



New South Wales

Motor Traffic Amendment (Parking) Regulation 1997

under the
Traffic Act 1909

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Traffic Act 1909*.

BOB DEBUS, M.P.,
Acting Minister for Roads

Explanatory note

The object of this Regulation is to introduce further categories of exemptions from paid parking and parking restrictions. At present the principal categories concern the parking of vehicles that convey disabled persons and the parking of local residents' vehicles. The amended *Motor Traffic Regulations 1935* will allow councils to issue permits for commuter parking, local business parking and the parking of vehicles of persons visiting local residents. (Those visitors include tradespersons who come to work on local residents' houses.)

This Regulation is made under the *Traffic Act 1909*, including sections 3, 4D and 10VE.

Motor Traffic Amendment (Parking) Regulation 1997

1 Name of Regulation

This Regulation is the *Motor Traffic Amendment (Parking) Regulation 1997*.

2 Amendment of Motor Traffic Regulations 1935

The *Motor Traffic Regulations 1935* are amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Regulation 54 Traffic control signs

Omit “and (15)” from Regulation 54 (7).
Insert instead “, (15) and (16)”.

[2] Regulation 54

Insert at the end of Regulation 54:

(16) The driver of a motor vehicle does not contravene this Regulation by causing the vehicle to stand, wait or be parked otherwise than in accordance with a traffic control sign provided under this Regulation if the direction on the sign is accompanied by the words “Permit holders excepted” or “Authorised residents vehicles excepted” and the motor vehicle displays a permit that relates to those words (according to Regulation 91CA) and to the space where the vehicle is standing, waiting or parked.

[3] Regulation 91C Definitions

Insert in alphabetical order:

parking permit means a permit issued under Regulation 91CA.

period parking zone means the part of a public street to which a direction referred to in Regulation 54 (6) (al) relates.

[4] Regulation 91C

Omit the definitions of *resident parking space* and *resident's vehicle permit*.

[5] Division 1A

Omit Regulation 91CA. Insert instead:

Division 1A Exceptions to paid parking

91CA Permit parking

- (1) A council may issue a permit authorising the parking of a motor vehicle without charge or time restrictions in a metered space, pay parking space or space in a period parking zone, being a space:
 - (a) located within the street, zone or area specified in the permit, and
 - (b) designated by the council for use by holders of such a permit.
- (2) The council is to classify the permit in one of the following classes:
 - (a) business parking permits,
 - (b) commuter parking permits,
 - (c) resident parking permits,
 - (d) residents' visitor parking permits.

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Schedule 1 Amendments

- (3) A permit must specify the street, zone or area to which it applies, the conditions to which it is subject and:
 - (a) in the case of a resident's visitor parking permit, the address of the resident that holds the permit, or
 - (b) in the case of any other permit, the registration number of the motor vehicle to which it relates.
- (4) A council must not issue a permit except in accordance with the guidelines issued by the Authority.
- (5) For the purposes of this Regulation, a space is designated for use by a holder of a permit referred to in Column 1 of the table to this Regulation if the words set out opposite in Column 2 of that table are displayed on, or next to, the traffic control sign that designates the space as a metered space or pay parking space or designates the street, zone or area where the space is located as a metered zone, pay parking space or period parking zone:

Table

Column 1	Column 2
Business parking permit	"Permit holders excepted"
Commuter parking permit	"Permit holders excepted"
Resident parking permit	"Permit holders excepted" OR "Authorised residents vehicles excepted"
Resident's visitor parking permit	"Permit holders excepted" OR "Authorised residents vehicles excepted"

91CB Saving of residents' vehicle permits

A resident's vehicle permit in force under Regulation 91CA immediately before the replacement of that Regulation by the *Motor Traffic Amendment (Parking) Regulation 1997* is taken to be a resident parking permit issued under the substitute Regulation 91CA. The permit continues in force until it would have expired if it had continued as a resident's vehicle permit.

[6] Regulation 91D Metered parking zones

Omit “space” from Regulation 91D (2) (b). Insert instead “zone”.

[7] Regulation 91H Use of meters in metered parking zones

Omit Regulation 91H (9) (c). Insert instead:

- (c) does not apply to a motor vehicle displaying a current parking permit while it is parked in a parking space located in a street, zone or area specified in the permit and the space is designated for use by the holder of the permit in accordance with Regulation 91CA.

[8] Regulation 91R Use of tickets in ticket parking spaces

Omit Regulation 91R (8) (c). Insert instead:

- (c) does not apply to a motor vehicle displaying a current parking permit while it is parked in a parking space located in a street, zone or area specified in the permit and the space is designated for use by the holder of the permit in accordance with Regulation 91CA.

[9] Regulation 91BB Use of coupons in coupon parking spaces

Omit Regulation 91BB (9) (c). Insert instead:

- (c) does not apply to a motor vehicle displaying a current parking permit while it is parked in a parking space located in a street, zone or area specified in the permit and the space is designated for use by the holder of the permit in accordance with Regulation 91CA.

[10] Regulation 130A Prescribed officers and offences (section 18B)

Insert “or ‘PERMIT HOLDERS EXCEPTED’ after ‘AUTHORISED RESIDENTS VEHICLES EXCEPTED’ in Regulation 130A (1) (f) (i).