

Road Safety (General) Regulations 2009

S.R. No. 115/2009

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STATUTORY RULES 2009

S.R. No. 115/2009

Road Safety Act 1986

Road Safety (General) Regulations 2009

The Lieutenant-Governor as the Governor's deputy with the advice of the Executive Council makes the following Regulations:

Dated: 29 September 2009

Responsible Minister:

TIM PALLAS
Minister for Roads and Ports

MATTHEW McBEATH
Acting Clerk of the Executive Council

PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are—

- (a) to prescribe devices, systems and procedures for obtaining evidence in relation to—
 - (i) the presence of alcohol or any other drug in samples of blood, breath or urine; and
 - (ii) the speed of vehicles; and
 - (iii) the mass of vehicles; and
 - (iv) other traffic offences; and
- (b) to specify engine management system reading devices and procedures; and

- (c) to prescribe the matters to be included in parking infringement notices and traffic infringement notices; and
- (d) to prescribe the penalties for parking infringements and traffic infringements; and
- (e) to provide for the application of provisions of the Act and regulations to land of public authorities; and
- (f) to provide for evidentiary matters relating to impounded or immobilised vehicles; and
- (g) to prescribe other matters authorised under the **Road Safety Act 1986**.

2 Authorising provision

These Regulations are made under section 95 of the **Road Safety Act 1986**.

3 Commencement

These Regulations come into operation on 9 November 2009.

4 Revocation

The Regulations listed in Schedule 1 are **revoked**.

5 Definitions

In these Regulations—

Act means the **Road Safety Act 1986**;

checksum means a number produced by the application of an algorithm to the contents of that part of a digital file that does not include the checksum;

digital file means a file in a digital format, or electronic copy of such a file, which is created and encrypted by—

- (a) a road safety camera;

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- (b) a digital camera that records date, time and location; or
 - (c) the process prescribed in regulation 48—

which contains the checksum for that file;

digitector means the device known by that name which determines the speed at which a motor vehicle travels between 2 vehicle detectors on a road;

fixed analogue RSC means the road safety camera prescribed in regulation 30(a);

fixed digital RSC means a road safety camera prescribed in regulation 30(d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (p) or (q);

infringement penalty means—

- (a) in relation to a parking infringement—a penalty as provided in regulation 70, or under section 87(3A) or (4) of the Act; and
- (b) in relation to a traffic infringement—a penalty as provided in regulation 74;

laser device means a laser device prescribed in regulation 41;

mobile analogue RSC means a road safety camera prescribed in regulation 30(b) or (c);

mobile digital RSC means a road safety camera prescribed in regulation 30(o);

portable weighing device means a portable mechanical or electrical device capable of determining the mass carried on any axle or axles of a motor vehicle or trailer;

radar device means a radar device prescribed in regulation 41;

speed calculation unit means the part or parts of a road safety camera that determine the speed of a vehicle;

testing officer means—

- (a) a technical officer or the head of a faculty, school or department of electrical engineering, communications engineering or electronics engineering at a post-secondary education provider within the meaning of the **Education and Training Reform Act 2006**; or
- (b) a person authorised in writing by the Chief Commissioner of Police or the Secretary of the Department of Justice; or
- (c) a testing officer of a testing body accredited in the field of electrical testing by the National Association of Testing Authorities, Australia (NATA) ACN 004 379 748;

vehicle detector means a part of a road safety camera that detects the presence of a vehicle.

6 Certificates under section 78A, 83A or 84

- (1) A certificate under section 84(1), (3) or (4A) of the Act must, in addition to the matters referred to in section 84(1), (3) or (4A), contain the following particulars—
 - (a) the expression "**Road Safety Act 1986**"; and
 - (b) the expression "Certificate under section 84(1)", "Certificate under section 84(3)" or "Certificate under section 84(4A)", as the case may be; and
 - (c) the name and official title of the person issuing the certificate; and

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- (d) in the case of a certificate issued by an authorised person, a statement to that effect; and
- (e) the date on which the certificate is issued.
- (2) A certificate under section 83A(1) of the Act contains the prescribed particulars if, in addition to any of the matters referred to in that section, the certificate—
- (a) states that it is a certificate issued by an authorised person under section 83A of the Act; and
- (b) in the case of a certificate certifying that a printed image or message was produced by a prescribed process, is issued by the person who caused or required that image or message to be printed; and
- (c) certifies that, to the best of the knowledge and belief of the person issuing the certificate, the matters set out in the certificate are true and correct.
- (3) For the purposes of section 78A of the Act, the prescribed form for a certificate as to the shortest distance that would be travelled on a road between 2 points is the form set out in Schedule 2.
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PART 2—EVIDENCE RELATING TO ALCOHOL AND DRUG OFFENCES

7 Preliminary breath test devices

The devices prescribed for the purposes of section 53 of the Act are the breath testing devices known as—

- (a) the Alcotest 80/A; and
- (b) the Lion Alcolmeter, also known as the lion alcolmeter S-D2; and
- (c) the lion alcolmeter SD-400PA; and
- (d) the Alcolizer LE.

8 Procedure for breath analysis

It is a requirement for the proper operation of a breath analysing instrument that a person authorised under section 55(3) of the Act to operate a breath analysing instrument—

- (a) does not require a person to provide a breath sample for analysis until the authorised person is satisfied that the person has not consumed any alcohol for a period of at least 15 minutes before the analysis; and
- (b) provides a fresh mouthpiece for use by each person required to provide a breath sample; and
- (c) uses only a mouthpiece which, until required for taking a breath sample, has been kept in a sealed container.

9 Certificate under section 55(4)

A certificate under section 55(4) of the Act must, in addition to the matters referred to in that section, contain the following particulars—

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- (a) the serial number of the breath analysing instrument; and
 - (b) the sample number; and
 - (c) the location of the test; and
 - (d) the name and date of birth of the person whose breath is analysed; and
 - (e) the surname of the operator; and
 - (f) the results of the self tests conducted by the breath analysing instrument before and after the person's breath is analysed; and
 - (g) the results of zero tests conducted by the breath analysing instrument before and after the person's breath is analysed; and
 - (h) the date and time the person's breath was analysed.

10 Procedure for taking blood sample

If a blood sample is taken by a registered medical practitioner or an approved health professional for the purposes of the Act, the site of the puncture must be cleansed with a swab taken from a container which—

- (a) appears to be sealed against contamination; and
- (b) bears a label stating that the container holds an aqueous solution of chlorohexidine and cetrimide and no methylated spirits, alcohol, tincture of iodine or other substance containing alcohol.

11 Procedures after taking blood samples

- (1) A registered medical practitioner or an approved health professional who takes a blood sample must ensure that—

- (a) the sample of blood is placed in 3 dry containers, each containing approximately the same amount of blood; and
 - (b) each container is vacuum sealed or sealed with a septum seal; and
 - (c) each container in which the sample is placed bears a label stating—
 - (i) that the container holds a specific anti-coagulant and preservative such as potassium oxalate and sodium fluoride; and
 - (ii) the name of the chemist, laboratory or pharmaceutical organisation that prepared it; and
 - (d) each container has attached to it a label bearing the signature of the registered medical practitioner or approved health professional, the date and the time the sample was taken, and the name of the person from whom the sample was taken or, if the name of the person is not known, sufficient information to enable the sample to be identified with the person from whom it was taken.
- (2) If a blood sample is taken under section 55 or 55B of the Act, the registered medical practitioner or approved health professional must give one of the containers to a member of the police force and another to the person from whom the sample was taken.
- (3) If a blood sample is taken under section 56 of the Act and has, in accordance with this regulation, been placed in containers which have been sealed and labelled, the doctor must ensure that—
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- (a) one container is placed in a locked receptacle provided for the purpose at the place at which the sample was taken; and
 - (b) one container is placed and sealed in a container labelled "screening sample"; and
 - (c) one container is delivered to the person from whom the blood sample was taken or placed with that person's personal property at the place at which the sample was taken.

12 Certificate under section 57(3)

A certificate under section 57(3) of the Act must contain the following particulars—

- (a) a statement by the registered medical practitioner or approved health professional that the requirements of these Regulations for the taking of blood samples have been complied with; and
- (b) the name of the person from whom the blood sample was taken; and
- (c) the time and date the blood sample was taken; and
- (d) the name and signature of the registered medical practitioner or approved health professional who took the blood sample.

13 Certificate under section 57(4)

A certificate under section 57(4) of the Act must, in addition to a statement as to the concentration of alcohol found in the sample of blood, contain the following particulars—

- (a) a statement by the analyst that he or she is an approved analyst within the meaning of section 57 of the Act; and

- (b) a statement as to the method of analysis used; and
- (c) the name and signature of the analyst; and
- (d) the date on which the analysis was conducted; and
- (e) a description of the contents of the identification label referred to in regulation 11(1)(d) attached to the container in which the blood sample is placed.

14 Certificate under section 57(4A)

A certificate under section 57(4A) of the Act must contain the following particulars—

- (a) a statement by the approved analyst that he or she is an approved analyst within the meaning of section 57 of the Act; and
 - (b) a statement as to the method of analysis used; and
 - (c) a statement that a substance that is, or is capable of being, a drug for the purposes of the Act was present in the sample of blood analysed; and
 - (d) the name of the substance found to be present in the sample of blood analysed; and
 - (e) the name and signature of the approved analyst; and
 - (f) the date on which the analysis was conducted; and
 - (g) a description of the contents of the identification label referred to in regulation 11(1)(d) attached to the container in which the blood sample is placed.
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15 Certificate under section 57(4B)

A certificate under section 57(4B) of the Act must contain the following particulars—

- (a) a statement by the approved expert that he or she is an approved expert within the meaning of section 57 of the Act; and
- (b) a statement as to the usual effect of a specified substance or substances on behaviour when consumed or used (including its effect on a person's ability to drive properly); and
- (c) the name and signature of the approved expert.

16 Oral fluid testing devices

- (1) The device prescribed for the purposes of section 55D of the Act is the oral fluid testing device known as the SECURETEC DRUGWIPE TWIN or the SECURETEC DRUGWIPE II TWIN.
- (2) The devices prescribed for the purposes of section 55E of the Act are—
 - (a) the oral fluid testing device known as the SECURETEC DRUGWIPE II TWIN COMBO; and
 - (b) the oral fluid testing device known as the Cozart RapiScan.

17 Procedure for carrying out preliminary oral fluid test

For the purposes of section 55D of the Act, the prescribed procedure for carrying out a preliminary oral fluid test is that the member of the police force or person authorised under section 55D(2) of the Act who conducts the test—

- (a) provides a fresh oral fluid collection unit for use by a person required to provide a preliminary oral fluid sample; and
- (b) uses only an oral fluid collection unit that, until required for taking the oral fluid sample, has been kept in a sealed container; and
- (c) tests the oral fluid sample by using the device, or the oral fluid testing unit that is part of the device, that was used to obtain the sample.

18 Procedure for taking oral fluid samples under section 55E

For the purposes of section 55E of the Act, an authorised officer, in taking an oral fluid sample, must—

- (a) provide a fresh oral fluid collection unit for use by each person required to provide an oral fluid sample; and
- (b) use only an oral fluid collection unit which, until required for taking the oral fluid sample, has been kept in a sealed container.

19 Procedure after taking oral fluid sample

An authorised officer who takes a sample of oral fluid under section 55E of the Act must ensure that the sample or, if the sample is broken into parts, each part has attached to it a label bearing—

- (a) the name and signature of the authorised officer who took the oral fluid sample; and
 - (b) the date and time the sample was taken; and
 - (c) the name of the person from whom the sample was taken or, if the name of the person is not known, sufficient information
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to enable the sample to be identified with the person from whom it was taken.

20 Certificate under section 57B(3)

A certificate under section 57B(3) of the Act must contain the following particulars—

- (a) a statement by the person who carried out the oral fluid test that he or she is an authorised officer within the meaning of section 55E of the Act; and
- (b) a statement as to whether the requirements of these Regulations for the taking and testing of oral fluid samples have been complied with; and
- (c) a statement as to whether the result of the oral fluid tested indicated the oral fluid sample provided by the person contained a prescribed illicit drug; and
- (d) the name of the person from whom the oral fluid sample was taken; and
- (e) the time and date the oral fluid sample was taken; and
- (f) the name and signature of the authorised officer who took the oral fluid sample.

21 Certificate under section 57B(4)

A certificate under section 57B(4) of the Act must, in addition to a statement as to the presence of a prescribed illicit drug in that sample of oral fluid, contain the following particulars—

- (a) a statement by the analyst that he or she is an approved analyst within the meaning of section 57B of the Act; and
- (b) a statement as to the method of analysis used; and

- (c) the name and signature of the analyst; and
- (d) the date on which the analysis was conducted; and
- (e) a description of the contents of the identification label referred to in regulation 19 that was attached to the part of the oral fluid received for analysis.

22 Notice of immediate licence suspension

- (1) A notice for the purposes of section 51(1) of the Act must, in addition to the matters referred to in that section, contain the following particulars—
 - (a) the name and address of the accused; and
 - (b) a statement of the offence with which the accused is charged and, in the case of an offence under paragraph (b), (f) or (g) of section 49(1) of the Act, the alleged concentration of alcohol in the blood or breath (as the case requires) of the accused; and
 - (c) whether the person holds a full driver licence, a learner permit or a probationary driver licence; and
 - (d) the name and signature of the person who charged the accused; and
 - (e) the date on which the notice was given to the accused.
 - (2) A notice for the purposes of section 51(1A) of the Act must, in addition to the matters referred to in that section, contain the following particulars—
 - (a) the name and address of the accused; and
 - (b) a statement of the offence with which the accused is charged; and
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- (c) the name and signature of the person who charged the accused; and
 - (d) the date on which the notice was given to the accused.
- (3) A notice for the purposes of section 51(1B) of the Act must, in addition to the matters referred to in that section and in section 51(1C), contain the following particulars—
- (a) the name and address of the person to whom the notice is issued; and
 - (b) a statement of the alleged concentration of alcohol in the blood or breath (as the case requires) of the person to whom the notice is issued; and
 - (c) whether the person holds a full driver licence, a learner permit or a probationary driver licence; and
 - (d) the name and signature of the person who issued the notice; and
 - (e) the date on which the notice was issued.

23 Particulars of report of assessment of drug impairment

For the purposes of section 55B(5) of the Act, the following particulars are prescribed—

- (a) particulars of the identity of the person on whom the assessment was carried out, including, if known, the person's name, address, date of birth and gender; and
 - (b) the date and time at which the person underwent the assessment; and
 - (c) the place at which the person underwent the assessment; and
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- (d) the time (if any) reported to the member of the police force carrying out the assessment as the latest time the person drove, was in charge of or was an occupant of a motor vehicle; and
 - (e) whether the person underwent a preliminary breath test in accordance with section 53 of the Act or furnished a sample of breath for analysis by a breath analysing instrument and, if so, the result of the test or analysis, if known; and
 - (f) the record of interview of the person carried out by the member of the police force carrying out the assessment; and
 - (g) particulars of any medical treatment sought by or for the person; and
 - (h) any statements made by the person concerning a drug or drugs; and
 - (i) any observations made by the member of the police force carrying out the assessment of the person in relation to—
 - (i) any apparent injury or illness of the person;
 - (ii) whether the person smelt of intoxicating liquor;
 - (iii) the person's speech;
 - (iv) the person's eyes;
 - (v) the person's breathing;
 - (vi) the person's skin;
 - (vii) the person's movement;
 - (viii) the person's balance;
 - (ix) the state of the person's clothing;
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- (x) the person's actions;
 - (xi) the person's demeanour;
 - (xii) any physical signs of drug use by the person;
 - (xiii) the person's ability to comprehend instructions;
 - (xiv) the person's ability to divide attention;
 - (xv) whether the person, during the assessment, exhibited signs that indicated that the person was impaired by a drug or drugs; and
 - (j) whether the assessment, in the opinion of the member of the police force carrying it out, indicates that the person may be impaired by a drug or drugs; and
 - (k) the name, rank, station and signature of the member of the police force carrying out the assessment.

24 Procedure for collecting urine sample

A registered medical practitioner or an approved health professional who collects a urine sample for the purposes of the Act must ensure that the sample is collected in a container which is clean and dry and which has not previously been used.

25 Procedures after collecting urine samples

A registered medical practitioner or an approved health professional who collects a urine sample must ensure that—

- (a) the urine sample is placed in 2 dry containers, each containing approximately the same amount of urine; and
 - (b) each container is fitted with a tamper proof locking seal; and
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- (c) each container has attached to it a label bearing—
 - (i) the signature of the registered medical practitioner or approved health professional who collected the urine sample; and
 - (ii) the date and the time the sample was collected; and
 - (iii) the name of the person from whom the sample was collected or, if the name of the person is not known, sufficient information to enable the sample to be identified with the person from whom it was collected.

26 Certificate under section 57A(3)

For the purposes of section 57A(3) of the Act, the following particulars are prescribed—

- (a) a statement by the registered medical practitioner or approved health professional as to whether the requirements of the Act and these Regulations for the collection of urine samples have been complied with; and
 - (b) the name of the person from whom the urine sample was collected or, if the name of the person is not known, sufficient information to enable the sample to be identified with the person from whom it was collected; and
 - (c) the time and date the urine sample was collected; and
 - (d) the name and signature of the registered medical practitioner or approved health professional who collected the urine sample.
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27 Certificate under section 57A(4)

For the purposes of section 57A(4) of the Act, the following particulars are prescribed—

- (a) a statement by the analyst that he or she is an approved analyst within the meaning of section 57A of the Act; and
- (b) a statement as to the method of analysis used; and
- (c) a statement that a substance that is, or is capable of being, a drug for the purposes of the Act was present in the urine sample analysed; and
- (d) the name of the substance found to be present in the urine sample analysed; and
- (e) the concentration of the substance found to be present in the urine sample analysed; and
- (f) the name and signature of the analyst; and
- (g) the date on which the analysis was conducted; and
- (h) a description of the contents of the identification label referred to in regulation 25(c) attached to the container in which the urine sample is placed.

28 Certificate under section 57A(5)

For the purposes of section 57A(5) of the Act, the following particulars are prescribed—

- (a) a statement by the expert that he or she is an approved expert within the meaning of section 57A of the Act; and
- (b) a statement as to the usual effect of a specified substance or substances on behaviour when consumed or used in that

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Part 2—Evidence Relating to Alcohol and Drug Offences

- concentration (including its effect on a person's ability to drive properly); and
- (c) the name and signature of the approved expert.
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**PART 3—EVIDENCE RELATING TO SPEEDING AND
OTHER OFFENCES**

Division 1—Road safety cameras and prescribed processes

**29 Offences detected by road safety cameras or
prescribed processes**

- (1) For the purposes of section 66 of the Act the prescribed offences which may be detected by a prescribed road safety camera are—
 - (a) all offences in the Act or the Road Safety Road Rules 2009 which involve a driver exceeding the applicable speed limit; and
 - (b) all offences in the Act or the Road Safety Road Rules 2009 which involve a driver disobeying a traffic signal, including where the vehicle enters a level crossing; and
 - (c) all offences in the Act or the Road Safety Road Rules 2009 which involve driving in a lane, such as a bus lane or transit lane, when not permitted to do so; and
 - (d) all offences in the Act or the Road Safety (Vehicles) Regulations 1999 which involve the use of a motor vehicle or trailer that is not registered.
- (2) For the purposes of section 66 of the Act the prescribed offences which may be detected by the process prescribed in regulation 48 are all offences in the Act or the Road Safety Road Rules 2009 which involve a driver exceeding the applicable speed limit.

30 Prescribed road safety cameras

For the purposes of the definition of *prescribed road safety camera* in section 3(1) of the Act, the following camera systems are prescribed—

- (a) the camera system known as the Gatso Meter R.L.C.; and
 - (b) the camera system known as the Traffipax Speedophot Radar Unit; and
 - (c) the camera system known as the Gatsometer MRC System; and
 - (d) the camera system known as the Locktronics LaserCam Plus System; and
 - (e) the camera system known as the Redflex SMARTCAM Speed System; and
 - (f) the camera system known as the Poltech SafeCam Mk 1; and
 - (g) the camera system known as the DCD ROBOT Digital Smart Camera; and
 - (h) the camera system known as the Poltech SafeCam Red Light/Speed Mk 1; and
 - (i) the camera system known as the REDFLEXred-speed system; and
 - (j) the camera system known as the REDFLEXred-speed HDX system; and
 - (k) the camera system known as the REDFLEXlaserCam FDSC; and
 - (l) the camera system known as the ROBOT TRAFFIPAX TraffiPhot III SR; and
 - (m) the camera system known as the ROBOT TRAFFIPAX TraffiStar SR520; and
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- (n) the camera system known as the Gatsometer Digital Radar Camera System—Parabolic (DRCS-P); and
- (o) the camera system known as the Gatsometer Radar24-GS11; and
- (p) the camera system known as the Gatsometer GTC-GS11; and
- (q) the camera system known as the REDFLEXred-speed HDX Optical system.

Division 2—Fixed analogue road safety cameras

31 Use of fixed analogue road safety cameras

For the purposes of sections 80, 80A, 84(7) and 84H(2)(a) of the Act, a fixed analogue RSC is used in the prescribed manner if the person placing or removing the system or loading or unloading the film magazine into or from the system—

- (a) checks the time, date and location code in the display of the system and makes any corrections that may be necessary to ensure that the correct data is displayed on the photograph printed from the reversal or negative film produced by the system; and
- (b) checks the vehicle detector system to ensure that it is correctly monitoring the movement of vehicles at the location in the relevant direction of travel; and
- (c) tests the system to ensure the correct activation of the system by vehicles passing over the detectors; and
- (d) ensures that when the system is installed and left unattended it is kept in a locked housing.

Division 3—Mobile analogue road safety cameras

32 Testing of mobile analogue road safety cameras

For the purposes of sections 81 and 84(7) of the Act, a mobile analogue RSC is tested in the prescribed manner if the testing officer who tests the system—

- (a) is satisfied that the system is in a satisfactory electrical condition and, in particular, that any maintenance carried out on the system has been carried out in a satisfactory manner; and
- (b) is satisfied that the speed calculation unit is properly calibrated so that it indicates speed readings within a limit of error not greater than or less than 3 kilometres per hour or 3 per cent (whichever is greater) of the true speeds.

33 Sealing of mobile analogue road safety cameras

A mobile analogue RSC is sealed in the prescribed manner for the purposes of sections 81 and 84(7) of the Act if the speed calculation unit is sealed—

- (a) by the testing officer who carried out the test under regulation 32; and
- (b) with a seal that effectively prevents interference with the time measuring or speed computing components of the speed calculation unit without breaking the seal.

34 Use of mobile analogue road safety cameras

For the purposes of sections 80, 80A, 81, 84(7) and 84H(2)(a) of the Act, a mobile analogue RSC is used in the prescribed manner if—

- (a) the system is used in accordance with operating instructions approved by a testing officer; and
- (b) the speed calculation unit has been tested in accordance with regulation 32 within 12 months before the occasion of its use; and
- (c) the speed calculation unit has been sealed in accordance with regulation 33 at the time that it was last tested.

Division 4—Fixed digital road safety cameras

35 Testing of fixed digital road safety cameras

For the purposes of sections 81 and 84(7) of the Act, a fixed digital RSC is tested in the prescribed manner if the testing officer who tests the system—

- (a) is satisfied that the system is in a satisfactory electrical condition and, in particular, that any maintenance carried out on the system has been carried out in a satisfactory manner; and
- (b) is satisfied that the speed calculation unit (if any) is properly calibrated so that it indicates speed readings within a limit of error not greater than or less than 2 kilometres per hour or 2 per cent (whichever is greater) of the true speeds.

36 Sealing of fixed digital road safety cameras

A fixed digital RSC is sealed in the prescribed manner for the purposes of sections 81 and 84(7) of the Act if the speed calculation unit of the system is sealed—

- (a) by the testing officer who carried out the test under regulation 35; and

- (b) with a seal that effectively prevents interference with the time measuring or speed computing components of the speed calculation unit without breaking the seal.

37 Use of fixed digital road safety cameras

For the purposes of sections 80, 80A, 81, 83A(1), 84(7) and 84H(2)(a) of the Act, a fixed digital RSC is used in the prescribed manner if—

- (a) the speed calculation unit (if any) has been tested in accordance with regulation 35 within 12 months before the occasion of its use; and
 - (b) the vehicle detectors have been placed in position as specified by a manufacturer of fixed digital RSCs or by a party who distributes or maintains them; and
 - (c) the speed calculation unit (if any) has been sealed in accordance with regulation 36; and
 - (d) a person placing or removing the speed calculation unit or the RSC or switching on or resetting the RSC after it has been inoperable for any reason—
 - (i) checks the time, date and location code and makes any corrections that may be necessary to ensure that the correct data is recorded in the digital file; and
 - (ii) checks that the vehicle detectors are correctly responding to the movement of vehicles at the location; and
 - (iii) ensures that when the speed calculation unit (if any) and RSC are installed and left unattended they are kept in one or more locked housings.
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Division 5—Mobile digital road safety cameras

38 Testing of mobile digital road safety cameras

For the purposes of sections 81 and 84(7) of the Act, a mobile digital RSC is tested in the prescribed manner if the testing officer who tests the system—

- (a) is satisfied that the system is in a satisfactory electrical condition and, in particular, that any maintenance carried out on the system has been carried out in a satisfactory manner; and
- (b) is satisfied that the speed calculation unit is properly calibrated so that the frequencies or speeds at which calibration is effected indicate speed readings within a limit of error not greater than or less than 3 kilometres per hour or 3 per cent (whichever is greater) of the true speeds determinable from those frequencies or speeds.

39 Sealing of mobile digital road safety cameras

A mobile digital RSC is sealed in the prescribed manner for the purposes of sections 81 and 84(7) of the Act if the speed calculation unit is sealed—

- (a) by the testing officer who carried out the test under regulation 38; and
- (b) with a seal that effectively prevents interference with the time measuring or speed computing components of the speed calculation unit without breaking the seal.

40 Use of mobile digital road safety cameras

For the purposes of sections 80, 80A, 81, 83A(1), 84(7) and 84H(2)(a) of the Act, a mobile digital RSC is used in the prescribed manner if—

- (a) the speed calculation unit is used in accordance with operating instructions approved by a testing officer; and
- (b) the speed calculation unit has been tested in accordance with regulation 38 within 12 months before the occasion of its use; and
- (c) the speed calculation unit has been sealed in accordance with regulation 39 at the time that it was last tested.

Division 6—Speed detectors

41 Prescribed speed detectors

For the purposes of the definition of *prescribed speed detector* in section 3(1) of the Act, the following speed detectors are prescribed—

- (a) a digitector; and
 - (b) the following laser devices—
 - (i) the LTI 20.20 Marksman AT;
 - (ii) the Prolaser 11 Model Auslaser;
 - (iii) the LTI 20-20 Ultralyte LR;
 - (iv) the Prolaser III;
 - (v) the Pro-Lite;
 - (vi) the Pro-Lite +; and
 - (c) the following radar devices—
 - (i) the Kustom HR4;
 - (ii) the Kustom Falcon;
 - (iii) the Kustom KR-10SP;
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- (iv) the Kustom Golden Eagle;
- (v) the Kustom Silver Eagle;
- (vi) the Silver Eagle II;
- (vii) the Stalker Dual DSR;
- (viii) the Directional Golden Eagle II;
- (ix) the Falcon HR;
- (x) the Raptor RP-1.

42 Testing of speed detectors

For the purposes of section 79 of the Act, a speed detector is tested in the prescribed manner if the testing officer who tests the device—

- (a) is satisfied that the device is in a satisfactory electrical condition and, in particular, that any maintenance carried out on the device has been carried out in a satisfactory manner; and
- (b) is satisfied that the device is properly calibrated so that it indicates the speed readings within a limit of error not greater or less than 2 km per hour of the true speeds.

43 Sealing of speed detectors

A prescribed speed detector is sealed in the prescribed manner for the purposes of section 79 of the Act if—

- (a) the device is sealed—
 - (i) by the testing officer who carried out the test under regulation 42; and
 - (ii) with a seal that effectively prevents interference with the time measuring or speed computing components of the device without breaking the seal.

44 Use of digitectors

A digitector is used in the prescribed manner for the purposes of sections 79 of the Act if—

- (a) the 2 vehicle detectors which form part of the digitector are, when used with the time measuring and speed computing components of the device for determining the speed at which a motor vehicle travels on a road, positioned across the road approximately parallel to each other at a distance of 25 metres apart within a limit of error that is not greater than 75 millimetres; and
- (b) the digitector has been tested in accordance with regulation 42 within a period of 2 years before the occasion of its use; and
- (c) the digitector has been sealed in accordance with regulation 43 at the time that it was last tested.

45 Use of laser devices

A laser device is used in the prescribed manner for the purposes of section 79 of the Act if—

- (a) whenever the operator connects the laser device to a source of electricity, the operator ensures that all elements of the speed display are illuminated; and
 - (b) the operator activates the device with the device aimed in the direction of a motor vehicle within the operator's field of vision and observes the reading displayed on the digital speed display; and
 - (c) the device has been tested in accordance with regulation 42 within 12 months before the occasion of its use; and
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- (d) the device has been sealed in accordance with regulation 43 at the time that it was last tested.

46 Use of radar devices

A radar device is used in the prescribed manner for the purposes of section 79 of the Act if—

- (a) whenever the operator connects the radar device to a source of electricity, the operator ensures that—
- (i) in the case of the Falcon HR and the Raptor RP-1, all of the elements of the digital speed display are illuminated; and
 - (ii) in the case of all other radar devices, a reading of (888) is displayed on the digital target speed display; and
- (b) the doppler audio signal of the radar device is set at a level clearly audible to the operator who may take a reading if the signal indicates normal operation; and
- (c) in the case of the Kustom HR4, Kustom Falcon and the Falcon HR, the operator activates the device with the device aimed in the direction of a motor vehicle within the operator's field of vision and observes the reading displayed on the digital target speed display; and
- (d) in the case of the Kustom KR-10SP, the Kustom Golden Eagle, the Kustom Silver Eagle, the Silver Eagle II, the Stalker Dual DSR, the Directional Golden Eagle II, and the Raptor RP-1, the operator activates the device with the antenna set in the direction of a motor vehicle within the operator's field of vision and observes the reading displayed on the digital target speed display; and
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- (e) the device has been tested in accordance with regulation 42 within 12 months before the occasion of its use; and
- (f) the device has been sealed in accordance with regulation 43 at the time that it was last tested.

Division 7—Prescribed processes

47 Process for production of printed image

An image or message is produced by a prescribed process used in the prescribed manner for the purposes of sections 80(1)(b), 80A, 81(1)(c), 81(2), 83A(1) and 84(7) of the Act if—

- (a) a printed image is produced from a digital file; and
- (b) the data contained in the digital file has been verified by a computer—
 - (i) decrypting that digital file; and
 - (ii) recalculating the checksum produced for that file; and
 - (iii) confirming that the checksum produced by the recalculation is identical to the checksum contained in that file; and
- (c) the printed image contains an image derived from the digital file (with or without decompressing the image) and a message containing data relating to an offence prescribed in regulation 29(1).

48 Prescribed process for the calculation of average speed

For the purposes of section 66 of the Act, the following process is prescribed—

- (a) a computer receives digital files from 2 or more road safety cameras where each digital file contains—
 - (i) an image of the same motor vehicle; and
 - (ii) data indicating the date on which, and the time and place at which, the image was captured by the road safety camera; and
 - (iii) data indicating the speed limit at the time and place at which the image was captured; and
- (b) using that data the computer calculates the average speed of the motor vehicle in accordance with section 78(2) of the Act; and
- (c) the computer creates a digital file containing the matters referred to in paragraphs (a) and (b).

Division 8—Other matters

49 Interference with road safety cameras

A person must not, without reasonable excuse, wilfully interfere with a road safety camera or any seal affixed to a road safety camera or any housing in which a road safety camera is placed or installed.

Penalty: 5 penalty units.

50 Interference with speed detectors

A person must not, without reasonable excuse, wilfully interfere with a speed detector or any seal affixed to a speed detector or any housing in which a speed detector is placed or installed.

Penalty: 5 penalty units.

51 Record keeping requirements

- (1) A testing officer who tests a mobile analogue RSC under regulation 32 must record, and retain for at least 7 years, the results of the test, including a statement showing the speed readings of the system and the true speeds.
 - (2) A testing officer who seals a speed calculation unit for the purpose of sealing a mobile analogue RSC in the prescribed manner, in accordance with regulation 33, must record, sign, and retain for at least 7 years, the following particulars—
 - (a) the identification number of the speed calculation unit; and
 - (b) the date on which the test was carried out; and
 - (c) the manner in which the speed calculation unit was sealed.
 - (3) A testing officer who tests a fixed digital RSC under regulation 35 must record, and retain for at least 7 years, the results of the test, including a statement showing the speed readings of the system and the true speeds.
 - (4) A testing officer who seals a speed calculation unit for the purpose of sealing a fixed digital RSC in the prescribed manner, in accordance with regulation 36, must record, sign, and retain for at least 7 years, the following particulars—
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- (a) the identification number of the speed calculation unit; and
 - (b) the date on which the test was carried out; and
 - (c) the manner in which the speed calculation unit was sealed.
- (5) A testing officer who tests a mobile digital RSC under regulation 38 must record, and retain for at least 7 years, the results of the test, including a statement showing the speed readings of the system and the true speeds.
- (6) A testing officer who seals a speed calculation unit for the purpose of sealing a mobile digital road safety camera in the prescribed manner, in accordance with regulation 39, must record, sign, and retain for at least 7 years, the following particulars—
- (a) the identification number of the speed calculation unit; and
 - (b) the date on which the test was carried out; and
 - (c) the manner in which the speed calculation unit was sealed.
- (7) A testing officer who tests a speed detector under regulation 42 must record, and retain for at least 7 years, the results of the test, including—
- (a) a statement showing the frequencies or speeds at which the calibration was effected and the number of times that each frequency or speed the calibration was effected; and
 - (b) the date of the test and the ambient temperature at the time of the test.
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- (8) A testing officer who seals a speed detector under regulation 43 must record, sign, and retain for at least 7 years, the following particulars:
- (a) the identification number of the device; and
 - (b) the date on which the test was carried out; and
 - (c) the manner in which the device was sealed.

52 Certificate as to testing and sealing road safety camera or speed detector

- (1) For the purposes of section 83 of the Act, a certificate in relation to the testing and sealing of a road safety camera or a speed detector is in the prescribed form if it is in the form set out in Schedule 3.
- (2) A testing officer is authorised to sign a certificate referred to in subregulation (1).

Division 9—Engine management system reading devices

53 Specified engine management system reading devices

For the purposes of sections 14(1A) and 79A of the Act, the following engine management system reading devices are specified—

- (a) a Pro-Link GRAPHIQ that has been fitted with—
 - (i) an application cartridge applicable to the type of engine to be tested; or
 - (ii) a multi-protocol cartridge containing an application card applicable to the type of engine to be tested; and

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- (b) a computer that is running a version or variant of one or more of the following types of software—
 - (i) Detroit Diesel Diagnostic Link;
 - (ii) Cummins Insite;
 - (iii) Cat Electronic Technician.

54 Use of engine management system reading device

For the purposes of section 14(1A) of the Act, an engine management system reading device is used in accordance with the Regulations if—

- (a) it is connected to the electronic control module of a vehicle; and
- (b) the information contained in that electronic control module relevant to the vehicle's operation is transferred—
 - (i) in the case of an engine management system reading device specified in regulation 53(a), to a printer connected to the device; or
 - (ii) in the case of an engine management system reading device specified in regulation 53(b), into the device's memory.

55 Obtaining information from an engine management system reading device

For the purposes of section 79A of the Act—

- (a) an engine management system reading device is operated in the manner specified in the Regulations if the engine management system reading device is connected to the electronic control module of a vehicle; and

- (b) information held in a vehicle's engine management system is derived in accordance with the Regulations if the information contained in the electronic control module relevant to the vehicle's operation is transferred—
- (i) in the case of an engine management system reading device specified in regulation 53(a), to a printer connected to the device; or
 - (ii) in the case of an engine management system reading device specified in regulation 53(b), into the device's memory.
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**PART 4—VEHICLE IMPOUNDMENT, IMMOBILISATION
AND FORFEITURE**

56 Notice to driver and registered operator

For the purposes of section 84L(h) of the Act, the following particulars are prescribed—

- (a) the driver's address, sex and date of birth;
- (b) the number, type and expiry date of the driver's driver licence;
- (c) if the driver is not the registered operator of the motor vehicle, the name, address and other details of the registered operator;
- (d) if the motor vehicle is moved to a holding yard by use of a tow truck, the name of the operator of the tow truck;
- (e) the details of the member of the police force who seized the motor vehicle or required it to be surrendered;
- (f) advice that it is an offence to move an impounded motor vehicle without authorisation;
- (g) if the notice is given to the registered operator of the motor vehicle who is not the owner or sole owner of the motor vehicle, advice that the registered operator must take reasonable steps to serve a copy of the notice on any owner as soon as reasonably practicable.

57 Evidence of identity and entitlement to recover vehicle

- (1) For the purposes of section 84Q of the Act, satisfactory evidence of the identity and entitlement to recover a motor vehicle of a person who is the registered operator of the motor vehicle is—
- (a) the production of the person's current driver licence bearing a photograph of the person; or
 - (b) identification sufficient to satisfy a 100 point verification check pursuant to the Financial Transaction Reports Act 1988 of the Commonwealth; or
 - (c) other evidence that in the reasonable opinion of a member of the police force satisfactorily establishes the person's identity and entitlement to recover the vehicle.
- (2) For the purposes of section 84Q of the Act, satisfactory evidence of the identity and entitlement to recover a motor vehicle of a person who is not the registered operator of the motor vehicle is—
- (a) the following evidence of the person's identity—
 - (i) the person's current driver licence bearing a photograph of the person; or
 - (ii) identification sufficient to satisfy a 100 point verification check pursuant to the Financial Transaction Reports Act 1988 of the Commonwealth; or
 - (iii) other evidence that in the reasonable opinion of a member of the police force satisfactorily establishes the person's identity; and
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- (b) the following evidence of entitlement to recover the vehicle—
- (i) a written statement signed by the registered operator authorising the release of the vehicle to the person; or
 - (ii) other evidence that in the reasonable opinion of a member of the police force satisfactorily establishes the person's entitlement to recover the vehicle.

58 Form of search and seizure warrant

For the purposes of section 84ZH(4) of the Act, the prescribed form of a search and seizure warrant is the form in Schedule 4.

59 Form of report on execution of warrant

For the purposes of section 84ZO(2) of the Act, the prescribed form of a report on the execution of a search and seizure warrant is the form in Schedule 5.

PART 5—EVIDENCE RELATING TO MASS OF VEHICLES

60 Prescribed portable weighing devices

A portable weighing device is a prescribed device for the purposes of section 82 of the Act.

61 Testing of portable weighing devices

- (1) For the purposes of section 82 of the Act, a portable weighing device is tested in the prescribed manner if—
 - (a) the load applied for the purposes of testing a portable weighing device is one tonne or more for a single device and 2 tonnes or more for a pair of devices; and
 - (b) a technical officer, or the head, of the Engineering Department of the University of Melbourne is satisfied that the device operates within the limits of error in regulation 62; and
 - (c) in the case of portable weighing devices tested in pairs—
 - (i) each device so tested is used only with the other device with which it was tested; and
 - (ii) the prescribed limit of error is calculated on the sum of the readings of the two devices; and
 - (iii) the devices so tested are either passed or failed together.
 - (2) A portable weighing device must be tested by a technical officer, or the head, of the Engineering Department of the University of Melbourne—
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- (a) before it is first used; and
 - (b) at least once every 12 months after it is first used.
- (3) The University of Melbourne must ensure that full and accurate records of all portable weighing devices tested are kept for at least 7 years, including—
- (a) the identification number of each device; and
 - (b) the date on which the test was carried out; and
 - (c) the results of the test.
- (4) The records of the test must be signed by the person who carried out the test.

62 Prescribed limits of error for portable weighing devices

The prescribed limit of error for a portable weighing device for the purposes of section 82 of the Act is not more than 2 per cent greater than or less than the weight at which calibration is effected.

63 Sealing of portable weighing devices

- (1) For the purposes of section 82 of the Act, a portable weighing device is sealed in the prescribed manner if—
- (a) the device has been tested in accordance with regulations 61 and 62 and the device has satisfied the test requirements; and
 - (b) the device is sealed by the person who carried out the test; and
 - (c) the device is sealed with a seal which effectively prevents interference with the mechanism or circuitry of the device without breaking the seal.
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- (2) The University of Melbourne must ensure that full and accurate records of all portable weighing devices sealed are kept for at least 7 years, including—
 - (a) the identification number of each device sealed; and
 - (b) the date on which the device was sealed; and
 - (c) the manner in which the device was sealed.
- (3) The records in subregulation (2) must be signed by the person who sealed the device.
- (4) If, at any time after a portable weighing device is sealed, a repair, alteration or adjustment (other than setting the reading to zero) is made to its mechanism or circuitry, the device must be tested again in accordance with regulation 61 and sealed again in accordance with this regulation.

64 Use of portable weighing devices

A portable weighing device is used in the prescribed manner for the purposes of section 82 of the Act if—

- (a) to ascertain the mass carried on a single axle—
 - (i) the device is placed under each of any 2 tyres on the axle so that the whole mass borne by the axle is borne by or on the device; and
 - (ii) the reading on the device used to ascertain the mass is taken while the axle load is borne by the device; and
 - (iii) in the case of more than one device being used to ascertain the mass, the mass carried on the axle is calculated as the sum of the readings of each of the devices; and
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- (b) to ascertain the mass carried on a group of axles, the mass carried on the axles is calculated as the sum of the mass carried on the axles comprising the group.

65 Certificate as to testing and sealing portable weighing devices

- (1) For the purposes of section 83 of the Act, a certificate in relation to the testing and sealing of a portable weighing device is in the prescribed form if it is in the form set out in Schedule 3.
- (2) A person in the Engineering Department of the University of Melbourne who tests and seals portable weighing devices is authorised to sign a certificate for the purposes of section 83 of the Act.

66 Interference with portable weighing device

A person must not, without reasonable excuse, wilfully interfere with the mechanism or circuitry of a portable weighing device or the seal affixed to such a device.

Penalty: 5 penalty units.

PART 6—NOTICE OF REASONABLE STEPS DEFENCE

67 Information to be provided regarding reasonable steps defence

- (1) This Part applies to the following offences under the Act—
 - (a) a breach of section 174 or 175 of the Act where the vehicle is in breach of a mass limit so far as the reasonable steps defence relates to reliance on the weight stated in a container weight declaration; and
 - (b) a breach of section 184, 185 or 186 of the Act.
 - (2) An authorised officer who issues a traffic infringement notice to a person for an offence to which this Part applies must also give that person a notice which complies with subregulation (3).
 - (3) A notice under subregulation (2) must—
 - (a) state that the person may have the benefit of the reasonable steps defence if the person is charged with the offence to which the traffic infringement notice relates; and
 - (b) state that if a person intends to rely on the reasonable steps defence, the person must elect to have the matter of the traffic infringement heard and determined in a court and consequently be charged with the offence for which the traffic infringement notice was issued; and
 - (c) state that if the person pays the infringement penalty set out in the traffic infringement notice, the reasonable steps defence is not available to the person; and
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Part 6—Notice of Reasonable Steps Defence

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(d) include a copy of sections 179 and 180 of the Act.

Note

Sections 179 and 180 of the Act set out the circumstances in which a person may have the benefit of the reasonable steps defence.

**PART 7—INSPECTIONS AND SEARCHES CONCERNING
HEAVY VEHICLES**

68 Embargo notice

An embargo notice under section 142(2) of the Act must contain the following details in addition to the matters required by sections 142(4)(b) and 142(4)(c) of the Act—

- (a) a description of the thing that has been embargoed; and
- (b) either the name of the person on whom the notice was served or a statement that the notice has been affixed to the thing; and
- (c) the name, signature and business telephone number of the inspector who issued the notice; and
- (d) the date on which the notice was served or affixed.

69 Information to be provided by registered operator

(1) In addition to the name and address of the operator of the vehicle at the time of the offence (*the operator*), the registered operator must include the following information in a statutory declaration made for the purposes of section 201(5) of the Act—

- (a) if the vehicle was not physically connected to any other vehicle at the time of the offence—
 - (i) a statement setting out by, or under, what or whose authority (whether oral or written) the operator had control, use or management of the vehicle at the time of the offence; and

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- (ii) the address of any premises (other than the address of the operator) from which the operator, or a person acting on behalf of the operator, had the control, use or management of the vehicle at the time of the offence;
 - (b) if the vehicle was part of a group of vehicles that were physically connected at the time of the offence—
 - (i) if the vehicle was the towing vehicle, the name and address of the operator of every other vehicle forming part of the group at the time of the offence; and
 - (ii) if the vehicle was a trailer, the name and address of the operator of the towing vehicle; and
 - (iii) a statement setting out by, or under, what or whose authority (whether oral or written) the operator had control, use or management of the vehicle at the time of the offence; and
 - (iv) the address of any premises (other than the address of the operator) from which the operator, or a person acting on behalf of the operator, had the control, use or management of the vehicle at the time of the offence.
 - (2) For the purposes of section 201(5) of the Act, the time within which the statutory declaration must be given to the Corporation is—
 - (a) before, or within 28 days after, the service of a summons in respect of the offence; or
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- (b) if an infringement notice was served on the registered operator in respect of the offence, before the infringement penalty has been lodged with an infringements registrar under Part 4 of the **Infringements Act 2006**.
- (3) For the purposes of section 201(5) of the Act, the statutory declaration must be given to the Corporation by delivering it personally or by post.
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PART 8—PARKING INFRINGEMENTS

70 Penalties for parking infringements

For the purposes of section 87(3) of the Act, the infringement penalty for a parking infringement prescribed in column 4 of Schedule 6 is the amount prescribed in column 5 of that Schedule for that parking infringement.

71 Service of parking infringement notices

- (1) For the purposes of section 87 of the Act, a parking infringement notice may be served in accordance with section 12 of the **Infringements Act 2006**.
- (2) If a parking infringement notice is served by affixing or placing the notice on a vehicle in accordance with section 12(1)(c) of the **Infringements Act 2006**, the notice must be affixed or placed in a position which will be conspicuous to the driver of the vehicle—
 - (a) by affixing an adhesive portion of the notice or a separate adhesive seal to the vehicle; or
 - (b) by securing the notice under a windscreen wiper blade of the vehicle.

72 Summaries of parking infringements in Schedule 6

A summary of a parking infringement in Schedule 6 is not to be taken to affect the nature or elements of the infringement to which the summary refers or the operation of these Regulations.

PART 9—TRAFFIC INFRINGEMENTS

73 Prescribed traffic infringements

For the purposes of the definition of *traffic infringement* in section 3 of the Act, an offence set out in column 4 of Schedule 7 is a prescribed offence for the purposes of Part 7 of the Act.

74 Penalties for traffic infringements

For the purposes of section 88(5) of the Act, the infringement penalty for a traffic infringement prescribed in column 4 of Schedule 7 is the amount prescribed in column 5 of that Schedule for that traffic infringement.

75 Prescribed details of traffic infringement notice

- (1) For the purposes of section 88(2)(c) of the Act, the additional prescribed details that must be contained in a traffic infringement notice are—
 - (a) in the case of an infringement notice issued in respect of an offence prescribed in regulation 29—
 - (i) the words "The Operator"; and
 - (ii) that it is an infringement notice in relation to an offence detected by a road safety camera; and
 - (b) if the alleged traffic infringement arises out of driving or being in charge of a motor vehicle or trailer, the registration number or other identification of the motor vehicle or trailer; and

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- (c) if the traffic infringement notice relates to an alleged drink-driving infringement or excessive speed infringement—
- (i) that it is issued in respect of a drink-driving infringement or excessive speed infringement (as the case requires); and
 - (ii) that unless a notice of objection is received at the address specified in the notice within 28 days after the date of the notice, the notice will take effect as a conviction and will result in cancellation or suspension of the licence or permit of the person on whom it is served; and
- (d) if the traffic infringement notice relates to an alleged drug-driving infringement, that—
- (i) it is issued in respect of a drug-driving infringement; and
 - (ii) unless a notice of objection is received at the address specified in the notice within 28 days after the date of the notice, the notice will take effect as a conviction; and
- (e) if the notice is issued in respect of an offence prescribed in regulation 29, a statement that a copy of the image or message produced by a road safety camera of the alleged traffic infringement may be inspected or purchased and the manner in which the inspection or purchase may be arranged; and
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- (f) if the notice is issued in respect of a drink-driving infringement, drug-driving infringement or an excessive speed infringement under section 89A of the Act, the address of the person to whom a notice of objection is to be sent.

Note

These details are in addition to the prescribed details that are required to be included in an infringement notice under regulation 8 of the Infringements (Reporting and Prescribed Details and Forms) Regulations 2006.

- (2) An infringement notice issued in respect of a drink-driving infringement, drug-driving infringement or excessive speed infringement under section 89A of the Act may be accompanied by—
- (a) a notice setting out in summary form—
- (i) the consequences of paying or failing to pay the infringement penalty; and
 - (ii) the consequences of giving or failing to give a notice of objection; and
- (b) a form of notice of objection.

76 Summaries of traffic infringements in Schedule 7

A summary of a traffic infringement set out in Schedule 7 is not to be taken to affect the nature or elements of the offence to which the summary refers or the operation of these Regulations.

77 Payment of penalty

Payment of a penalty under section 89C(7) or 89D(6) of the Act may be made by posting or delivering the amount of the infringement penalty to the address specified in the infringement notice as the address for payment of the infringement penalty.

78 Withdrawal of traffic infringement notice

For the purposes of sections 88(3) and 89A(7) of the Act, a withdrawal notice—

- (a) must be served in accordance with section 93 of the Act; and
- (b) must contain the following particulars—
 - (i) the name and address of the person on whom the traffic infringement notice was served; and
 - (ii) the number and date of issue of the traffic infringement notice; and
 - (iii) a statement that the traffic infringement notice has been withdrawn; and
 - (iv) if it is intended that proceedings in the Magistrates' Court be instituted against the person in respect of the alleged traffic infringement, a statement to that effect; and
 - (v) if a payment has been made in respect of the infringement penalty, a statement that the amount paid will be refunded.

79 Proof of prior convictions or findings of guilt

- (1) For the purposes of section 90(1) of the Act, a document setting out particulars of alleged prior convictions or findings of guilt must contain the following particulars—
 - (a) the name and address of the person to whom it applies; and
 - (b) in respect of each alleged prior conviction or finding of guilt—
 - (i) the court that convicted the person or found the person guilty; and

- (ii) the date of the alleged conviction or finding of guilt; and
 - (iii) a short description of the alleged offence and a short description of the alleged penalty imposed.
- (2) For the purposes of section 90(2)(a) of the Act, the prescribed particulars are a statement that the document will be admissible as evidence that the person has been previously convicted or found guilty as alleged if—
- (a) the person does not appear in answer to the summons served with the notice; and
 - (b) the person is convicted or found guilty of the infringement alleged in the summons.
-

PART 10—OPERATOR ONUS

80 Prescribed period for making statements

- (1) Subject to subregulation (2), for the purposes of sections 84BE(1)(a) and 84BF(1)(a) of the Act, the prescribed period is—
- (a) in the case of an infringement notice served in respect of an excessive speed infringement, the period beginning on the date of the notice and ending immediately before a conviction takes effect under section 89A(2) of the Act; and

Note

Under section 89A(2) of the Act, a traffic infringement notice that is issued in respect of an excessive speed infringement, takes effect as a conviction for the offence specified in the notice 28 days after the date of the notice.

- (b) in the case of an infringement notice served in respect of any other operator onus offence—
- (i) if the infringement notice was served on a person other than a child and the offence is a lodgeable infringement offence within the meaning of the **Infringements Act 2006**, the period beginning on the date of the notice and ending immediately before the details of the infringement penalty in respect of that offence are lodged under section 54 of that Act; or
- (ii) if the infringement notice for that offence was served on a child, the period beginning on the date of the notice and ending immediately before the infringement penalty in respect of
-

that offence is registered under clause 4 of Schedule 3 to the **Children, Youth and Families Act 2005**; or

- (iii) if subparagraphs (i) and (ii) do not apply, the period beginning on the date of the notice and ending immediately before the expiry of the period for bringing a proceeding in relation to the offence to which the infringement notice relates.

Note

The period prescribed under paragraph (b) for making a statement under Part 6AA of the Act is the same period set out in section 22(2) of the **Infringements Act 2006** for a person to apply to a relevant enforcement agency for internal review of a decision to serve an infringement notice under section 22 of the **Infringements Act 2006**.

- (2) If an extension of time to deal with, or object to, an infringement notice, has been granted under section 67 or 89B of the Act, the prescribed period for the purposes of sections 84BE(1)(a) and 84BF(1)(a) of the Act, is the extension of time granted under section 67 or 89B of the Act.

81 Prescribed period for accepting or rejecting statements

For the purposes of section 84BE(6) of the Act, the prescribed period is 90 days beginning on the date that the enforcement official received the relevant statement.

**PART 11—APPLICATION OF THE ACT TO PUBLIC
AUTHORITIES**

82 Power to prosecute

The following public authorities and persons are prescribed for the purposes of section 77(2)(e) of the Act—

- (a) the Melbourne Market Authority established under the **Melbourne Market Authority Act 1977**;
- (b) an Authority within the meaning of the **Water Act 1989**;
- (c) the Port of Melbourne Corporation established under the **Port Services Act 1995**;
- (d) a Board established under Part 4 of the **Alpine Resorts (Management) Act 1997**;
- (e) the Secretary to the Department of Sustainability and Environment;
- (f) the Minister administering Part 7B of the **Financial Management Act 1994**;
- (g) Parks Victoria established under the **Parks Victoria Act 1998**.

83 Prosecution for parking offences

The following public authorities and persons are prescribed for the purposes of section 77(4) of the Act—

- (a) the Corporation;
 - (b) the Secretary to the Department of Transport;
 - (c) an authorised officer within the meaning of the **Land Act 1958**;
-

- (d) the Director of Marine Safety or an inspector appointed under Part 8 of the **Marine Act 1988**;
- (e) a Board established under Part 4 of the **Alpine Resorts (Management) Act 1997**;
- (f) the board of a public hospital or denominational hospital within the meaning of the **Health Services Act 1988**;
- (g) the council of a university established by or under any Act;
- (h) a council incorporated under Part 3.2 of the **Education and Training Reform Act 2006** or the council or governing body of a TAFE institute within the meaning of the **Education and Training Reform Act 2006**;
- (i) a committee of management appointed under the **Crown Land (Reserves) Act 1978**.

84 Appropriation of fines

For the purposes of section 77(5) of the Act—

- (a) a public authority or person specified in Column 1 of Schedule 8 is a prescribed public authority or person; and
- (b) a fund described in Column 2 of Schedule 8 is a prescribed fund in respect of the public authority or person set out in Column 1 of that Schedule opposite the fund; and
- (c) an offence is a prescribed offence if it is—
 - (i) committed on land or premises which are vested in or under the control or management of the public authority or person concerned and is—
 - (A) an offence under the Road Safety Road Rules 2009; or

- (B) an offence under Division 1, 2, 3, 4 or 5 of Part 2, Part 4, Part 5 or Part 8 of the Road Safety (Vehicles) Regulations 1999; or
- (C) an offence under Part 2 or 5 of the Road Safety (Drivers) Regulations 2009; or
- (ii) an offence against section 90E of the Act, or under a regulation made under the Act, for which the charge was filed by a municipal council or any member of staff of a municipal council who is authorised in writing to do so either generally or in a particular case by the municipal council.

85 Extension of the Act by the Minister

The following persons are prescribed for the purposes of section 98(1) of the Act—

- (a) the Corporation;
- (b) Connex Melbourne Pty Ltd (ACN 087 516 210);
- (c) a Council within the meaning of the **Local Government Act 1989**;
- (d) the Melbourne Market Authority established under the **Melbourne Market Authority Act 1977**;
- (e) an Authority within the meaning of the **Water Act 1989**;
- (f) the Port of Melbourne Corporation established under the **Port Services Act 1995**;
- (g) the council of a university established by or under any Act;

- (h) a council incorporated under Part 3.2 of the **Education and Training Reform Act 2006** or the council or governing body of a TAFE institute within the meaning of the **Education and Training Reform Act 2006**;
 - (i) a committee of management appointed under the **Crown Land (Reserves) Act 1978**;
 - (j) the board of a public hospital or denominational hospital within the meaning of the **Health Services Act 1988**;
 - (k) the House Committee within the meaning of the **Parliamentary Committees Act 2003**;
 - (l) the Secretary to the Department of Sustainability and Environment;
 - (m) Parks Victoria established under the **Parks Victoria Act 1998**;
 - (n) an officer of the Marine Board of Victoria appointed under Part 8 of the **Marine Act 1988**.
-

PART 12—SAVINGS AND TRANSITIONALS

86 Transitional arrangements

(1) In this regulation—

commencement day means 9 November 2009;

old Regulations means the Road Safety (General) Regulations 1999 as in force immediately before the commencement day.

(2) Despite the revocation of the old Regulations, if a person is alleged to have committed an offence before the commencement day that was prescribed to be a traffic infringement or parking infringement under the old Regulations, the old Regulations are taken to continue to apply and any infringement notice issued and served in respect of that traffic infringement or parking infringement may be issued and served in accordance with the old Regulations.

(3) If any document issued under the old Regulations before the commencement day makes reference to any device or system, such reference is taken to include a reference to a road safety camera or speed detector, where the case requires.

(4) A reference to a road safety camera in a document issued after the commencement day, in respect of a traffic infringement that is alleged to have occurred before the commencement day, is taken to be a reference to a device prescribed under the old Regulations, where the case requires.

(5) Any image or process produced in accordance with the process prescribed in regulation 47 or regulation 48 in relation to an alleged offence detected before the commencement day is taken to have been produced in accordance with the process prescribed by the old regulations.

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Part 12—Savings and Transitionals

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(6) This regulation does not affect or take away from
the **Interpretation of Legislation Act 1984**.

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Sch. 1

SCHEDULE

SCHEDULE 1

Regulation 4

REVOCATIONS

<i>S.R. No.</i>	<i>Title</i>
27/1999	Road Safety (General) Regulations 1999
88/2000	Road Safety (General) (Speed Measuring Devices) Regulations 2000
96/2000	Road Safety (General) (Loading Zone Penalty) Regulations 2000
114/2000	Road Safety (General) (Blood Samples and Drug Testing) Regulations 2000
47/2001	Road Safety (General) (Traffic Infringements) Regulations 2001
57/2001	Road Safety (General) (Traffic Infringements Amendment) Regulations 2001
172/2001	Road Safety (General) (Amendment) Regulations 2001
12/2002	Road Safety (General) (Drink Driving Infringement) Regulations 2002
88/2002	Road Safety (General) (Infringements) Regulations 2002
90/2002	Road Safety (General) (Speed Measuring Devices) Regulations 2002
114/2002	Road Safety (General) (Responsible Driving) Regulations 2002
87/2003	Road Safety (General) (Speed Measuring Devices) Regulations 2003
132/2004	Road Safety (General) (Amendment) Regulations 2004
159/2004	Road Safety (General) (Alcohol and Other Drugs) Regulations 2004
120/2005	Road Safety (General) (Speed Measuring Devices) Regulations 2005

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<i>S.R. No.</i>	<i>Title</i>
126/2005	Road Safety (General) (Heavy Vehicle Safety) Regulations 2005
23/2006	Road Safety (General) (Commonwealth Games) Regulations 2006
82/2006	Road Safety (General) (Vehicle Impoundment) Regulations 2006
158/2006	Road Safety (General) (Infringements) Regulations 2006
175/2006	Road Safety (General) (Safety Cameras and Other Amendments) Regulations 2006
71/2007	Road Safety (General) (Prescribed Devices and Operator Onus Amendment) Regulations 2007
153/2007	Road Safety (General) (Young Drivers) Regulations 2007
155/2007	Road Safety (General) (Engine Reading Devices Amendment) Regulations 2007
156/2007	Road Safety (General) (Prescribed Devices and Other Amendments) Regulations 2007
2/2008	Road Safety (General) (Prescribed Devices Amendment) Regulations 2008
26/2008	Road Safety (General) (Miscellaneous Amendments) Regulations 2008
59/2008	Road Safety (General) (Learner Approved Motor Cycle Scheme Amendment) Regulations 2008
77/2008	Road Safety (General) (Infringement Trial Amendments) Regulations 2008
79/2008	Road Safety (General) (Peer Passenger Restrictions) Regulations 2008
104/2008	Road Safety (General) Amendment Regulations 2008
115/2008	Road Safety (General) Amendment (Fatigue Management) Regulations 2008
137/2008	Road Safety (General) Further Amendment (Fatigue Management) Regulations 2008
17/2009	Road Safety (General) and Road Safety (Road Rules) Amendment (Seatbelts) Regulations 2009

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<i>S.R. No.</i>	<i>Title</i>
46/2009	Road Safety (General) and Road Safety (Road Rules) Amendment (Mobile Phones and Seatbelts) Regulations 2009
68/2009	Road Safety (General) Amendment (Road Safety Camera) Regulations 2009
93/2009	Road Safety (General) Amendment (Careless Driving) Regulations 2009

SCHEDULE 2

Regulation 6(3)

CERTIFICATE UNDER SECTION 78A

I am a licensed surveyor within the meaning of the **Surveying Act 2004** and I am approved by—

*the Surveyor-General

*the Roads Corporation

for the purposes of section 78A of the **Road Safety Act 1986**.

I certify that the shortest distance, expressed in metres, that would be travelled by a motor vehicle on the [*identify road*] between:

(a) [*describe first point on road*] and

(b) [*describe second point on road*]

is [*insert number of metres*] metres.

Signature of person issuing certificate:

Name: [*print name*]

Date:

* Delete if inapplicable

SCHEDULE 3

Regulations 52, 65

CERTIFICATE UNDER SECTION 83

The *road safety camera/*speed detector/*portable weighing device/ (No.)
was tested in accordance with the Road Safety (General) Regulations 2009
on [date].

The test confirmed that the device was operating correctly in accordance with
the requirements of those Regulations.

The device has been properly sealed in accordance with those Regulations.

Date:

Signature of person issuing certificate:

Name: [print name]

* Strike out whichever is not applicable.

Sch. 4

SCHEDULE 4

Regulation 58

SEARCH AND SEIZURE WARRANT

Court Ref.

This warrant is issued for the purpose of searching for and seizing the motor vehicle described.

Description of motor vehicle authorised for seizure:

- Registration number (if known):
- Vehicle identifier (if known):
- Engine identification number (if known):
- Make, model and colour of motor vehicle:

Premises which may be searched for motor vehicle:

Number and name of street and suburb or other description of premises:

Grounds for issue of warrant:

Reasonable grounds for believing that the motor vehicle described above—

- is
- may be within the next 72 hours—

in or on the premises described.

This warrant is issued to the following member(s) of the police force—

- Name:
- Rank number:
- Agency and address:

This warrant authorises the member(s) of the police force named, with the aid of any assistants considered reasonably necessary to achieve the purpose for which the warrant was issued, to—

- enter the premises described;
 - use reasonable force to break into or open any structure on the premises described above that may store the motor vehicle described;
 - search for and seize the motor vehicle described.
-

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This warrant also authorises the member(s) of the police force named, or a person assisting that member or those members, to seize and impound or immobilise the motor vehicle described in this warrant.

Nothing in this warrant authorises the seizure of property not described in this warrant or the arrest of a person.

This warrant ceases to have effect if it is recalled and cancelled by the magistrate who issued it. If it is not recalled and cancelled, this warrant ceases to have effect at the end of one month after its issue or when it is executed, whichever occurs first.

The person who executes this warrant must announce that he or she is authorised by the warrant to enter the premises and must give any person at the premises an opportunity to allow entry to the premises before force is used to enter.

If the occupier is present at the premises where this warrant is being executed, the person executing the warrant must identify himself or herself to the occupier and give the occupier a copy of the warrant. If the occupier is not present at the premises where this warrant is being executed, the person executing the warrant must identify himself or herself to any other person at the premises and give that person a copy of the warrant.

This warrant is issued under section 84ZH of the **Road Safety Act 1986**.

Issued at a.m./p.m. on / / at
by Magistrate.

SCHEDULE 5

Regulation 59

**REPORT ON EXECUTION OF SEARCH AND SEIZURE
WARRANT**

To the registrar of the Magistrates' Court

I, *[insert name and address]*

being the person to whom this search and seizure warrant was issued, report the following outcome in relation to the warrant—

- The warrant was executed by

[insert name and address]

at a.m./p.m. on / /

The following motor vehicle was seized—

- Registration number (if known):
- Vehicle identifier (if known):
- Engine identification number (if known):
- Make, model and colour of motor vehicle:

A copy of the warrant * was given to the occupier

* was given to a person at the premises other than the occupier

* was not given to the occupier or any other person at the premises because—

[set out reasons why copy of warrant not given]

* Delete whichever is inapplicable

- This warrant was not executed because—

[set out reasons why warrant not executed]

Date

Signature

SCHEDULE 6

Regulation 70

PARKING INFRINGEMENTS

In this Schedule, **RR** means the Road Safety Road Rules 2009

<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
1	0701	Parking for longer than indicated	RR 205	0·2 penalty unit
2	0702	Parked—fail to pay fee and obey instructions on sign, meter, ticket or ticket-vending machine	RR 207(2)	0·2 penalty unit
3	0704	Stopped on a bicycle parking area	RR 201	0·2 penalty unit
4	0705	Stopped on a motor bike parking area	RR 202	0·2 penalty unit
5	0706	Parked contrary to requirement of parking area	RR 209(2)	0·2 penalty unit
6	0707	Parked not at an angle of 45 degrees	RR 210(1)	0·2 penalty unit
7	0708	Parked not at an angle of 90 degrees	RR 210(1)	0·2 penalty unit
8	0711	Parked not completely within a parking bay	RR 211(2)	0·2 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
9	0712	Parked—long vehicle exceeding minimum number of bays	RR 211(3)	0·2 penalty unit
10	0713	Parked—wide vehicle exceeding minimum number of bays	RR 211(3)	0·2 penalty unit
11	0621	Stopped contrary to a no parking sign	RR 168(1)	0·2 penalty unit
12	0715	Stopped on a marked foot crossing	RR 173(1)	0·6 penalty unit
13	0716	Stopped within 10 metres of a marked foot crossing	RR 173(1)	0·6 penalty unit
14	0717	Stopped within 3 metres after marked foot crossing	RR 173(1)	0·6 penalty unit
15	0718	Stopped within 10 metres before bicycle crossing lights	RR 174(2)	0·6 penalty unit
16	0719	Stopped within 3 metres after bicycle crossing lights	RR 174(2)	0·6 penalty unit
17	0720	Stopped in a loading zone	RR 179(1)	1 penalty unit
18	0721	Stopped in a loading zone longer than 30 minutes	RR 179(2)(a)	1 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
19	0722	Stopped in a loading zone longer than indicated time	RR 179(2)(b)	1 penalty unit
20	0723	Stopped in a truck zone	RR 180	0.6 penalty unit
21	0724	Stopped in a mail zone	RR 186(1)	0.6 penalty unit
22	0725	Stopped in a works zone	RR 181(1)	0.6 penalty unit
23	0726	Stopped in a taxi zone	RR 182(1)	0.6 penalty unit
24	0727	Stopped in a bus zone	RR 183(1)	0.6 penalty unit
25	0728	Stopped in a permit zone	RR 185(1)	0.6 penalty unit
26	0729	Stopped—double park	RR 189	0.6 penalty unit
27	0730	Stopped within 1 metre of fire hydrant	RR 194(1)	0.6 penalty unit
28	0731	Stopped within 1 metre of fire hydrant indicator	RR 194(1)	0.6 penalty unit
29	0732	Stopped within 1 metre of fire plug indicator	RR 194(1)	0.6 penalty unit
30	0733	Stopped on a bus stop	RR 195(1)	0.6 penalty unit
31	0734	Stopped within 20 metres before a sign indicating a bus stop	RR 195(1)	0.6 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
32	0735	Stopped within 10 metres after a sign indicating a bus stop	RR 195(1)	0.6 penalty unit
33	0736	Stopped on a bicycle path	RR 197(1)	0.6 penalty unit
34	0737	Stopped on a footpath	RR 197(1)	0.6 penalty unit
35	0738	Stopped on a shared path	RR 197(1)	0.6 penalty unit
36	0739	Stopped on a dividing strip	RR 197(1)	0.6 penalty unit
37	0740	Stopped on a nature strip	RR 197(1)	0.6 penalty unit
38	0623	Stopped on a painted island	RR 197(1A)	0.6 penalty unit
39	0741	Stopped within 3 metres of a public post box	RR 199(1)	0.6 penalty unit
40	0742	Stopped within 20 metres of intersection with traffic lights	RR 170(2)	0.6 penalty unit
41	0626	Stopped on or across a driveway or other way of access	RR 198(2)	0.6 penalty unit
42	0745	Parked not facing direction of travel	RR 208(1)	0.6 penalty unit
43	0746	Parked not parallel to far left side of two-way road	RR 208(1)	0.6 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
44	0747	Parked not as near as practicable to far left side of two-way road	RR 208(1)	0·6 penalty unit
45	0748	Parked not parallel to far left side of one-way road	RR 208(1)	0·6 penalty unit
46	0749	Parked not parallel to far right side of one-way road	RR 208(1)	0·6 penalty unit
47	0750	Parked not as near as practicable to far left side of one-way road	RR 208(1)	0·6 penalty unit
48	0751	Parked not as near as practicable to far right side of one-way road	RR 208(1)	0·6 penalty unit
49	0752	Parked less than 1 metre from other vehicle	RR 208(1)	0·6 penalty unit
50	0625	Parked less than 3 metres from continuous dividing line or dividing strip	RR 208(1)	0·6 penalty unit
51	0754	Parked—fail to leave 3 metres of road for other vehicle to pass	RR 208(1)	0·6 penalty unit
52	0755	Parked unreasonably obstructing the path of vehicles	RR 208(1)	0·6 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
53	0756	Parked unreasonably obstructing the path of pedestrians	RR 208(1)	0.6 penalty unit
54	0622	Parked in a road related area (except in a median strip parking area) where vehicle not facing direction of adjacent traffic	RR 208A	0.6 penalty unit
55	0758	Stopped next to a yellow edge line	RR 169	0.6 penalty unit
56	0759	Stopped on a level crossing	RR 175(1)	0.6 penalty unit
57	0760	Stopped within 20 metres before level crossing	RR 175(1)	0.6 penalty unit
58	0761	Stopped within 20 metres after level crossing	RR 175(1)	0.6 penalty unit
59	0762	Stopped on a freeway	RR 177(1)	0.6 penalty unit
60	0763	Stopped in an emergency stopping lane	RR 178	0.6 penalty unit
61	0764	Stopped in a bus lane	RR 187(1)	0.6 penalty unit
62	0765	Stopped in a transit lane	RR 187(1)	0.6 penalty unit
63	0766	Stopped in a truck lane	RR 187(1)	0.6 penalty unit
64	0767	Stopped in a tram lane	RR 187(2)	0.6 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
65	0768	Stopped on a tram track	RR 187(2)	0.6 penalty unit
66	0769	Stopped in a shared zone	RR 188	0.6 penalty unit
67	0770	Stopped in a safety zone	RR 190(1)	0.6 penalty unit
68	0771	Stopped within 10 metres before a safety zone	RR 190(1)	0.6 penalty unit
69	0772	Stopped within 10 metres after a safety zone	RR 190(1)	0.6 penalty unit
70	0773	Stopped near an obstruction	RR 191	0.6 penalty unit
71	0774	Stopped on a bridge, causeway, ramp or similar structure with width less than approach road	RR 192(1)	0.6 penalty unit
72	0775	Stopped in a tunnel with width less than approach road	RR 192(2)	0.6 penalty unit
73	0776	Stopped in an underpass with width less than approach road	RR 192(2)	0.6 penalty unit
74	0777	Stopped on a crest not in a built-up area	RR 193(1)	0.6 penalty unit
75	0778	Stopped near a crest not in a built-up area	RR 193(1)	0.6 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
76	0779	Stopped on a curve not in a built-up area	RR 193(1)	0·6 penalty unit
77	0780	Stopped near a curve not in a built-up area	RR 193(1)	0·6 penalty unit
78	0781	Stopped—obstruct access to a footpath	RR 198(1)	0·6 penalty unit
79	0782	Stopped—obstruct access to a bicycle path	RR 198(1)	0·6 penalty unit
80	0783	Stopped—obstruct access to a passageway	RR 198(1)	0·6 penalty unit
81	0784	Stopped—obstruct access from a footpath	RR 198(1)	0·6 penalty unit
82	0785	Stopped—obstruct access from a bicycle path	RR 198(1)	0·6 penalty unit
83	0786	Stopped—obstruct access from a passageway	RR 198(1)	0·6 penalty unit
84	0787	Stopped heavy vehicle not on shoulder of road	RR 200(1)	0·6 penalty unit
85	0788	Stopped long vehicle not on shoulder of road	RR 200(1)	0·6 penalty unit
86	0789	Stopped heavy vehicle in built-up area longer than 1 hour	RR 200(2)	0·6 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
87	0790	Stopped long vehicle in built-up area longer than 1 hour	RR 200(2)	0·6 penalty unit
88	0791	Stopped—clearance and side marker lights not operating effectively and visible	RR 220(1)(a)	0·6 penalty unit
89	0792	Stopped—parking lights not operating effectively and visible	RR 220(1)(b)	0·6 penalty unit
90	0793	Stopping contrary to a no stopping sign	RR 167	1 penalty unit
91	0794	Stopping on a children's crossing	RR 171(1)	1 penalty unit
92	0795	Stopping within 20 metres before a children's crossing	RR 171(1)	1 penalty unit
93	0796	Stopping within 10 metres after a children's crossing	RR 171(1)	1 penalty unit
94	0797	Stopped on a pedestrian crossing	RR 172(1)	1 penalty unit
95	0798	Stopped within 20 metres before pedestrian crossing	RR 172(1)	1 penalty unit
96	0799	Stopped within 10 metres after pedestrian crossing	RR 172(1)	1 penalty unit

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
97	0800	Stopped on a clearway	RR 176(1)	1 penalty unit
98	0624	Stopped within 20 metres before a sign displaying the words "tram stop" or "tram stop request"	RR 196(1)	1 penalty unit
99	0803	Stopped in a parking area for people with disabilities either— (a) without a current parking permit for people with disabilities clearly displayed in the vehicle; or (b) not in accordance with the permit conditions	RR 203(1)	1 penalty unit
100	0620	Stopped in a slip lane	RR 203A	1 penalty unit
101	0804	Stopped within 10 metres of intersection	RR 170(3)	1 penalty unit
102	0805	Stopped in an intersection	RR 170(1)	1 penalty unit

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<i>Item No.</i>	<i>Code</i>	<i>Summary of parking infringement</i>	<i>Prescribed parking infringement reference</i>	<i>Infringement penalty</i>
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
103	0806	Parked or stopped on a reserve without consent	Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994 ¹	0.6 penalty unit
104	0807	Disobey direction to move vehicle from parking area for people with disabilities	RR 203(4)	1 penalty unit
105	0627	Stopped on a road within 10 metres before or after a safety zone	RR 190(1)	0.6 penalty unit

Note

Section 87(3A) of the Act provides for the penalty for a parking infringement constituted by a contravention of section 90E of the Act.

SCHEDULE 7

Regulations 73, 74

TRAFFIC INFRINGEMENTS

In this Schedule—

RS(D)R means the Road Safety (Drivers) Regulations 2009;

RR means the Road Safety Road Rules 2009;

RSA means the **Road Safety Act 1986**;

TA means the **Transport Act 1983**.

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Heavy Vehicles</i>				
1	1935	Exceed speed limit in a heavy vehicle by less than 10 km per hour	RR 20	1.75 penalty units
2	1936	Exceed speed limit in a heavy vehicle by 10 km per hour or more but less than 15 km per hour	RR 20	2.75 penalty units
3	1937	Exceed speed limit in a heavy vehicle by 15 km per hour or more but less than 25 km per hour	RR 20	4 penalty units
4	1938	Exceed speed limit in a heavy vehicle by 25 km per hour or more but less than 30 km per hour	RR 20	5.5 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
5	1939	Exceed speed limit in a heavy vehicle by 30 km per hour or more but less than 35 km per hour	RR 20	7 penalty units
6	1940	Exceed speed limit in a heavy vehicle by 35 km per hour or more but less than 40 km per hour	RSA 65B	8.5 penalty units
7	1941	Exceed speed limit in a heavy vehicle by 40 km per hour or more but less than 45 km per hour	RSA 65B	10 penalty units
8	1942	Exceed speed limit in a heavy vehicle by 45 km per hour or more	RSA 65B	11.5 penalty units
9	2161	Fail to carry, use or permit inspection of portable warning triangles	RR 226(1), (2), 227(2) and (3)	1 penalty unit
<i>Speeding</i>				
10	1926	Exceed speed limit in a vehicle other than a heavy vehicle by less than 10 km per hour	RR 20	1.25 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
11	1927	Exceed speed limit in a vehicle other than a heavy vehicle by 10 km per hour or more but less than 15 km per hour	RR 20	2 penalty units
12	1928	Exceed speed limit in a vehicle other than a heavy vehicle by 15 km per hour or more but less than 25 km per hour	RR 20	2 penalty units
13	1929	Exceed speed limit in a vehicle other than a heavy vehicle by 25 km per hour or more but less than 30 km per hour	RR 20	2.75 penalty units
14	1930	Exceed speed limit in a vehicle other than a heavy vehicle by 30 km per hour or more but less than 35 km per hour	RR 20	3.25 penalty units
15	1931	Exceed speed limit in a vehicle other than a heavy vehicle by 35 km per hour or more but less than 40 km per hour	RR 20	3.75 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
16	1932	Exceed speed limit in a vehicle other than a heavy vehicle by 40 km per hour or more but less than 45 km per hour	RR 20	4.25 penalty units
17	1933	Exceed speed limit in a vehicle other than a heavy vehicle by 45 km per hour or more	RR 20	5 penalty units
18	1934	Exceed speed limit in a vehicle other than a heavy vehicle in a 110 km per hour zone by 20 km per hour or more but less than 25 km per hour	RR 20	2 penalty units
19	8375	Permit learner driver to drive at excessive speed	RR 406(2)	1.25 penalty units
<i>Failing to Give Way or Stop</i>				
20	2011	Fail to give way to a pedestrian	RR 38, 72(1), 73(1), 74(1)(b), (c), (d), 75(1)(a), (b), 81(2) and 83	1.75 penalty units
21	8359	Fail to give way to pedestrian or animal when legally driving on a path, nature strip	RR 288(4), 289(2)	1.5 penalty units
22	2012	Fail to give way at intersection	RR 38, 72(1) and 73(1)	1.75 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
23	2013	Fail to give way not at intersection	RR 38, 74(1)(a), (c), 75(1)(b), (c), (d), 77(1), 84(1), and 87(1)	1.75 penalty units
24	2014	Fail to keep clear or give way to police vehicle or emergency vehicle	RR 78(1), (2) and 79(1)	1.75 penalty units
25	2015	Fail to give way at roundabout	RR 114(1) and (2)	1.75 penalty units
26	2021	Fail to stop and remain stationary at children's crossing	RR 80(2), (3) and (4)	2.5 penalty units
27	2022	Pass stopped vehicle at children's crossing or pedestrian crossing	RR 82	2.5 penalty units
28	2023	Pass stopped tram	RR 163(1), 164(1) and 164A(1)	2.5 penalty units
29	2024	Fail to stop or give way at level crossing	RR 121, 122 and 123	5 penalty units
30	8369	Bus fail to stop at correct distance from level crossing where no gates, booms, barriers or lights	RR 124A (1)(a)	1.25 penalty units
31	8333	Fail to give way to a pedestrian	RR 62(1) and 63(2) and (3)	1.75 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
32	8361	Fail to give way to a vehicle when legally driving on a path or nature strip	RR 288(4) and 289(2)	1.75 penalty units
33	8334	Fail to give way not at intersection	RR 85, 86(1) and 87(3)	1.75 penalty units
<i>Keeping left and diverging</i>				
34	2031	Fail to keep left of oncoming vehicle	RR 131(1)	1.75 penalty units
35	2032	Drive on wrong side of divided road	RR 135(1)	2 penalty units
36	2045	Drive in wrong direction on a one-way service road	RR 136	1.75 penalty units
37	2033	Drive on or over or to the right of dividing lines	RR 132(2) and (2A)	2 penalty units
38	2046	Drive on or over painted island with double lines	RR 138(1)	2 penalty units
39	8381	Drive on or over painted island other than double lines	RR 138(1)	2 penalty units
40	8380	Fail to keep left other than double lines	RR 132(2) and (2A)	2 penalty units
41	2034	Fail to keep left of safety zone	RR 162(1)	2.5 penalty units
42	2035	Fail to keep left of centre of road	RR 132(1)	1.25 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
43	2037	Fail to keep as far left as practicable	RR 129(1) and 130(2)	1 penalty unit
44	2038	Cross single continuous lane line or fail to stay within marked lane or line of traffic	RR 146(1), (2) and 147	1 penalty unit
45	2039	Improperly pass or change lanes or line of traffic without giving way	RR 148(1), (2) and 148A	1.5 penalty units
46	2040	Fail to give way when merging	RR 149	1.5 penalty units
<i>Overtaking</i>				
47	2041	Pass to right or left of tram	RR 160(2), (3)	2 penalty units
48	2042	Pass to right of right turning vehicle or a vehicle making a U-turn from the centre of the road	RR 142(1) and 143(2)	2 penalty units
49	2043	Overtake vehicle on left	RR 141(1)	1.5 penalty units
50	8347	Overtake vehicle with DO NOT OVERTAKE TURNING VEHICLE sign on left	RR 143(1), (1A)	2 penalty units
51	8349	Fail to leave enough room when overtaking, or cut in too soon	RR 144	2 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
52	8354	Drive past or overtake tram turning right or giving right change of direction signal	RR 161(3)	2 penalty units
53	2044	Increase speed when being overtaken	RR 145	2 penalty units
<i>Signalling</i>				
54	2051	Fail to give signal	RR 46(1), 48(1), 53(1), (2), (3)	1 penalty unit
55	8376	Fail to give signal	RR 112(2), (3), 113(2), (3), 117(1), (2) and 118(1)	1 penalty unit
56	2052	Fail to cancel or incorrectly operate signal	RR 46(4), 48(4), 51 and 118(2)	1 penalty unit
<i>Turning</i>				
57	2061	Perform unsafe U-turn	RR 37	2 penalty units
58	2062	Make incorrect left, right or U-turn or turn improperly	RR 27(1), 28(1), 28(1A), 29(1), 31(1), 32(1) and 33(1)	1 penalty unit
59	2063	Enter roundabout from wrong marked lane or line of traffic or disobey traffic lane arrows when in roundabout	RR 111(1) and 116	1 penalty unit

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
60	8330	Make incorrect U-turn at an intersection	RR 42	1 penalty unit
61	2071	Fail to have headlights, tail lights and number plate lights on at night or in hazardous weather conditions	RR 215(1)(a) and 216(1)	1.5 penalty units
62	2072	Fail to have clearance lights or side marker lights on at night or in hazardous weather conditions	RR 215(1)(b)	1 penalty unit
63	2073	Fail to dip headlights	RR 218(1)	1.5 penalty units
64	2074	Operate any front or rear fog light other than as permitted	RR 217(1)	1 penalty unit
65	2075	Use hazard warning lights other than as permitted	RR 221	1 penalty unit
66	2076	Animal drawn vehicle—fail to have lights and reflectors displayed at night or in hazardous weather conditions	RR 223	1 penalty unit

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Safety Procedures</i>				
67	2570	Careless driving of a motor vehicle by a full licence holder	RSA 65(1)	2-4 penalty units
68	2078	Use handheld mobile phone while driving	RR 300(1)	2 penalty units
69	2079	Learner driver or holder of a P1 probationary licence using any mobile phone	RR 300(1A)	2 penalty units
70	2085	Ride motor bike without helmet or with passenger without helmet	RR 270(1)	2 penalty units
71	2573	Holder of motor cycle licence for less than 12 months carrying pillion passenger	RS(D)R 58(1)(b)	2 penalty units
72	2574	Holder of motor cycle learner permit carrying pillion passenger	RS(D)R 58(2)(b)	2 penalty units
73	8358	Rider improperly carrying pillion/sidecar passenger on a motor bike	RR 271(3), (4), (5), and (5A)	2 penalty units
74	8382	Rider not ensuring sidecar passenger properly seated	RR 271(5C)	2 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
75	2088	Fail to have full control, uninterrupted view, at least one hand on handlebars (motor bikes only) or both feet on footrests while motor bike moving	RR 271(1), 297(1), (2), (1A) and (3)	1.5 penalty units
76	2089	Cause hazard to person or vehicle by opening door or alighting from vehicle	RR 269(3)	1 penalty unit
77	2090	Drive or travel with any part of body protruding	RR 268(3) and (4)	1 penalty unit
78	2091	Fail to wear properly fastened and adjusted seat-belt (driver)	RR 264(1)	2 penalty units
79	2092	Fail to wear properly fastened and adjusted seat-belt (passenger)	RR 265(1)	2 penalty units
80	8370	Driver failing to ensure that passenger over 16 years of age wearing properly fastened and adjusted seatbelt	RR 265(3)	2 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
81	2541	Travel in or on part of motor vehicle not designed for carriage of passengers or goods (passenger)	RR 268(1)	2 penalty units
82	2542	Travel improperly seated or unrestrained in or on part of motor vehicle designed for carriage of goods	RR 268(2)	2 penalty units
83	8379	Driver carrying passenger improperly seated or unrestrained in or on part of motor vehicle designed for carriage of goods; Driver travelling with a passenger in or on a part of a motor vehicle not designed for the carriage of passengers or goods	RR 268(4A) and (4B)	2 penalty units
84	2544	Passenger on motor bike/sidecar not wearing helmet	RR 270(2)	2 penalty units
85	2545	Pillion passenger not properly seated on motor bike	RR 271(2) and (5B)	2 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
86	7385	Passenger occupying same seating position as another passenger	RR 265(1)	2 penalty units
87	7386	Passenger under 16 not restrained	RR 266(1)	2.25 penalty units
88	7387	Passenger under 16 occupying same seating position as another passenger	RR 266(1)	2.25 penalty units
89	8371	Leading an animal while driving a vehicle	RR 301(1), (2) and (3)	1 penalty unit
<i>Drink Driving</i>				
90	1991	Drive or be in charge of a motor vehicle with— (a) blood alcohol level of 0.05 or more but less than 0.07g/100ml; or (b) breath alcohol level of 0.05 or more but less than 0.07g/210 litres of exhaled air— and—	RSA 49	3 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
		<p>(c) RSA 52 (zero blood or breath alcohol) does not apply to the person; and</p> <p>(d) the person holds a full driver licence (or would hold a full driver licence but for the person's failure to renew it); and</p> <p>(e) the person is aged 26 years or older at the time of the traffic infringement</p>		
91	1992	<p>Drive or be in charge of a motor vehicle with—</p> <p>(a) blood alcohol level of 0.05 or more but less than 0.07g/100ml; or</p> <p>(b) breath alcohol level of 0.05 or more but less than 0.07g/210 litres of exhaled air—</p> <p>and—</p>	RSA 49	3 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
		<p>(c) RSA 52 (zero blood or breath alcohol) does not apply to the person; and</p> <p>(d) the person holds a full driver licence; and</p> <p>(e) the person is aged under 26 years at the time of the traffic infringement</p>		
92	1994	<p>Drive or be in charge of a motor vehicle with—</p> <p>(a) blood alcohol level of 0.05 or more but less than 0.07g/100ml; or</p> <p>(b) breath alcohol level of 0.05 or more but less than 0.07g/210 litres of exhaled air—</p> <p>and RSA 52 (zero blood or breath alcohol) applies to the person</p>	RSA 49	3 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
93	1996	Drive or be in charge of motor vehicle with blood alcohol level of 0.07 or more but less than 0.10g/100ml or breath alcohol level of 0.07 or more but less than 0.10g/210 litres of exhaled air	RSA 49	3 penalty units
94	2093	Drive or be in charge of motor vehicle with unlawful blood alcohol level of less than 0.05g/100 ml or breath alcohol level of less than 0.05g/210 litres of exhaled air	RSA 49	2.5 penalty units
95	2095	Drive or be in charge of motor vehicle with blood alcohol level of 0.10 or more but less than 0.11g/100 ml or breath alcohol level of 0.10 or more but less than 0.11g/210 litres of exhaled air	RSA 49	4.25 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
96	2096	Drive or be in charge of motor vehicle with blood alcohol level of 0.11 or more but less than 0.12g/100 ml or breath alcohol level of 0.11 or more but less than 0.12g/210 litres of exhaled air	RSA 49	4.25 penalty units
97	2097	Drive or be in charge of motor vehicle with blood alcohol level of 0.12 or more but less than 0.13g/100 ml or breath alcohol level of 0.12 or more but less than 0.13g/210 litres of exhaled air	RSA 49	4.25 penalty units
98	2098	Drive or be in charge of motor vehicle with blood alcohol level of 0.13 or more but less than 0.14g/100 ml or breath alcohol level of 0.13 or more but less than 0.14g/210 litres of exhaled air	RSA 49	4.25 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
99	2099	Drive or be in charge of motor vehicle with blood alcohol level of 0.14 or more but less than 0.15g/100 ml or breath alcohol level of 0.14 or more but less than 0.15g/210 litres of exhaled air	RSA 49	4.25 penalty units
<i>Drug Driving</i>				
100	1999	Drive or be in charge of motor vehicle with prescribed concentration of drugs or more than the prescribed concentration of drugs present in blood or oral fluid	RSA 49	3 penalty units
<i>Signals</i>				
101	8360	Fail to give way when turning at a flashing yellow light at an intersection	RR 64	1.75 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
102	8372	Driver of public bus failing to leave intersection as soon as possible if B light changes to red or yellow while in the intersection; Fail to clear intersection as soon as possible if entering on yellow light; Fail to leave intersection as soon as practicable if lights change to red after entering; Fail to give way to a pedestrian on a marked foot crossing with flashing yellow lights or passing stationary vehicle at such crossing; Fail to stop at twin red lights not at level crossing; Proceeding after stopping at twin red lights, while lights are still showing; Proceeding through a bicycle storage area before a red traffic light or arrow	RR 286(3), 57(3), 60A(1), 60A(2), 61(5), 65(2), 66(1) and 66(4)	2 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
103	8368	Fail to obey yellow traffic lights or disobey yellow traffic lights	RR 57(1)	2.5 penalty units
104	2101	Fail to obey traffic lights or disobey traffic lights; Entering intersection while red arrow showing; Drive in marked traffic lane in defiance of overhead lane signal; Driver of public bus fail to stop at red or yellow B light; Driver of public bus stopping for yellow or red B lights proceeding before lights change; Driver of public bus stopped at intersection when B light turns to yellow or red or turns off, who then proceeds without other light; Fail to stop and not proceed at stop light; Fail to stop and not proceed at red arrow; Fail to stop and not	RR 56(1), 56(2), 57(2), 59(1), 60, 61(2), 152(1), 281(a), 281(b), 282(a), 282(b), 284(a), 284(b), 286(2)(a), 286(2)(b) and 286(2)(c)	2.5 penalty units

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		proceed (unless unable to stop in time) at yellow traffic light or arrow; Entering intersection (or marked foot crossing) while red light showing; Entering intersection after stopping, while red light is showing		
105	2149	Failure of driver of tram to obey T light	RR 274, 275, 277, 279(2) and 279(3)	2.5 penalty units
<i>Licensing and Registration</i>				
106	2104	Fail to return licence or learner permit upon suspension or cancellation	RS(D)R 81	1 penalty unit
107	2105	Unlicensed driving by the holder of a licence or permit issued outside Victoria whose 3 month exemption from holding a Victorian licence has expired under RS(D)R 17(1)(b) or (c)	RSA 18	2.5 penalty units

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108	2106	Unlicensed driving in the circumstances set out in paragraphs (a) and (b) of section 18(2) of the RSA, namely when a previous licence or International Driving Permit has expired and the licence has not been cancelled for an offence	RSA 18	2.5 penalty units
109	2107	Unlicensed driving in circumstances other than those referred to in codes 2105 and 2106	RSA 18	5 penalty units
110	2108	Fail to produce licence, learner permit or other document on request or within 7 days	RSA 59(1)(a) and (3), TA 216(1)(a)	1 penalty unit
111	2109	Probationary driver failing to have licence in his or her possession while driving or in charge of a motor vehicle	RSA 21(1A)	1 penalty unit
112	8377	Probationary driver who drives a probationary prohibited vehicle on a highway	RS(D)R 57(1)	2 penalty units

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113	2111	Breach of a condition of driver licence or permit in Schedule 2 to the RS(D)R (other than E condition)	RSA 18(1)(b)	1 penalty unit
114	2112	Fail to display "L" plates when and as required	RS(D)R 47(1)	1 penalty unit
115	2114	Display "P" plates when not required	RS(D)R 55(2)	1 penalty unit
116	2115	Display "L" plates when not required	RS(D)R 47(3)	1 penalty unit
117	8322	Fail to display driver under instruction plate	RS(D)R 15(3)	1 penalty unit
118	8323	Fail to carry notice explaining code condition	RS(D)R 37(4)	1 penalty unit
119	8373	Fail to carry notice explaining condition—overseas or other jurisdiction	RS(D)R 37(5)	1 penalty unit
120	8324	Learner driver towing trailer	RS(D)R 46(1)	2 penalty units
121	8325	Learner driver driving without experienced driver	RS(D)R 46(2)	5 penalty units
122	8326	Learner driver driving tractor without meeting conditions	RS(D)R 46(3)	2 penalty units

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123	8374	Experienced driver sitting next to learner driver who is failing to comply with "L" plate requirements	RS(D)R 47(2)	1 penalty unit
124	8327	P1 driver carrying more than one passenger after cancellation or suspension	RS(D)R 60(3)	3 penalty units
125	2116	Fail to notify Corporation of change of name or address	RS(D)R 67(1)	1 penalty unit
126	8328	Fail to notify of permanent or long-term injury or illness	RS(D)R 67(2)	1 penalty unit
127	2125	Own or use unregistered motor vehicle with 2 axles (other than a motor cycle)	RSA 7	5 penalty units
128	2126	Own or use unregistered motor vehicle with 3 axles	RSA 7	9 penalty units
129	2127	Own or use unregistered motor vehicle with 4 axles	RSA 7	9 penalty units
130	2128	Own or use unregistered motor vehicle with 5 or more axles	RSA 7	9 penalty units

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131	2129	Fail to display "P" plates when and as required	RS(D)R 55(1)	1 penalty unit
132	2569	P1 probationary driver or corresponding novice driver driving a motor vehicle with more than one peer passenger	RS(D)R 61(1)	3 penalty units
133	2571	Holder of motor cycle licence for less than 12 months driving motor cycle that is not a learner approved motor cycle	RS(D)R 58(1)(a)	2 penalty units
134	2572	Holder of motor cycle learner permit driving motor cycle that is not a learner approved motor cycle	RS(D)R 58(2)(a)	2 penalty units
135	2546	P1 probationary licence holder towing another vehicle	RS(D)R 59	2 penalty units
136	2601	Own or use unregistered motor cycle with engine capacity of 60 cc or less	RSA 7	1 penalty unit

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137	2602	Own or use unregistered motor cycle with engine capacity of 61 cc or more but less than 501 cc	RSA 7	3 penalty units
138	2603	Own or use unregistered motor cycle with engine capacity of 501 cc or more	RSA 7	5 penalty units
139	2604	Own or use an unregistered trailer that is not a heavy vehicle	RSA 7	1 penalty unit
140	2605	Own or use an unregistered trailer that is a heavy vehicle with 1 axle	RSA 7	4 penalty units
141	2606	Own or use an unregistered trailer that is a heavy vehicle with 2 axles	RSA 7	6 penalty units
142	2607	Own or use an unregistered trailer that is a heavy vehicle with 3 or more axles	RSA 7	9 penalty units
143	2608	Person aged less than 26 years failing to have licence in his or her possession while driving or in charge of motor vehicle	RSA 19(8)	0.5 penalty unit

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144	2609	Holder of learner permit failing to have learner permit in his or her possession while driving or in charge of motor vehicle	RSA 22(6)	0.5 penalty unit
<i>Miscellaneous</i>				
145	1907	Long vehicle failing to keep minimum distance behind another long vehicle	RR 127(1)	2 penalty units
146	2131	Reverse from median strip parking area	RR 212(2)	1 penalty unit
147	2132	Reverse when unsafe or further than is reasonable	RR 296(1) and (2)	1 penalty unit
148	2133	Drive motor vehicle on a path, nature strip, traffic island or dividing strip	RR 137(1), 288(1), 289(1) and 290	1 penalty unit
149	2134	Leave thing dropped from vehicle on road	RR 293(2)	1.25 penalty units
150	2135	Leave motor vehicle unattended with keys in ignition, motor running, brakes not secured or doors unlocked	RR 213(2), (3), (4) and (5)	1 penalty unit

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151	2136	Fail to drive sufficient distance behind a vehicle	RR 126	1.5 penalty units
152	2137	Fail to obey traffic direction given by police officer or authorised person	RR 304(1)	2 penalty units
153	2138	Drive in a tram lane or tramway	RR 155(1) and 155A(1)	1 penalty unit
154	2139	Enter an intersection or crossing when the intersection or crossing is blocked or the road beyond the intersection or crossing is blocked	RR 128	1 penalty unit
155	2140	Impede a tram	RR 76(1) and (2)	1 penalty unit
156	8352	Drive unlawfully in bicycle lane	RR 153(1)	1.5 penalty units
157	8378	Drive unlawfully in bus, transit or truck lane	RR 154(1), 156(1), and 157(1)	1 penalty unit
158	2144	An owner or a relevant nominated person failing to provide information when required	RSA 60 and 60A	6 penalty units
159	2146	Drive with empty bicycle carrier	RR 405	1 penalty unit
160	2522	Stop on a keep clear marking	RR 96(1)	1 penalty unit

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161	2523	Ride motor bike more than two abreast	RR 151(1) and 151(2)	1 penalty unit
162	2524	Drive over continuous white edge line	RR 150	1 penalty unit
163	2525	Drive motor vehicle with person in attached trailer	RR 298(1)	2 penalty units
164	2526	Drive motor vehicle with TV or VDU operating	RR 299(1)	2 penalty units
165	2527	Fail to comply with roundabout requirements	RR 115(1)	1.75 penalty units
<i>Fatigue management</i>				
166	7301	Solo driver not working under accreditation who contravenes maximum work requirement—minor risk offence	RSA 191L (2)(a) and (4)	3 penalty units
167	7302	Solo driver not working under accreditation who contravenes maximum work requirement—substantial risk offence	RSA 191L (2)(a) and (4)	6 penalty units

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168	7303	Solo driver not working under accreditation who contravenes minimum rest requirement required to be taken in any period of 11 hours or less—minor risk offence	RSA 191L (2)(b) and (4)	2 penalty units
169	7304	Solo driver not working under accreditation who contravenes minimum rest requirement required to be taken in any period greater than 11 hours—minor risk offence	RSA 191L (2)(b) and (4)	3 penalty units
170	7305	Solo driver not working under accreditation who contravenes minimum rest requirement—substantial risk offence	RSA 191L (2)(b) and (4)	6 penalty units
171	7306	Solo driver of a bus not working under accreditation who contravenes maximum work requirement—minor risk offence	RSA 191M (2)(a) and (4)	3 penalty units

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172	7307	Solo driver of a bus not working under accreditation who contravenes maximum work requirement—substantial risk offence	RSA 191M (2)(a) and (4)	6 penalty units
173	7308	Solo driver of a bus not working under accreditation who contravenes minimum rest requirement required to be taken in any period of 11 hours or less—minor risk offence	RSA 191M (2)(b) and (4)	2 penalty units
174	7309	Solo driver of a bus not working under accreditation who contravenes minimum rest requirement required to be taken in any period greater than 11 hours—minor risk offence	RSA 191M (2)(b) and (4)	3 penalty units

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175	7310	Solo driver of a bus not working under accreditation who contravenes minimum rest requirement—substantial risk offence	RSA 191M (2)(b) and (4)	6 penalty units
176	7311	Two-up driver not working under accreditation who contravenes maximum work requirement—minor risk offence	RSA 191N (2)(a) and (4)	3 penalty units
177	7312	Two-up driver not working under accreditation who contravenes maximum work requirement—substantial risk offence	RSA 191N (2)(a) and (4)	6 penalty units
178	7313	Two-up driver not working under accreditation who contravenes minimum rest requirement required to be taken in any period of 11 hours or less—minor risk offence	RSA 191N (2)(b) and (4)	2 penalty units

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179	7314	Two-up driver not working under accreditation who contravenes minimum rest requirement required to be taken in any period greater than 11 hours—minor risk offence	RSA 191N (2)(b) and (4)	3 penalty units
180	7315	Two-up driver not working under accreditation who contravenes minimum rest requirement—substantial risk offence	RSA 191N (2)(b) and (4)	6 penalty units
181	7316	Solo driver working under BFM accreditation who contravenes maximum work requirement—minor risk offence	RSA 191O (2)(a) and (4)	3 penalty units
182	7317	Solo driver working under BFM accreditation who contravenes maximum work requirement—substantial risk offence	RSA 191O (2)(a) and (4)	6 penalty units

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183	7318	Solo driver working under BFM accreditation who contravenes minimum rest requirement required to be taken in any period of 12 hours or less—minor risk offence	RSA 191O (2)(b) and (4)	2 penalty units
184	7319	Solo driver working under BFM accreditation who contravenes minimum rest requirement required to be taken in any period greater than 12 hours—minor risk offence	RSA 191O (2)(b) and (4)	3 penalty units
185	7320	Solo driver working under BFM accreditation who contravenes minimum rest requirement—substantial risk offence	RSA 191O 2)(b) and (4)	6 penalty units
186	7321	Two-up driver working under BFM accreditation who contravenes maximum work requirement—minor risk offence	RSA 191P (2)(a) and (4)	3 penalty units

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187	7322	Two-up driver working under BFM accreditation who contravenes maximum work requirement—substantial risk offence	RSA 191P (2)(a) and (4)	6 penalty units
188	7323	Two-up driver working under BFM accreditation who contravenes minimum rest requirement—minor risk offence	RSA 191P (2)(b) and (4)	3 penalty units
189	7324	Two-up driver working under BFM accreditation who contravenes minimum rest requirement—substantial risk offence	RSA 191P (2)(b) and (4)	6 penalty units
190	7325	Driver working under AFM accreditation who contravenes maximum work requirement—minor risk offence	RSA 191Q (2)(a) and (4) and 191QA(1)	3 penalty units
191	7326	Driver working under AFM accreditation who contravenes maximum work requirement—substantial risk offence	RSA 191Q (2)(a) and (4) and 191QA(2)	6 penalty units

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192	7327	Driver working under AFM accreditation who contravenes minimum rest requirement—minor risk offence	RSA 191Q (2)(b) and (4) and 191QA(1)	3 penalty units
193	7328	Driver working under AFM accreditation who contravenes minimum rest requirement—substantial risk offence	RSA 191Q(2)(b) and (4) and 191QA(2)	6 penalty units
194	7329	Driver working under AFM accreditation who contravenes maximum work requirement by exceeding the AFM outer limits—substantial risk offence	RSA 191Q (2A)(a) and (4) and 191QA(2)	6 penalty units
195	7330	Driver working under AFM accreditation who contravenes minimum rest requirement under the AFM outer limits—substantial risk offence	RSA 191Q (2A)(b) and (4) and 191QA(2)	6 penalty units

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196	7331	Fail to comply with requirements for changing from one work/rest hours option to a different work/rest hours option	RSA 191R(3)	6 penalty units
197	7332	Fail to record information in work diary immediately after starting work on relevant day	RSA 191T(2)	6 penalty units
198	7333	Fail to record information in work diary immediately before or after work/rest change on relevant day	RSA 191T(3)	6 penalty units
199	7334	Fail to record total work time and total rest time immediately before finishing work on relevant day	RSA 191T(4)	6 penalty units
200	7335	Fail to provide two-up driver with requested details	RSA 191T(6)	6 penalty units
201	7336	Fail to comply with requirements for how to record information in a written work diary	RSA 191U(1)	6 penalty units

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202	7337	Fail to comply with requirements for how to record information in an electronic work diary	RSA 191U(2)	6 penalty units
203	7338	Fail to record in work diary time in time zone of driver base of vehicle	RSA 191U(3)	6 penalty units
204	7339	Fail to notify Corporation in writing of filled up, destroyed, lost, stolen or malfunctioning work diary or to apply for replacement work diary	RSA 191V(2)	8 penalty units
205	7340	Fail to comply with requirements when lost or stolen written work diary is found or returned after replacement work diary has been issued	RSA 191V(3)	8 penalty units
206	7341	Fail to notify record keeper of malfunctioning electronic work diary	RSA 191V(4)	8 penalty units
207	7342	Fail to inform relevant persons of malfunctioning odometer	RSA 191W(3)	8 penalty units

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208	7343	Fail to give copy of driver's diary entries to record keeper	RSA 191Y(7)	6 penalty units
209	7344	Fail to give copy of information recorded in work diary upon changing record keepers	RSA 191Y(9)	6 penalty units
210	7345	Fail to provide list of drivers under BFM accreditation and changes to that list	RSA 191ZN(3)	6 penalty units
211	7346	Fail to advise of change or end of BFM accreditation, in the case of a corporation	RSA 191ZO(1)	30 penalty units
212	7347	Fail to advise of change or end of BFM accreditation, in any other case	RSA 191ZO(1)	6 penalty units
213	7348	Fail to return documents to BFM operator	RSA 191ZO(2)	6 penalty units
214	7349	Fail to have BFM documents in possession	RSA 191ZOA(1)	6 penalty units
215	7350	Fail to ensure driver has BFM documents in possession	RSA 191ZOA(2)	6 penalty units

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216	7351	Fail to return BFM documents when required	RSA 191ZOA(3)	6 penalty units
217	7352	Fail to have AFM documents in possession	RSA 191ZW(1)	6 penalty units
218	7353	Fail to return AFM documents when required	RSA 191ZW(3)	6 penalty units
219	7354	Fail to provide list of drivers under AFM accreditation and changes to that list	RSA 191ZX(3)	6 penalty units
220	7355	Fail to advise of change or end of AFM accreditation, in the case of a corporation	RSA 191ZY(1)	30 penalty units
221	7356	Fail to advise of change or end of AFM accreditation, in any other case	RSA 191ZY(1)	6 penalty units
222	8362	Label a device that is not an approved electronic work diary	RS(D)R 101(3)	3 penalty units
223	8363	Use a device that is falsely labelled as an approved electronic work diary	RS(D)R 101(4)	3 penalty units

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224	8364	Fail to comply with a direction by the Corporation varying the approval of an electronic work diary	RS(D)R 104(3)	3 penalty units
225	8365	Fail to comply with a direction by the Corporation to remove a label from a cancelled electronic work diary	RS(D)R 105(2)	3 penalty units
226	8366	Fail to comply with a direction by the Corporation cancelling the approval of an electronic work diary	RS(D)R 105(3)	3 penalty units
227	8367	A person who is aware that the approval of a diary in the person's possession has been cancelled must remove from the diary any label that relates to the cancelled approval	RS(D)R 105(6)	3 penalty units
<i>Mass Limits</i>				
228	4451	Operator of vehicle in breach of mass limit—minor risk breach, where operator is a body corporate	RSA 174(1)	7.5 penalty units

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229	4452	Operator of vehicle in breach of mass limit— minor risk breach, where the operator is not a body corporate	RSA 174(1)	1.5 penalty units
230	4453	Operator of vehicle in breach of mass limit— substantial risk breach, 5% or more excess but less than 10% excess, where operator is a body corporate	RSA 174(1)	10 penalty units
231	4454	Operator of vehicle in breach of mass limit— substantial risk breach, 5% or more excess but less than 10% excess, where operator is not a body corporate	RSA 174(1)	2 penalty units
232	4455	Operator of vehicle in breach of mass limit— substantial risk breach, 10% or more excess but less than 15% excess, where operator is a body corporate	RSA 174(1)	20 penalty units

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233	4456	Operator of vehicle in breach of mass limit—substantial risk breach, 10% or more excess but less than 15% excess, where operator is not a body corporate	RSA 174(1)	4 penalty units
234	4457	Operator of vehicle in breach of mass limit—substantial risk breach, 15% or more excess but less than 20% excess, where operator is a body corporate	RSA 174(1)	20 penalty units
235	4458	Operator of vehicle in breach of mass limit—substantial risk breach, 15% or more excess but less than 20% excess, where operator is not a body corporate	RSA 174(1)	10 penalty units
236	4459	Driver of vehicle in breach of mass limit—minor risk breach	RSA 175(1)	1.5 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
237	4460	Driver of vehicle in breach of mass limit—substantial risk breach, 5% or more excess but less than 10% excess	RSA 175(1)	2 penalty units
238	4461	Driver of vehicle in breach of mass limit—substantial risk breach, 10% or more excess but less than 15% excess	RSA 175(1)	4 penalty units
239	4462	Driver of vehicle in breach of mass limit—substantial risk breach, 15% or more excess but less than 20% excess	RSA 175(1)	10 penalty units
<i>Limits and requirements other than mass limits</i>				
240	4463	Operator of vehicle in breach of width, length or height limit or load restraint requirement—minor risk breach, where operator is a body corporate	RSA 174(1)	7.5 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
241	4464	Operator of vehicle in breach of width, length or height limit or load restraint requirement—minor risk breach, where operator is not a body corporate	RSA 174(1)	1.5 penalty units
242	4465	Operator of vehicle in breach of width, length or height limit or load restraint requirement—substantial risk breach, where operator is a body corporate	RSA 174(1)	20 penalty units
243	4466	Operator of vehicle in breach of width, length or height limit or load restraint requirement—substantial risk breach, where operator is not a body corporate	RSA 174(1)	4 penalty units
244	4467	Driver of vehicle in breach of width, length or height limit or load restraint requirement—minor risk breach	RSA 175(1)	1.5 penalty units

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245	4468	Driver of vehicle in breach of width, length or height limit or load restraint requirement—substantial risk breach	RSA 175(1)	4 penalty units
246	4469	Consignor fail to provide complying container weight declaration to operator, where consignor is a body corporate	RSA 184(2)	20 penalty units
247	4470	Consignor fail to provide complying container weight declaration to driver or other carrier, where consignor is not a body corporate	RSA 184(2)	4 penalty units
248	4471	Operator fail to ensure container weight declaration provided to driver or other carrier, where operator is a body corporate	RSA 185(2) and 185(3)	20 penalty units
249	4472	Operator fail to ensure container weight declaration provided, where operator is not a body corporate	RSA 185(2) and 185(3)	4 penalty units
250	4473	Driver fail to obtain or keep container weight declaration	RSA 186(1) and 186(2)	4 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Directions and orders</i>				
251	4475	Failure by a body corporate to comply with a direction of inspector	RSA 168(1)	20 penalty units
252	4476	Failure by a person other than a body corporate to comply with a direction of inspector	RSA 168(1)	10 penalty units
253	4477	Failure by a body corporate to comply with condition imposed under direction or authorisation	RSA 168(2)	20 penalty units
254	4478	Failure by a person other than a body corporate to comply with condition imposed under direction or authorisation	RSA 168(2)	10 penalty units
<i>Bicycles</i>				
255	2221	Fail to obey traffic direction given by police officer or authorised person	RR 304(1)	2 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
256	8332	Bicyclist fail to leave intersection as soon as possible if bicycle crossing lights change to red while in intersection; Bicyclist fail to leave intersection as soon as possible if unable to stop and entering intersection on yellow light; Bicyclist fail to clear intersection as soon as possible if lights change to red while in the intersection	RR 57(3) and 61(5)	1 penalty unit
257	2222	Fail to obey traffic lights	RR 56(1), 56(2), 57(1), 57(2), 59(1), 60, 61(2), 65(2), 66(1), 66(4), 152(1), 260(1), 260(2), 261(1) and 262(1)	2.5 penalty units
258	2223	Fail to obey traffic sign (other than a traffic sign referred to in Code 2239 or 2240)	RR 34(1), 36, 39(1), 39(2), 41, 88(1), 88(2), 89(1), 89(2), 90, 91(1), 91(2), 93(1), 94, 98(1), 100, and 252(1)	1 penalty unit

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
259	2224	Fail to keep left	RR 129(1), 132(1) and (2A)	1 penalty unit
260	8383	Ride over or conduct a U-turn over a continuous single line, continuous single to left of broken line or double lines	RR 132(2)	1 penalty unit
261	2226	Fail to give way	RR 38, 64, 72(1), 73(1), 74(1), 75(1), 77(1), 78(1), 78(2), 79(1), 81(2), 83, 84(1), 87(1), 114(1), 114(2), 164(1), 164A(1), 247B(1) and 247B(2)	1 penalty unit
262	8331	Fail to give signal	RR 46(1), 53(1), (2), (3) and 48(1)	1 penalty unit
263	2228	Fail to have lights or equipment	RR 258 and 259	1.25 penalty units
264	2229	Riding improperly	RR 27(1), 28(1), 28(1A), 28(2A), 29(1), 31(1), 32(1), 33(1), 32(2A), 245, 246(1), 246(2), 246(3), 247A(1) and 255	1 penalty unit

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
265	8357	Bicyclist carry person in bicycle trailer while bicyclist is under 16, or passenger over 10, or without helmet	RR 257(1)	1.25 penalty units
266	2230	Misuse bicycle path, separated footpath or shared path or footpath or fail to use bicycle lane	RR 247(1), 249, 250(1), 250(2) and 251	1 penalty unit
267	2231	Bicycle drawn by other vehicle	RR 254(1) and 254(2)	1.25 penalty units
268	2232	Ride more than 2 abreast	RR 151(1) and 151(2)	1 penalty unit
269	2233	Rider or passenger failing to wear securely fitted approved bicycle helmet	RR 256(1) and 256(2)	1.25 penalty units
270	2234	Use a bicycle to carry a person who is not wearing a securely fitted approved bicycle helmet	RR 256(3)	1.25 penalty unit
271	2235	Ride bicycle on dividing strip, footpath, nature strip, painted island or traffic island when not permitted	RR 137(1), 138(1), 289(1) and 290	1 penalty unit

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
272	2236	Ride bicycle across a children's, pedestrian or marked foot crossing	RR 248(1) and 248(2)	1 penalty unit
273	2237	Overtake to left of left turning vehicle	RR 141(2)	1 penalty unit
274	2238	Fail to comply with roundabout requirements	RR 115(1)	1 penalty unit
275	2239	Fail to obey stop, stop here on red signal or stop here on red arrow sign	RR 67(1), 68(1), 101(1) and 101(2)	2 penalty units
276	2240	Fail to obey give way sign; fail to obey arrester bed or safety ramp sign	RR 69(1), 70, 71(1) and 101A(1)	2 penalty units
277	8329	Perform unsafe U-turn	RR 37	2 penalty units
278	8336	Fail to stop and remain stationary at children's crossing	RR 80(2), 80(3) and 80(4)	2.5 penalty units
279	8337	Pass stopped vehicle at children's crossing or pedestrian crossing	RR 82	2.5 penalty units
280	8339	Fail to obey traffic lane arrow	RR 92(1)	1.25 penalty units
281	8340	Fail to obey emergency stopping lane only sign	RR 95(1)	2 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
282	8341	Fail to stop or give way at level crossing	RR 121, 122 and 123	5 penalty units
283	8342	Fail to drive sufficient distance behind a vehicle	RR 126	1.5 penalty units
284	8343	Fail to keep left of oncoming vehicle	RR 131(1)	1.75 penalty units
285	8344	Drive on wrong side of divided road	RR 135(1)	2 penalty units
286	8345	Drive in wrong direction on a one-way service road	RR 136	1.75 penalty units
287	8346	Pass to right of right turning vehicle or a vehicle making a U-turn from the centre of the road	RR 142(1) and 143(2)	2 penalty units
288	8348	Overtake vehicle with DO NOT OVERTAKE TURNING VEHICLE sign on left	RR 143(1) and (1A)	2 penalty units
289	8350	Fail to leave enough room when overtaking, or cut in too soon	RR 144	2 penalty units
290	8351	Improperly overtake or pass or change lanes or line of traffic without giving way	RR 148(1), 148(2) and 148A	1.5 penalty units

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
291	8353	Pass to right or left of tram	RR 160(2) and 160(3)	2 penalty units
292	8355	Fail to keep left of safety zone or stop behind tram	RR 162(1) and 163(1)	2.5 penalty units
<i>Pedestrians</i>				
293	2242	Fail to obey traffic lights	RR 231(1) and 232(1)	0.5 penalty unit
294	2243	Walk improperly on road	RR 230(1), 233(1), 233(2), 234(2), 238(1), 238(2) and 239(1)	0.5 penalty unit
295	2244	Alight from or board moving vehicle	RR 237(1) and 269(1)	0.5 penalty unit
296	2245	Crossing road within 20 metres of pedestrian crossing	RR 234(1)	0.5 penalty unit
297	2246	Cross level crossing when not permitted	RR 235 (1), 235(2), 235(2A) and 235A(2)	0.5 penalty unit
298	2247	Fail to give way when crossing a bicycle path or separated footpath	RR 239(3)	0.5 penalty unit
299	2248	Person on road to solicit contributions or employment, hitchhike, sell, clean etc.	RR 236(4) and 401	0.5 penalty unit

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
300	2249	Fail to obey no pedestrians sign or road access sign	RR 228 and 229	1.75 penalty unit
<i>Passenger Vehicles</i>				
301	2482	Failing to activate hazard warning device and "school bus" signs	RR 222(2)	1 penalty unit
<i>Signs</i>				
302	2501	Fail to obey turn prohibition or requirement sign or marking	RR 34(1), 39(1), 39(2), 40, 41, 88(1), 88(2), 89(1), 89(2), 90, 91(1), 91(2), 159(1) and 212(1)	1.25 penalty units
303	2502	Fail to obey one-way or no entry sign	RR 98(1) and 100	2 penalty units
304	2503	Fail to obey no overtaking or passing or no overtaking on bridge sign	RR 93(1) and 94	2 penalty units
305	2504	Fail to obey keep left or keep right sign	RR 99(1) and 99(2)	1 penalty unit
306	2505	Fail to obey stop sign	RR 67(1), 68(1), 101(1) and 101(2)	2 penalty units
307	2506	Fail to obey give way sign	RR 69(1), 70 and 71(1)	2 penalty units
308	2507	Fail to obey emergency stopping lane only sign	RR 95(1)	2 penalty units

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309	2511	Fail to obey no trucks sign	RR 104(1), 104(2) and 104(3)	1 penalty unit
310	2512	Fail to obey trucks must enter or buses must enter sign	RR 105 and 107	2 penalty units
311	2517	Disobey information on road access sign	RR 97(1)	1 penalty unit
312	2518	Fail to obey no buses sign	RR 106(1), 106(2) and 106(3)	1 penalty unit
313	8338	Fail to obey traffic lane arrow	RR 92(1)	1.25 penalty units
314	8335	Fail to obey safety ramp or arrester bed sign	RR 101A(1)	2 penalty units
<i>Riders of animals</i>				
315	2529	Rider or person being carried who is under 18 years fail to wear approved helmet	RR 303A	1.25 penalty units
316	2530	Fail to give way to pedestrians on footpath or nature strip	RR 302	1 penalty unit
317	2531	Fail to give way to a vehicle leaving a roundabout	RR 119	1 penalty unit

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318	2532	Ride animal more than 2 abreast	RR 303(1) and 303(2)	1 penalty unit
<i>Wheeled Recreation Devices</i>				
319	2551	Travel in or on a wheeled recreation device on a prohibited road or disobeying a sign	RR 240A, 240(1) and 240(2)	0.5 penalty unit
320	2552	Travel improperly on a road in or on a wheeled recreation device	RR 241(1) and 242(1)	0.5 penalty unit
321	2553	Travel on rollerblades/roller-skates on pedestrian side of separated footpath	RR 243(1)	0.5 penalty unit
322	2554	Person on rollerblades/roller-skates failing to keep out of the path of bicycle on bicycle path or separated footpath	RR 243(2)	0.5 penalty unit
323	2555	Travel in or on wheeled recreational device while it is being towed by a vehicle, while holding onto moving vehicle, or within 2 metres of the rear of a moving vehicle continuously for more than 200 metres	RR 244(1), 244(2) and 244(3)	0.5 penalty unit

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324	8356	Travelling improperly on a scooter	RR 244B(1), 244B(4) and 244B(5)	1.25 penalty units

SCHEDULE 8

Regulation 84

**PUBLIC AUTHORITIES, PRESCRIBED PERSONS AND
PRESCRIBED FUNDS FOR APPROPRIATION OF FINES**

<i>Column 1</i>	<i>Column 2</i>
Roads Corporation	The general fund of the Roads Corporation
A Board established under Part 4 of the Alpine Resorts (Management) Act 1997	The general account of that Board
Parks Victoria established under the Parks Victoria Act 1998 .	The general fund of Parks Victoria
A Council within the meaning of the Local Government Act 1989	The municipal fund of that council
Melbourne Water Corporation constituted under the Water Act 1989	The general fund of the Melbourne Water Corporation
The council of a university established by or under any Act	The fund of that university
A council incorporated under the Education and Training Reform Act 2006 or the council or governing body of a TAFE institute within the meaning of that Act	The fund of that council or governing body
A committee of management under the Crown Land (Reserves) Act 1978	The fund of that committee of management
Melbourne Market Authority established under the Melbourne Market Authority Act 1977	The general fund of the Melbourne Market Authority
The board of a public hospital or denominational hospital within the meaning of the Health Services Act 1988	The fund of that board or other governing body

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<i>Column 1</i>	<i>Column 2</i>
The Port of Melbourne Corporation established under the Port Services Act 1995	The general fund of the Port of Melbourne Corporation

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ENDNOTES

- ¹ Schedule 6, item 103: The Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994 were made under section 13 of the **Crown Land (Reserves) Act 1978** and published in the Government Gazette on 12 January 1995 (pages 94–102) with subsequent amendments published in the Government Gazettes of 5 March 1996 (S17 pages 2, 3), 16 April 1996 (S37 pages 1, 2), 15 January 1997 (S5 page 1), 26 November 1998 (S138 page 1), 20 December 2001 (page 3264), 2 April 2002 (S56 page 1), 30 March 2006 (S98 page 1) and 24 January 2008 (G4 page 177). Section 13(5) of the **Crown Land (Reserves) Act 1978** provides that a contravention of a regulation made under section 13 of that Act is liable to a penalty of not more than 2 penalty units.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2009 is \$116.82.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.