



PAID PARKING MACHINES LOCAL LAW 2003

Consolidated as at 19 February 2013



**BRISBANE CITY COUNCIL
PAID PARKING MACHINES LOCAL LAW 2003**

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BRISBANE CITY COUNCIL PAID PARKING MACHINES LOCAL LAW 2003

PART 1—PRELIMINARY

Short title

1. This local law may be cited as the *Paid Parking Machines Local Law 2003*.

Objects

2. The object of this local law is to provide for paid parking by pre-paid coupon.

Definitions

3. In this local law—

"Council" means the Brisbane City Council.

"motor vehicle" has the meaning given by the *Transport Operations (Road Use Management) Act 1995*.

"official traffic sign" has the meaning given by the *Transport Operations (Road Use Management) Act 1995*.

"Paid Parking Machine" includes the stand on which it is installed.

"park" has the meaning given to it in the *Transport Operations (Road Use Management) Act 1995*.

"parking coupon" means a coupon issued by a Paid Parking Machine.

"permitted period" means the maximum time indicated on the official traffic sign installed in relation to the zone.

"prescribed fees" — see section 6.

"traffic area" means a traffic area declared under a local law.

PART 2—PAID PARKING MACHINE ZONES PAID PARKING MACHINE ZONES

4. (1) Council may designate roads, or parts of roads, as "Paid Parking Machine zones" and indicate them by official traffic signs.
- (2) The regulation of parking in a Paid Parking Machine zone commences on the day after Council has installed the appropriate official traffic signs for the zone.

Matters specified by official traffic signs

5. Council may also specify by official traffic signs—
 - (a) permitted times and conditions of parking in a Paid Parking Machine zone; and
 - (b) the manner of parking in a Paid Parking Machine zone.

Prescribed fees

6. Council may prescribe fees payable for the stopping and parking of vehicles in Paid Parking Machine zones.

PART 3—REGULATION OF PARKING IN PAID PARKING MACHINE ZONES

Displaying parking coupon

7. (1) A person must not stop or park a motor vehicle in a Paid Parking Machine zone during any permitted period, unless—
 - (a) an unexpired parking coupon applicable to that zone is displayed on the dashboard of the vehicle on the side closer to the kerb; and
 - (b) the date and expiry time printed on the coupon is clearly visible to, and able to be read by, an authorised person from outside the vehicle;

at all times while the vehicle remains stopped or parked in the zone.

0.75 penalty units.

Example for subsection (1)(a)—

If a person moves a vehicle to a different paid parking zone, he or she must purchase another coupon for that zone, not re-use an unexpired one.

- (2) A person who parks a vehicle in a paid parking machine zone does not commit an offence against subsection (1)(a) if the person immediately

purchases a parking coupon from the paid parking machine for the applicable zone, and displays it in accordance with subsection (1).

Continuous paid parking

8. Nothing in this Part prevents a person from purchasing and displaying successive parking coupons while a motor vehicle is parked in a Paid Parking Machine zone, if the total time of continuous paid parking does not exceed the permitted period.

Parking limits

9. A person must not stop or park a motor vehicle in a Paid Parking Machine zone during any permitted period for longer than the maximum period indicated on the coupon.

0.75 penalty units.

Parking offences

10. A person must not do either of the following—
- (a) display in or on a motor vehicle a parking coupon that has been altered, added to or defaced in any way;

Maximum penalty — 5 penalty units

- (b) display in or on a motor vehicle a parking coupon that is not current and valid.

Maximum penalty — 5 penalty units

Other offences

11. A person must not do any of the following—
- (a) insert, cause to be inserted, or attempt to insert, into the money slot of a Paid Parking Machine anything other than legal tender under the *Currency Act 1965*, appropriate to that slot;

Maximum penalty — 50 penalty units

- (b) operate or attempt to operate a Paid Parking Machine except in accordance with the operating instructions appearing on the Paid Parking Machine;

Maximum penalty — 50 penalty units

- (c) remove, damage, deface, misuse or interfere with any Paid Parking Machine or attempt to do any such acts;

Maximum penalty — 50 penalty units

- (d) print or manufacture a parking coupon or anything resembling or intended to resemble one or so closely resembling one as to be likely to deceive, except with the written authorisation of Council;

Maximum penalty — 50 penalty units

- (e) have in his or her possession anything intended to resemble, or so closely resembling, a parking coupon as to be likely to deceive.

Maximum penalty — 50 penalty units

Further offence after infringement notice placed on a vehicle

12. If—

- (a) a person commits an offence against any one or more of the following—

- (i) section 7(1);
- (ii) section 9;
- (iii) section 10 (a) or (b);

in a Paid Parking Machine zone; and

- (b) an infringement notice, under the *State Penalties Enforcement Act 1999*, for the offence is placed on or attached to the vehicle; and

- (c) the motor vehicle in relation to which the offence is committed remains parked in the same place after the notice is affixed;

then the person commits a separate and further offence under that provision, for each further time (equal to the maximum time indicated on the official traffic sign installed in relation to the Paid Parking Machine zone) that the vehicle remains parked in the place during the fixed hours for the traffic area.

PART 4 — EVIDENCE

13. Facilitation of proof

In any evidence led by Council in any proceedings under this local law—

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- (1)** The following provisions of the *Transport Operations (Road Use Management) Act 1995*, as amended from time to time apply—

 - (a) section 102(7);
 - (b) section 124 (1)(a);
 - (c) section 124 (1)(b);
 - (d) section 124(1)(n);
 - (e) section 124 (1) (na);
 - (f) section 124(1) (r) (i) (A)(ii),(iii) and (vi); and
 - (g) section 124(1)(s).
 - (2)** Section 124(1)(v) of the *Transport Operations (Road Use Management) Act 1995*, as amended from time to time, applies as if the reference to a parking meter were to a paid parking machine.
 - (3)** Chapter 20 and Schedule 6 of the *Transport Operations (Road Use Management—Road Rules) Regulation 1999* apply as if the definition of parking control sign included a reference to a paid parking machine zone sign under this local law.

Endnotes

List of amendments

PART 3	REGULATION OF PARKING IN PAID PARKING MACHINE ZONES
s 7(1)	amd <i>Administrative Arrangements Amending Local Law 2013 s 44</i>
s 9	amd <i>Administrative Arrangements Amending Local Law 2013 s 45</i>