

Legislative Council—No 95

As received from the House of Assembly and read a first time, 3 December 2015

South Australia

**Road Traffic (Issue of Free Tickets by Parking
Ticket-Vending Machines) Amendment Bill 2015**

A BILL FOR

An Act to amend the *Road Traffic Act 1961*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Road Traffic (Issue of Free Tickets by Parking Ticket-Vending Machines) Amendment Act 2015*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Road Traffic Act 1961*

3—Insertion of section 81

Part 3, Division 9—before section 82 insert:

81—Interpretation

In this Division, unless the contrary appears—

- 15 *permissive parking sign* means a sign that is a permissive parking sign for the purposes of the *Australian Road Rules*.

4—Insertion of sections 86 and 86A

After section 85 insert:

86—Council may determine that ticket for parking be obtained without fee

5 If a council has installed, or determined that it will install, permissive parking signs to apply to a length of road or an area, the council may (in addition to any other action that it may be empowered to take by or under this Act)—

- 10 (a) determine that a ticket must be obtained for parking in the length of road or the area through the operation of parking ticket-vending machines installed or to be installed in or near the length of road or area without payment of a fee; or
- (b) vary or revoke a determination made under this section.

86A—Parking where ticket required without payment of fee

15 (1) This section applies to a driver who parks in a length of road, or in an area, to which a permissive parking sign applies if—

- 20 (a) information on or with the sign indicates that a ticket must be obtained through the operation of a parking ticket-vending machine for parking in the length of road or area; and
- (b) information on or with the sign or the machine indicates that the ticket may be obtained without the payment of a fee.

(2) For the purposes of subsection (1)—

- 25 (a) if a sign displays the words "FREE PARKING" together with a requirement (however expressed) for a ticket to be obtained—
- (i) the sign will be taken to be a permissive parking sign for the purposes of the *Australian Road Rules* to which Part 20 of the Rules applies; and
- 30 (ii) the words will be taken to indicate that a ticket must be obtained through the operation of a parking ticket-vending machine without payment of a fee;
- (b) if a permissive parking sign displays the word "FREE TICKET" or such other words as may be prescribed by regulation, the words will be taken to indicate that a ticket
- 35 must be obtained through the operation of a parking ticket-vending machine without payment of a fee.

(3) A driver referred to in subsection (1) must obtain a ticket from a parking ticket-vending machine in or near the length of road or area.

40 Maximum penalty: \$1 250.

- (4) For the purposes of this section, a driver referred to in subsection (1) does not obtain a ticket from a parking ticket-vending machine unless the driver, on first stopping the vehicle, promptly—
- (a) proceeds to a parking ticket-vending machine in or near the length of road or area; and
 - (b) obtains a ticket through the operation of the machine; and
 - (c) complies with any instructions (as to dealing with the ticket or otherwise) on or with the sign, ticket or machine.

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