

Queensland



TRAFFIC AMENDMENT ACT 1992

Act No. 19 of 1992

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Traffic Amendment Act 1992

Act No. 19 of 1992

*An Act to amend the *Traffic Act 1949**

[Assented to 22 May 1992]

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows.

Short title

1. This Act may be cited as the *Traffic Amendment Act 1992*.

Amendment of s.9 (Interpretation)

2. Section 9(1) (definitions “**fixed hours**”, “**metered parking**” and “**parkatarea parking**”)—

omit, insert—

- ‘ “**designated parking space**” means a space on a road or off-street regulated parking area that is defined by an official traffic sign to be a designated parking space, and includes a metered space or a parkatarea space;
- “**fixed hours**”, in relation to a designated parking space, means the hours during, and days on, which paid parking only is permitted in the designated parking space;
- “**paid parking**” means parking in a designated parking space during the fixed hours on payment of a prescribed parking fee;’.

Amendment of s.44B (Parking)

3.(1) Section 44B(4)(b)(i) to (vii)—

omit, insert—

- ‘(i) prescribe the fixed hours for paid parking; and
- (ii) prescribe the hours during, and days on, which regulated parking, other than paid parking, operates in a traffic area; and
- (iii) prescribe, in relation to specified designated parking spaces, the maximum period for which a vehicle may be paid parked; and
- (iv) prescribe parking fees for paid parking; and

- (v) prescribe a system (the “**authorised system**”) for the payment of a parking fee for paid parking by a specified way, whether by the use of a coin, token, card or credit card or in another way; and
- (vi) prescribe the denomination or number of coins to be inserted in a parking meter or parkatarea in payment of a parking fee; and
- (vii) prescribe, in relation to specified loading zones, periods when a vehicle may stand while engaged in picking up or setting down passengers or loading or unloading goods or for other specified purposes; and
- (viii) prescribe when parking fees are not payable in relation to vehicles carrying disabled persons for parking in a traffic area.’.

(2) Section 44B(4)(c) and (d)—

omit, insert—

‘(c) A local authority may install and maintain in, or immediately adjacent to, each designated parking space a parking meter or parkatarea—

- (i) as specified by the Manual of Uniform Traffic Control Devices; or
- (ii) as approved by the Director-General.’.

(3) Section 44B(4)(e)(i) and (ii)—

omit, insert—

- ‘(i) indicating where paid parking is authorised;
- (ii) defining spaces on roads or off-street regulated parking areas to be designated parking spaces of a particular class;’.

(4) Section 44B(4)(ga)—

omit.

Replacement of s.44C (When metered parking permitted)

4. Section 44C—

omit, insert—

‘Paid parking

‘44C.(1) In relation to parking in a designated parking space, the fixed hours start—

- (a) if on the commencement of this section the space becomes a designated parking space—on the commencement; or
- (b) if the space becomes a designated parking space after the commencement of this section—
 - (i) after a local authority has specified the start of paid parking in a traffic area in its area; and
 - (ii) after official traffic signs are installed in relation to the space.

‘(2) A person may park a vehicle in a designated parking space in the traffic area during the fixed hours only if—

- (a) the person does not park the vehicle in the space for longer than the maximum period indicated on the official traffic sign installed in relation to the space; and
- (b) the person pays the parking fee for the space as prescribed immediately on parking the vehicle.

‘(3) The person may pay the parking fee—

- (a) if a parking meter or parkatarea is installed for the space—by inserting coins of the number and denomination appropriate to the parking fee in the parking meter or parkatarea; or
- (b) if an authorised system applies in relation to the space—by doing what is required by the system.

‘(4) Nothing in this section prevents a person from making more than 1 payment while a vehicle is parked in a designated parking space, if the total period of continuous paid parking does not exceed the maximum period indicated on the official traffic sign installed in relation to the space.’.

Replacement of s.44D (Offences in metered parking)

5. Section 44D—

omit, insert—

‘Paid parking offences

‘44D.(1) During the fixed hours, a person must not park a vehicle in a designated parking space during any period—

- (a) unless in relation to the period—
 - (i) a parking meter or parkatarea installed for the space indicates that the parking fee has been paid; or
 - (ii) the person has done what is required by an authorised system that applies in relation to the space; or
- (b) that is longer than the maximum period indicated on the official traffic sign installed in relation to the space; or
- (c) if another vehicle is parked in the space; or
- (d) so that the vehicle is not wholly within the space, unless the vehicle is a commercial vehicle that—
 - (i) is longer than the length of the space; and
 - (ii) is parked within a space in relation to which a parkatarea is installed; and
 - (iii) is engaged in loading or unloading goods; and
 - (iv) is as nearly as practicable wholly within the space.

‘(2) A person who parks a vehicle in a designated parking space when a parking meter or parkatarea installed in relation to the space indicates that the parking fee has not been paid does not commit an offence against subsection (1)(a) if the person immediately pays the parking fee in accordance with section 44C(3).

‘(3) If—

- (a) a person commits an offence against subsection (1)(b) in a designated parking space; and
- (b) a notice is affixed to the vehicle under section 44F; and
- (c) the vehicle in relation to which the offence is committed remains parked in the space after the notice is affixed;

the person commits a separate and further offence under subsection (1)(b) for each further period (equal to the maximum period indicated on the official traffic sign installed in relation to the space) that the vehicle remains

parked in the space during the fixed hours.’.

Amendment of s.44I (Offences)

6. Section 44I(1)(a)—

omit ‘metered space or parkatarea space’, *insert* ‘designated parking space’.

Replacement of s.44L (Parkatarea parking)

7. Section 44L—

omit, insert—

‘Saving of by-laws

‘44L.(1) A by-law validly made under section 44B(4) before the commencement of the *Traffic Amendment Act 1992* continues in force, after the commencement, as if it had been made under section 44B(4) after the commencement.

(2) A reference in the by-law to a metered parking space in a traffic area includes, and is taken to have always included, a reference to a parking space in the traffic area in relation to which a sign displayed by the local authority indicates that parking coupons are in use.’.

Amendment of s.44M (Emergent control of parking in Traffic Area)

8. Section 44M—

omit ‘metered space or parkatarea space’ (wherever occurring),
insert ‘designated parking space’.