRAMS

**Council to fix fees**

91M. (1) For each ticket parking space within the council's area, the council must fix the fee payable for parking a motor vehicle in the space.

(2) Different fees may be fixed for different ticket parking spaces and for different days and different times of day.

Ticket machines

91N. The ticket machine for a ticket parking space must indicate:

- (a) the fees fixed for the space under this Division; and
- (b) the denomination of coins to be used in the machine.

Division of ticket parking spaces into single units

91O. A ticket parking space may be divided into units of a size suitable for parking a single motor vehicle and, if so divided, each unit must be marked by means of painted lines, studs, pads, plates or strips.

Parking tickets

91P. (1) The following information must be printed OR a parking ticket:

- (a) the day of the week;
- (b) the date (expressed as the day of the month, the month and the year);
- (c) the expiry time (expressed in hours and minutes);
- (d) the name of the council by which the ticket is issued;

- (e) the pay parking area code (if applicable);
- (f) a serial number;
- (g) instructions for use of the ticket.

(2) A parking ticket must be legible and of a size and design that enables it to be easily displayed in or on a motor vehicle.

Duration of parking tickets

91Q. A parking ticket takes effect on the date and time it is issued and expires on the date and time specified on the ticket as the date and time of its expiry.

Use of parking tickets for parking in ticket parking spaces

91R. (1) A person must not park a motor vehicle in a ticket parking space unless a current parking ticket is prominently displayed in or on the front left-hand portion of the vehicle.

(2) A person does not commit an offence under clause (1) if the person parks a motor vehicle in a ticket parking space before obtaining a parking ticket, so long as the person obtains and displays a current parking ticket in accordance with this Regulation immediately after parking the vehicle.

(3) The driver of a motor vehicle must not allow the vehicle to remain parked in a ticket parking space after the expiry of the parking ticket displayed in or on the vehicle.

(4) In the case of a ticket parking space that is designated by ticket parking signs, the driver of a motor vehicle must not allow the vehicle to remain parked in the space for more than the period of time indicated on the signs as the maximum number of hours for which a motor vehicle may be parked in the space.

(5) A person does not commit an offence against this Regulation:

- (a) if the ticket parking space is, or forms part of, a coupon parking space; and
- (b) if the person has complied with Division 4 in relation to the parking of the motor vehicle in the space.

(6) A person does not commit an offence against this Regulation:

- (a) if the ticket parking space is, or forms part of, a pay parking space provided in connection with any other pay parking scheme approved by the Authority under section 10T (1) (b) of the Act; and

(b) if the person has complied with the requirements of the scheme in relation the parking of the motor vehicle in the space.

(7) Nothing in this Regulation prevents a person from parking a motor vehicle in different parts of the same ticket parking space while displaying the same parking ticket.

(8) This Regulation:

(a) does not apply to a ticket parking space outside the controlled parking hours for the space; and

(b) does not apply to a motor vehicle displaying a current disabled person's parking authority.

Parking in ticket parking spaces divided into units

91S. A person must not park a motor vehicle in any unit into which a ticket parking space is divided:

(a) while any other vehicle is parked in the unit; or

(b) in such a manner that any part of the vehicle lies over the markings for the unit.

Temporary closure of ticket parking spaces

91T. (1) If the council decides that the use of a ticket parking space, or a unit of the space, should be temporarily discontinued, a sign displaying words to that effect may be erected in, or in close proximity to, the space or unit.

(2) A person must not park a motor vehicle in a ticket parking space or unit to which such a sign relates.

Use of false or damaged parking tickets

91U. A person must not display in or on a motor vehicle that is parked in a ticket parking space:

(a) any article or thing resembling a parking ticket that falsely suggests that the relevant parking fee has been paid; or

(b) any parking ticket that is altered, defaced, mutilated or illegible.

Misuse of ticket machines

91V. A person must not:

(a) insert in a parking ticket machine anything other than coins or other means of payment, as specified on the machine; or

(b) deface any parking ticket machine or affix anything (such as advertising matter) to any ticket machine.

Division 4—Coupon parking

Coupon parking spaces

91W. (1) A council may set aside the whole or any part of one or more public streets in its area as a coupon parking space.

(2) A coupon parking space must be designated:

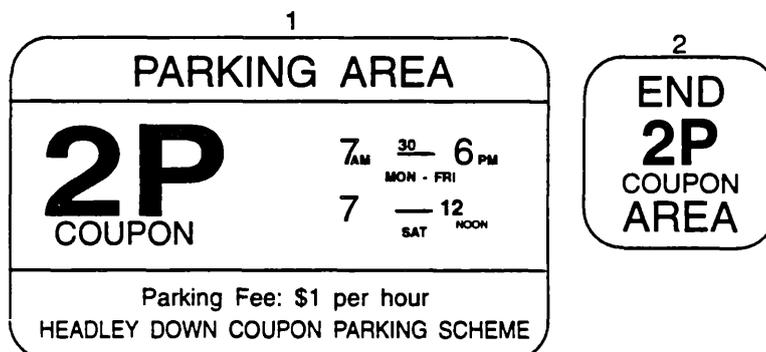
- (a) by period parking signs, on which the word “COUPON” is added, situated along the public street or streets; or
- (b) by traffic control signs, of the kind illustrated by Diagrams 1 and 2 to this Regulation, situated at each point of entry to or exit from the space.

(3) In a traffic control sign of the kind referred to in Diagram 1 or 2 to this Regulation (a “**coupon parking sign**”):

- (a) the numeral or fraction appearing before the symbol “P” indicates the maximum period (in hours or fractions of an hour) for which a motor vehicle may be parked in the coupon parking space to which the sign relates; and
- (b) the times, days and months (if any) indicate the periods during which a motor vehicle may not be parked in the coupon parking space to which the sign relates unless the relevant parking fee has been paid.

(4) A coupon parking space is taken to include only such parts of the public street or streets to which coupon parking signs apply as are lawfully available, apart from the provisions of this Division, for the parking of motor vehicles.

DIAGRAMS



Council to fix fees and adopt scheme

91X. (1) For each coupon parking space within the council's area, the council:

- (a) must fix the fee payable for parking a motor vehicle in the space during the controlled parking hours; and
- (b) must adopt a coupon parking scheme for the space.

(2) Different fees may be fixed for different coupon parking spaces and for different days and different times of day.

(3) A period parking sign or coupon parking sign for a coupon parking space must indicate:

- (a) the fees fixed by the council for parking a motor vehicle in the space; and
- (b) the name of the parking scheme adopted by the council for the space.

Division of coupon parking spaces into single units

91Y. A coupon parking space may be divided into units of a size suitable for parking a single motor vehicle and, if so divided, each unit must be marked by means of painted lines, studs, pads, plates or strips.

Parking coupons

91Z. (1) A council may issue pre-paid parking coupons, either time or money based, to be used for coupon parking spaces within the council's area during the controlled parking hours.

(2) The following information must be printed on a parking coupon:

- (a) the name of the parking scheme in connection with which the coupon may be used;
- (b) the amount of money that has been paid for parking in coupon parking spaces to which that scheme applies (in the case of a money based coupon) or the amount of time for which a motor vehicle may be parked in such a space (in the case of a time based coupon);
- (c) a serial number;
- (d) instructions for use of the coupon.

(3) A parking coupon must be legible and of a size and design that enables it to be easily displayed in or on a motor vehicle.

(4) A parking coupon must be so designed or manufactured as to enable a person to indicate on the coupon the date and time on which the coupon is to take effect.

Duration of parking coupons

91AA. (1) A parking coupon (whether time based or money based) takes effect on the date and time indicated on the coupon (in the manner indicated by the instructions on the coupon) as the date and time on which it takes effect.

(2) A money based coupon expires at the end of the period of time for which it is in force, calculated by reference to:

- (a) the date and time indicated on the coupon as the date and time on which it took effect; and
- (b) the parking fee specified on the coupon as having been pre-paid; and
- (c) the relevant fee for the coupon parking space in connection with which it is used, as indicated on the period parking signs or coupon parking signs by which the space is designated.

(3) A time based coupon expires at the end of the period of time that it is in force, calculated by reference to:

- (a) the date and time indicated on the coupon as the date and time on which it took effect; and
- (b) the time specified on the coupon as the time for which the coupon remains in force.

Use of parking coupons for parking in coupon parking spaces

91BB. (1) A person must not park a motor vehicle in a coupon parking space unless a current parking coupon is prominently displayed in or on the front left-hand portion of the vehicle.

(2) A person does not commit an offence under clause (1) if the person parks a motor vehicle in a coupon parking space before obtaining a parking coupon, so long as the person obtains and displays a current parking coupon in accordance with this Regulation immediately after parking the vehicle.

(3) A person must not display more than 3 parking coupons at any one time in or on a motor vehicle that is parked in a coupon parking space.

(4) The driver of a motor vehicle must not allow the vehicle to remain parked in a coupon parking space after the expiry of the parking coupon displayed in or on the vehicle.

(5) In the case of a coupon parking space that is designated by coupon parking signs, the driver of a motor vehicle must not allow the vehicle to remain parked in the space for more than the period of time indicated on the signs as the maximum number of hours for which a motor vehicle may be parked in the space.

(6) A person does not commit an offence against this Regulation:

- (a) if the coupon parking space is, or forms part of, a metered space or a ticket parking space; and
- (b) if the person has complied with Division 2 or 3, as the case requires, in relation to the parking of the motor vehicle in the space.

(7) A person does not commit an offence against this Regulation:

- (a) if the coupon parking space is, or forms part of, a pay parking space provided in connection with any other pay parking scheme approved by the Authority under section 10T (1) (b) of the Act; and
- (b) if the person has complied with the requirements of the scheme in relation to the parking of the motor vehicle in the space.

(8) Nothing in this Regulation prevents a person from parking a motor vehicle in different parts of the same coupon parking space while displaying the same parking coupon.

(9) This Regulation:

- (a) does not apply to a coupon parking space outside the controlled parking hours for the space; and
- (b) does not apply to a motor vehicle displaying a current disabled person's parking authority.

Parking in coupon parking spaces divided into units

91CC. A person must not park a motor vehicle in any unit into which a coupon parking space is divided:

- (a) while any other vehicle is parked in the unit; or
- (b) in such a manner that any part of the vehicle lies over the markings for the unit.

Temporary closure of coupon parking spaces

91DD. (1) If the council decides that the use of a coupon parking space, or a unit of the space, should be temporarily discontinued, a sign displaying words to that effect may be erected in, or in close proximity to, the space or unit.

(2) A person must not park a motor vehicle in a coupon parking space or unit to which such a sign relates.

Use of false or damaged parking coupons

91EE. A person must not display in or on a motor vehicle that is parked in a coupon parking space:

- (a) any article or thing resembling a parking coupon that falsely suggests that the relevant parking fee has been paid; or
- (b) any parking coupon that is altered, defaced, mutilated or illegible.

Division 5—General**Trailers not separately chargeable**

91FF. Nothing in this Part requires a separate parking fee to be paid for a trailer drawn by another motor vehicle.

Other parking restrictions and exemptions

91GG. Nothing in this Part affects any other provision of these Regulations (including any restriction or exemption) in relation to the parking of motor vehicles.

Savings provision

91HH. Any act, matter or thing that, immediately before the repeal of the Traffic (Parking) Transitional Regulation 1993, had effect under that Regulation is taken to have effect under these Regulations.

- (e) by omitting from Regulation 130A (1) (f1) the following matter:
 - any offence under the Traffic (Parking) Transitional Regulation 1993; and

- (f) by inserting in Table B of Part 2 of Schedule K, after the matter relating to Regulation 90, the following matter:

Regulation 91H (1), (2), (4) or (5), 91I (a) or (b), 91J (2), 91K (b), 91R (1), (3) or (4), 91S (a) or (b), 91T (2), 91V (b), 91BB (1), (3), (4) or (5), 91CC (a) or (b), 91DD (2)	53
Regulation 91K (a), 91U (a) or (b), 91V (a), 91EE (a) or (b)e.....O.....oD.....-	300

- (g) by omitting from Part 8 of Schedule K the matter relating to the Traffic (Parking) Transitional Regulation 1993;
- (h) by omitting from Part 12 of Schedule K the matter relating to the Roads (General) Transitional Regulation 1993.

Amendment of General Traffic Regulations 1916

3. The General Traffic Regulations 1916 are amended by inserting after section 11A.8B (d) the following paragraph:

- (e) except with the consent of the council of the area in which the public street is situated, within any metered parking zone, ticket parking space or coupon parking space designated in accordance with Part 5A of the Motor Traffic Regulations 1935;

Repeal

4. The Traffic (Parking) Transitional Regulation 1993 is repealed.

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to repeal and remake, with modifications, the provisions of the Traffic (Parking) Transitional Regulation 1993 relating to metered parking (clause 4 of this Regulation and proposed Division 2 of Part 5A of the Motor Traffic Regulations 1935); and
- (b) to make provision with respect to ticket parking and coupon parking for motor vehicles (proposed Divisions 3 and 4 of Part 5A of the Motor Traffic Regulations 1935); and
- (c) to prohibit other vehicles and horses from standing in the metered spaces, ticket parking spaces and coupon parking spaces designated under proposed Part 5A of the Motor Traffic Regulations 1935 (proposed section 11A.8B (e) of the General Traffic Regulations 1916).

This Regulation is made under the Traffic Act 1909, including section 3 (the general regulation making power) and sections 10Q, 10R, 10T and 10V.