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PART 1—PRELIMINARY

101. Title

These Regulations may be cited as the Road Safety (Procedures) Regulations 1988.

102. Objectives

The objectives of these Regulations are to make provision under the Road Safety Act 1986 for—

(a) driver licences and permits; and
(b) breath and blood tests; and
(c) detection devices; and
(d) hours of driving of heavy commercial vehicles; and
(e) infringements; and
(f) the extension of the application of the Act to land of public authorities; and
(g) the charging of fees.

103. Power

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

(1) These Regulations come into operation on 1 March 1988.

(2) On the commencement of these Regulations the following Regulations are revoked—
   (a) 1the Motor Car Regulations 1984; and
   (b) 2the Transport (Proceedings and Appropriations) Regulations 1983; and
   (c) 3the Transport (Infringements) Regulations 1984; and
   (d) 4the Road Safety (Procedures) Regulations 1987.

105. Definitions

In these Regulations—

"Act" means the Road Safety Act 1986;

"appropriate application form", in relation to an application, means a form of application provided by the Corporation for completion by applicants;

"appropriate fee", in relation to an amount payable under a provision of these Regulations, means the amount (if any) referred to in Schedule 1 as being payable under that provision;

"automatic detection device" means a detection device prescribed in regulation 403;

"commencement date" means the commencement date of these Regulations;
"data card" means a card issued by the Corporation which—

(a) sets out or has provision for details about a licence or permit and personal particulars of the holder; and

(b) is intended for incorporation into a driver licence, a driving instructor licence or a permit;

"designated place" has the same meaning as in section 56 of the Act;

"digitised image" means a representation produced by means of computer;

"driver licence" does not include a driving instructor licence;

"driver under instruction plate" means a plate approximately 525 millimetres by 250 millimetres, bearing the words "driver under instruction" in black letters clearly marked on a yellow background;

"full licence" means a driver licence other than one on probation;

"high powered motor vehicle" means a motor vehicle (other than a motor cycle) which—

(a) has a power mass ratio which exceeds 125 kilowatts per tonne; or

(b) has an engine capacity which exceeds 3·5 litres per tonne of the unladen mass of the motor vehicle;

"'L' plate" means a plate measuring approximately 150 millimetres by 150
millimetres, bearing a black letter "L" clearly marked on a yellow background;

"learner driver" means a person who has a learner permit (including an interstate learner permit) and does not have an appropriate driver licence or other permit;

"'P' plate" means a plate measuring approximately 150 millimetres by 150 millimetres that has a white letter "P" clearly marked on a red background;

"personal particulars", in relation to a person, means—

(a) the person's residential address; and
(b) the person's signature; and
(c) the person's surname and first given name with or without other given names or their initials; and
(d) the person's date of birth;

"photograph", in relation to a person, means a colour photograph or a digitised image of a full front view of the head and shoulders of the person on a white background without sun glasses or dark tinted glasses;
"photokit" means a form provided by the Corporation which includes provision for insertion and certification of a photograph other than a digitised image;

"power mass ratio" in relation to a motor vehicle means the ratio between the power output of the engine of the motor vehicle expressed in kilowatts and the unladen mass of the motor vehicle expressed in tonnes;

"power output" in relation to a motor vehicle means the power output of the engine of that motor vehicle at the time of its manufacture plus any additional output resulting from any modification to the motor vehicle after its manufacture;
107. Certificate under section 84

A certificate under section 84 of the Act is in the prescribed form if it includes (in addition to the things mentioned in section 84(1) or (3))—

(a) the expression "Road Safety Act 1986"; and

(b) the expression "Certificate under Section 84"; and

(c) the name and official title of the person issuing the certificate; and

(d) the date on which the certificate is issued.
PART 2—DRIVER LICENCES AND PERMITS

201. Exemptions from requirement for a licence or permit

(1) A person who on 30 April 1987 held a driver's licence, an interim permit or a learner's permit under the Motor Car Act 1958 is exempted for the purposes of section 18(1) of the Act until the day on which that licence or permit expires if the person drives on a highway in accordance with any terms or conditions of that licence or permit.

(2) Without limiting the generality of sections 16 and 30 of the Interpretation of Legislation Act 1984, a licence or permit referred to in sub-regulation (1) must be treated as a driver licence or permit granted under Part 3 of the Act.

(3) A person who is driving a motor vehicle and who does not hold a driver licence or permit which authorises the holder to drive such a motor vehicle is exempted for the purposes of section 18(1) of the Act if—

(a) he or she is the holder of a driver licence which authorises him or her to drive a motor vehicle other than a motor cycle; and

(b) a person who holds a driver licence which authorises the holder to drive such a motor vehicle is sitting beside him or her.

(4) A person who—

(a) has an appropriate licence or permit issued in Australia or another country and who—

(i) was ordinarily resident in the issuing State, Territory or country at the time of issue; and

(ii) has not continuously resided in Victoria for 3 months or more immediately
before the time of driving (whether or not the person intends to take up permanent residence in Victoria); or

(b) has an appropriate International Driving Permit issued in the country in which the person ordinarily resided at the time of the issue of the permit— is exempt from the requirement to have a licence or permit unless he or she—

(c) has been refused a licence or permit under this Act because of having been convicted of an offence rendering him or her unfit to hold such a licence or permit; or

(d) is for the time being disqualified from holding or obtaining a licence or a permit or from driving a motor vehicle on a road in Australia; or

(e) is the holder of an interstate learner permit and fails to comply with all conditions to which such a permit would be subject if it were issued in Victoria; or

(f) has within the previous 3 years incurred a total of 12 or more demerit points under the laws of one or more States or Territories; or

(g) is driving or in charge of a large vehicle while alcohol is present in his or her blood; or

(h) holds more than one licence to drive motor vehicles issued in Australia.
(4A) A person who—

(a) is a serving member of the naval, military or air forces of the Commonwealth; or

(b) lives with such a member and whose removal expenses will be met wholly or partly by the Commonwealth if that member's posting is changed—

is, subject to sub-regulation (4B), exempt from the requirement to have a driver licence or permit if he or she has a current driver licence or permit of an appropriate kind issued in another State or Territory of Australia and was ordinarily resident in that State or Territory at the time of issue.

(4B) A person is not exempt under sub-regulation (4A) from the requirement to have a licence or permit if he or she—

(a) has been refused a driver licence or permit under the Act or any corresponding law because of having been convicted of an offence rendering him or her unfit to hold such a licence or permit; or

(b) is for the time being disqualified from holding or obtaining a driver licence or a permit or from driving a motor vehicle on a road in Australia; or

(c) is the holder of an interstate learner permit or a driver licence issued in another State or Territory of Australia and fails to comply with any condition to which such a permit or licence would be subject if it were issued in Victoria; or

(d) has within the previous 3 years incurred a total of 12 or more demerit points under the laws of one or more States or Territories; or
(e) is driving or in charge of a large vehicle while alcohol is present in his or her blood; or

(f) holds more than one licence to drive motor vehicles issued in Australia.

(5) In this regulation—

"appropriate International Driving Permit"
means an International Driving Permit which purports to authorise the holder to drive a motor vehicle of the same category as the relevant motor vehicle;

"appropriate licence or permit"
means a licence or permit which, in the place of issue, authorises the holder to drive a motor vehicle of the same category as the relevant motor vehicle.

202. Eye tests

(1) For the purpose of the Act, an eye test administered in relation to a licence or permit (or an application for a licence or permit) comprises—

(a) a visual acuity test;

(b) a colour perception test—
or both, as the Corporation requires.

(2) A person passes a visual acuity test if under appropriate testing conditions the person—

(a) correctly reads with one eye the line on a printed metric testing chart designated 6/12
or a printed imperial testing chart designated 20/40; and
(b) correctly reads with the other eye the line on
a printed metric testing chart designated 6/60
or a printed imperial testing chart designated
20/200.

(3) A person passes a colour perception test if the
person, from a distance of 3 metres—
(a) identifies the colour red; and
(b) when the colour green or turquoise is
presented, identifies the colour green or blue
or turquoise; and
(c) when the colour amber is presented,
identifies the colour yellow, amber, orange
or white.

203. **Driver licences**

(1) A driver licence—

(a) if not renewed, expires 10 years after the day
of its issue; and

(b) if renewed, expires 10 years after the day it
fell due for renewal.

(1A) Despite sub-regulation (1), if an applicant for a
driver licence surrenders, under regulation 206A,
another licence to drive a motor vehicle issued in
Australia, the Corporation—

(a) may issue a driver licence which expires on
the day on which the surrendered licence
would have expired; and

(b) must waive the appropriate fees.
(2) The Corporation may issue or renew a driver licence to a day 7 years earlier than the day specified in sub-regulation (1) if it is satisfied that it is appropriate to do so, having regard to whether the payment of the fee for the full term would create undue hardship for the person.

(3) If an application for renewal of a driver licence and the appropriate fee are received by the Corporation within 7 days after the licence fell due for renewal, the licence must be deemed to have been renewed when it fell due.

(4) A person who has a driver licence must notify the Corporation within 7 days if his or her name or address is changed.

Penalty: 1 penalty unit.

204. Duration of probation

(1) If a driver licence is issued on probation, the period of probation to be specified in the licence is 3 years.

(2) If the Corporation is satisfied that a person has driving experience in another State, Territory or country, it may specify in the licence a period shorter than that required in sub-regulation (1).

205. Categories of motor vehicles for driver licensing purposes

(1) The categories of motor vehicle for driver licensing purposes are the categories indicated in Column 2 of the Table set out at the foot of this regulation.

(2) An expression appearing in Column 1 of that Table, when used on a driver licence, indicates
authorisation to drive the category of motor vehicle indicated in the corresponding entry in Column 2.

(3) In this regulation—

"car" means a motor vehicle, other than a motor cycle, seating not more than 12 adults (including the driver) and not exceeding 4·5 tonnes maximum loaded mass;

"gross vehicle mass" means—

(a) in the case of a heavy combination vehicle or a multi-combination vehicle—

the maximum permissible mass (whether described as the gross train mass or otherwise) for the motor vehicle and the trailer or semi-trailer attached to it, together with the load carried on both, as stated in any certificate of registration or other certificate that is issued in respect of the motor vehicle by the Corporation or by the corresponding authority of another State or Territory or that
* * * * *

"heavy combination vehicle" means—

(a) a prime mover to which is attached a single semi-trailer exceeding 9 tonnes maximum loaded mass; or

(b) a rigid vehicle to which is attached a trailer exceeding 9 tonnes maximum loaded mass;

* * * * *

Reg. 205(3)
def. of "heavy articulated truck"
"heavy rigid vehicle" means a rigid vehicle exceeding 8 tonnes maximum loaded mass which has 3 or more axles;
"light rigid vehicle" means a rigid vehicle which—

(a) has a maximum loaded mass exceeding 4·5 tonnes but not exceeding 8 tonnes; or

(b) seats more than 12 adults (including the driver) and does not exceed 8 tonnes maximum loaded mass;

* * * * *

"maximum loaded mass", in respect of a vehicle, means—

(a) the maximum loaded mass of the vehicle specified by the manufacturer; or

(b) if—

(i) the manufacturer has not specified a maximum loaded mass for the vehicle; or

(ii) the manufacturer cannot be identified; or

(iii) the vehicle has been modified to the extent that the manufacturer's specification is no longer appropriate—

the gross vehicle mass of the vehicle;
"medium rigid vehicle" means a rigid vehicle exceeding 8 tonnes maximum loaded mass which has 2 axles;

"multi-combination vehicle" means a heavy combination vehicle to which is attached one or more additional trailers, each of which exceeds 9 tonnes maximum loaded mass;

"rigid" means not articulated;

* * * * * * *
**205A. Drivers to have only one Australian licence**

If the holder of a driver licence obtains or renews a licence, a permit or an authority to drive a motor vehicle issued in another State or Territory, the Corporation must cancel the driver licence issued by it and must serve a notice on the holder under regulation 234.

**206. Conditions of driver licences and permits**

(1) If an expression appearing in Column 2 of the Table set out at the foot of this regulation is used on a driver licence or permit, that expression specifies the corresponding condition appearing in Column 1 of that Table.

(2) The holder of a probationary driver licence issued on or after 1 August 1990 must not drive a high powered motor vehicle on a highway until the period of probation shown on his or her licence has expired.

Penalty: 3 penalty units.

(3) Sub-regulations (1) and (2) do not apply to the driving of a high powered motor vehicle if the licence holder is driving the motor vehicle in the
course of his or her employment and at the request of his or her employer.

(4) The Corporation may by instrument in writing exempt a person from the requirements of sub-regulation (2) on the grounds of hardship.

(5) The provisions of sub-regulations (1) and (2) relating to—

(a) the driving of a motor cycle with an engine capacity exceeding 260 millilitres; and

(b) the driving of a high powered motor vehicle—

do not apply to a member of the police force who—

(c) is driving a police motor vehicle in the course of duty; and

(d) is authorised in writing by the Chief Commissioner of Police to drive a motor vehicle of that class.

(6) In sub-regulation (5)—

*p*  * *  *  *  *  *

"police motor vehicle" means any motor vehicle owned by or on loan, hire or lease to the Victoria Police Force.
**Road Safety (Procedures) Regulations 1988**
**S.R. No. 28/1988**

<table>
<thead>
<tr>
<th>Column 1 Licence Condition</th>
<th>Column 2 Licence Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the driver wear corrective lenses when driving.</td>
<td>G</td>
</tr>
<tr>
<td>That the driver not drive—</td>
<td>M</td>
</tr>
<tr>
<td>(a) a motor cycle which does not have at least 2 rear view mirrors; or</td>
<td></td>
</tr>
<tr>
<td>(b) any other motor vehicle which does not have an interior rear view mirror and an external offside rear view mirror.</td>
<td></td>
</tr>
<tr>
<td>That the driver—</td>
<td>A date (which in column 1 is called &quot;the specified date&quot;) appearing after the word R.</td>
</tr>
<tr>
<td>(a) not drive a motor cycle with an engine capacity exceeding 260 millilitres; and</td>
<td></td>
</tr>
<tr>
<td>(b) not drive a motor cycle on which there is a pillion passenger— before the specified date.</td>
<td></td>
</tr>
<tr>
<td>That the driver not drive a motor vehicle (other than a motor cycle) with manual transmission until he or she holds a full licence, unless the driver is accompanied by a full licence holder who is providing instruction in the driving of manual vehicles and there is clearly displayed on the front and rear of the motor vehicle a yellow plate measuring approximately 150 millimetres by 150 millimetres inscribed in black with the words &quot;Driver Under Instruction&quot;.</td>
<td>A</td>
</tr>
<tr>
<td>That the driver not drive a motor vehicle (other than a motor cycle) while carrying more than one other person.</td>
<td>P</td>
</tr>
<tr>
<td>That the driver not drive a high powered motor vehicle until the period of probation shown on his or her licence has expired.</td>
<td>V</td>
</tr>
<tr>
<td>That the driver comply with a condition or</td>
<td>O</td>
</tr>
</tbody>
</table>

Reg. 206(6) def. of "police motor car" revoked by S.R. No. 173/1990 reg. 7(2).
### 206A. Other licences to be surrendered

(1) The Corporation must refuse to grant a driver licence unless the applicant surrenders to the Corporation any other licence, permit or authority to drive a motor vehicle issued in Australia to the applicant.

(2) A person who surrenders a licence, a permit or an authority in accordance with sub-regulation (1) must be taken to have authorised the Corporation to send the licence, permit or authority to the State or Territory in which it was issued for the purpose of having it cancelled.

### 207. Qualifications for obtaining a driver licence

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licence Condition</td>
<td>Licence Code</td>
</tr>
<tr>
<td>conditions of which he or she has been notified in writing by the Corporation.</td>
<td>Z</td>
</tr>
<tr>
<td>That the driver not drive a motor vehicle unless the concentration of alcohol present in his or her blood is 0.00 grams per 100 millilitres of blood and that the driver licence of the driver be in his or her possession at all times while he or she is driving or in charge of a motor vehicle.</td>
<td></td>
</tr>
<tr>
<td>That the driver not drive a heavy rigid vehicle, a light rigid vehicle, a medium rigid vehicle, a heavy combination vehicle or a multi-combination vehicle with non-synchronmesh manual transmission unless the driver is accompanied by the holder of a licence to drive such a vehicle who is providing instruction in the driving of non-synchronmesh manual transmission vehicles and there is clearly displayed on the front and rear of the vehicle a driver under instruction plate.</td>
<td>B</td>
</tr>
</tbody>
</table>

(1) For the purposes of section 19(2)(c) of the Act, it is a requirement that a person has held a learner permit authorising him or her to drive a motor vehicle (other than a motor cycle) for not less than 6 months immediately before obtaining a driver licence which authorises him or her to drive a "car" (within the meaning of regulation 205).

(2) For the purposes of section 19(2)(c) of the Act, it is a requirement that a person has held a learner permit authorising him or her to drive a motor cycle for not less than 3 months immediately before obtaining a driver licence which authorises him or her to drive a motor cycle.

(3) For the purposes of section 19(2)(c) of the Act, it is a requirement for being granted a driver licence which authorises the holder to drive a vehicle of a category indicated in column 1 of the Table set out at the foot of this regulation that the person—

(a) has held a driver licence which authorises the holder to drive vehicles of the category indicated in the corresponding entry in Column 2 of the Table for a period not less than the period set out in that entry and has completed a course, if any, set out in that entry; or


Reg. 207(3) amended by S.R. No. 115/1995 reg. 7(1)(a).

(b) satisfies the Corporation that he or she holds the equivalent of a licence to drive that category of vehicle issued elsewhere in Australia or in another country; or

(c) satisfies the Corporation that by reason of age, experience or occupation or other special circumstances he or she is fit to be granted such a licence.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle category</td>
<td>Qualifications for applicant</td>
</tr>
<tr>
<td>Light rigid vehicle</td>
<td>Licence to drive a car for 1 year</td>
</tr>
<tr>
<td>Medium rigid vehicle</td>
<td>Licence to drive a car for 1 year</td>
</tr>
<tr>
<td>Heavy rigid vehicle</td>
<td>Licence to drive a car for 2 years</td>
</tr>
<tr>
<td>Heavy combination vehicle</td>
<td>Licence to drive a car for 1 year and licence to drive a medium rigid vehicle or heavy rigid vehicle for 1 year</td>
</tr>
<tr>
<td>Multi-combination vehicle</td>
<td>Licence to drive a heavy combination vehicle or heavy rigid vehicle for 1 year and completion of a training course approved by the Corporation</td>
</tr>
</tbody>
</table>

208. Procedures for obtaining a driver licence

In addition to any tests which the Corporation requires an applicant for a driver licence to undergo, the Corporation may require the applicant—

(a) to fill in an appropriate application form and give it to the Corporation; and

(b) to provide the Corporation with personal particulars (including any evidence that the
Corporation may reasonably require as to those particulars; and

c) to complete a data card (including any data card issued to replace a data card with incorrect details) according to the instructions set out on it; and

d) to give the data card and to pay the appropriate fees to the Corporation; and

e) to have his or her photograph taken in accordance with regulation 211.

209. Refusal to grant a driver licence

The Corporation may refuse to grant a driver licence if—

(a) the applicant has not passed all appropriate tests; or

(b) the applicant has not complied with a procedure or requirements which he or she should have complied with under the Act or these Regulations; or

(c) the Corporation, for a reason provided by it in writing to the applicant, believes that a licence should not be granted.

210. Procedures for renewing a driver licence

The Corporation may require an applicant for renewal of his or her driver licence—

(a) to complete a data card (including any data card issued to replace a data card with incorrect details) according to the instructions set out on it; and

(b) to give the card and to pay the appropriate fee to the Corporation; and
(c) to provide the Corporation with personal particulars (including any evidence that the Corporation may reasonably require as to those particulars); and

(d) to have his or her photograph taken in accordance with regulation 211.

211. Photographs for driver licences

(1) A person who is required to have his or her photograph taken must—

(a) attend at an office of the Corporation or at the premises of an agent of the Corporation to have a photograph of himself or herself taken; or

(b) request the Corporation to forward to him or her a photokit.

(2) If a person has had a photograph taken and—

(a) the photograph is not suitable for incorporation in the licence; or

(b) the film negative from which the photograph other than a digitised image would be developed has been lost or destroyed or is otherwise unsuitable for the development of the photograph; or

(c) the computer file containing the data from which the digitised image would be produced has been lost or destroyed or is otherwise unsuitable for the production of the digitised image—

the Corporation may require the person to attend again at an office of the Corporation or at the premises of an agent of the Corporation to have another photograph taken.
(3) If the Corporation has sent a photokit to a person, the person is required to complete the photokit according to the instructions in it and to return it to the Corporation.

(4) The Corporation may require the person to complete another photokit in accordance with this regulation if—

(a) a photokit is, in the opinion of the Corporation, not completed according to the instructions in it; or

(b) a photokit is not received by the Corporation or is subsequently lost or destroyed; or

(c) the photograph supplied with the photokit is not suitable for incorporation in the licence.

* * * * *

212. Refusal to renew a driver licence

The Corporation may refuse to renew a driver licence if—

(a) the applicant has not complied with a procedure or requirements which he or she should have complied with under the Act or these Regulations; or

(b) the Corporation, for a reason provided by it in writing to the applicant, believes that the applicant's licence should not be renewed, having first given the person a reasonable opportunity to make representations to it in writing as to whether or not the licence should be renewed.
213. Procedures for varying a driver licence

(1) In addition to any tests which the Corporation may require an applicant for a variation of a driver licence to undergo, the Corporation may require the applicant—

(a) to fill in a driver licence variation application form and give it to the Corporation; and

(b) to provide the Corporation with personal particulars (including any evidence that the Corporation may reasonably require as to those particulars); and

(c) to complete a data card (including any data card issued to replace a data card with incorrect details) according to the instructions set out on it; and

(d) to give the card and to pay the appropriate fees to the Corporation; and

(e) to have his or her photograph taken in accordance with regulation 211.

214. Refusal to grant a licence variation

The Corporation may refuse to grant an application for a licence variation if—

(a) the applicant has not passed the tests, undergone the training and satisfied the Corporation about the things referred to in section 20 of the Act; or
(b) the applicant has not complied with a procedure or requirements which he or she should have complied with under the Act or these Regulations; or

(c) the Corporation, for a reason provided by it in writing to the applicant, believes that the variation should not be made.

215. People whose first licence need not be on probation

The Corporation may issue a full licence to a person who has not previously held a driver licence in Victoria if the person has been authorised to drive a motor vehicle elsewhere in Australia or in another country and the Corporation is satisfied that it is appropriate to issue a full licence in all the circumstances, including—

(a) the age of the person; and

(b) the actual experience in driving that the person has had; and

(c) any convictions of that person arising out of his or her driving; and

(d) anything else that, in the opinion of the Corporation, is relevant.

216. Offences for which a probationary driver licence must be suspended

(1) The prescribed offences for the purposes of section 21(3) of the Act are the offences set out in Schedule 2.

* * * * *
217. Procedure for obtaining a learner permit

In addition to any tests which the Corporation requires an applicant for a learner permit to undergo, the Corporation may require an applicant—

(a) to fill in a learner permit application form and give it to the Corporation; and

(b) to provide the Corporation with personal particulars (including any evidence that the Corporation may reasonably require as to those particulars); and

(c) to pay the appropriate fees to the Corporation; and

(d) to complete a data card (including any data card issued to replace a data card with incorrect details) and to have his or her photograph taken in accordance with regulation 211.

218. Refusal to grant a learner permit

The Corporation may refuse to grant a learner permit if—

(a) the applicant has not passed the tests and undergone the training referred to in section 22 of the Act; or

(b) the applicant has not complied with a procedure or requirements which he or she should have complied with under the Act or these Regulations; or

(c) the Corporation, for a reason provided by it in writing to the applicant, believes that the permit should not be granted.
219. Extension of learner permits

(1) A learner permit to drive a motor vehicle (other than a motor cycle) expires 3 years after the day of its issue, or when a driver licence which authorises the person to drive such a motor vehicle is issued to the person, whichever first occurs.

(2) A learner permit to drive a motor cycle expires 1 year after the day of its issue, or when a driver licence which authorises the person to drive a motor cycle is issued to the person, whichever first occurs.

(3) A learner permit to drive a motor vehicle (other than a motor cycle) is not capable of extension.

(4) A learner permit to drive a motor cycle is capable of extension for a period not exceeding 3 months, but may only be so extended once.

(5) The Corporation may require an applicant for extension of a learner permit—

(a) to fill in a learner permit extension application form and give it to the Corporation; and

(b) to complete a data card (including any data card issued to replace a data card with incorrect details) and have his or her photograph taken in accordance with regulation 211; and

(c) to pay the appropriate fee to the Corporation.


Reg. 219(5) amended by S.R. No. 267/1989 reg. 9(b).

Reg. 219(5)(c) amended by S.R. No. 11/1994 reg. 7(2).

220. Refusal to extend a learner permit

The Corporation may refuse to extend a learner permit if—

(a) the applicant has not complied with a procedure or requirements which he or she should have complied with under the Act or these Regulations; or

(b) the Corporation, for a reason provided by it in writing to the applicant, believes that the applicant's learner permit should not be extended, having first given the person a reasonable opportunity to make representations to it in writing as to whether or not the permit should be extended.

221. Tractor permits

(1) A tractor permit is in force for 1 year.

(2) In addition to any tests which the Corporation requires an applicant for a tractor permit to undergo, the Corporation may require an applicant—

(a) to fill in a tractor permit application form and give it to the Corporation; and

(b) to pay the appropriate fee to the Corporation.

(3) The Corporation may refuse to grant a tractor permit if—

(a) the applicant has not passed all appropriate tests; or

(b) the applicant has not complied with all the procedures or requirements which he or she should have complied with under the Act or these Regulations; or

(c) the Corporation, for a reason provided by it in writing to the applicant, believes that the applicant's application should not be granted.
(4) The Corporation may require an applicant for renewal of his or her tractor permit—
   (a) to fill in an appropriate application form and give it to the Corporation; and
   (b) to pay the appropriate fee to the Corporation.

(5) The Corporation may refuse to renew a tractor permit if—
   (a) the applicant has not complied with a procedure or requirement which he or she should have complied with under the Act or these Regulations; or
   (b) the Corporation, for a reason provided by it in writing to the applicant, believes that the applicant's tractor permit should not be renewed, having first given the person a reasonable opportunity to make representations to it in writing as to why the permit should be renewed.

222. Licence or permit receipts

(1) The Corporation may issue to a person who is entitled to have a driver licence or permit a licence or permit receipt.

(2) A licence or permit receipt is a document which sets out—
   (a) some or all of the things which would be set out on the licence or permit; and
   (b) the last day on which it will be valid.

(3) A licence or permit receipt—
   (a) for the purposes of sections 18 and 59 of the Act is the person's licence or permit document, subject to the conditions, and with the extent of authorisation, described on it; and
(b) is admissible in evidence in any proceedings and, in the absence of evidence to the contrary, is proof that, during the period of its validity, the person has the licence or permit described on it, subject to the conditions, and with the extent of authorisation, described on it; and

(c) ceases to be valid—

(i) at the end of the day marked on it as the last day on which it will be valid; or

(ii) when the Corporation issues to the person the licence or permit; or

(iii) when the Corporation serves on the person (by post or otherwise) a notice that the licence or permit receipt is cancelled; or

(iv) when a court makes an order which would have the effect of cancelling or suspending the licence or permit described on it—

whichever happens first.

223. **Learners must display "L" plates**

(1) A learner driver must not drive a motor vehicle unless an "L" plate is conspicuously displayed—

(a) in the case of a motor cycle, on the rear of the motor cycle; or

(b) in any other case, on the front and rear of the motor vehicle.

Penalty: 2 penalty units.
(2) A person who has a full licence must not sit beside a learner driver who is committing an offence against sub-regulation (1).

Penalty: 2 penalty units.

(3) Subject to sub-regulation (4), a person who is not a learner driver must not drive a motor vehicle if there is displayed on the front or rear of the motor vehicle a plate which is, or which resembles, an "L" plate.

Penalty: 2 penalty units.

(4) Sub-regulation (3) does not apply to a person who is instructing a learner driver and who drives the motor vehicle solely for the purposes of instruction.

224. Other restrictions affecting learner drivers

(1) A learner driver must not—

(a) drive a motor vehicle which is towing a trailer; or

(b) drive a motor vehicle unless an experienced driver is sitting beside him or her.

Penalty: 2 penalty units.

(2) In sub-regulation (1)(b) and in this sub-regulation—

"experienced driver" means a person who—

(a) holds a full licence to drive the category of motor vehicle being driven by the learner driver; and

(b) has been licensed to drive that category of motor vehicle for at least 2 years;

"full licence" means a licence to drive a motor vehicle whether issued in Victoria or outside
Victoria but does not include a licence issued provisionally or on probation;

"motor vehicle" does not include—

(a) a motor cycle; or

(b) a motor vehicle exempted by the Corporation on the ground that compliance with sub-regulation (1)(b) would be impractical.

225. Probationary drivers must have "P" plates

(1) A probationary driver must not drive a motor vehicle on a highway unless a "P" plate is conspicuously displayed—

(a) in the case of a motor cycle, on the rear of the motor cycle; or

(b) in any other case, on the front and rear of the motor vehicle.

Penalty: 2 penalty units.

(2) A person who is not a probationary driver must not drive a motor vehicle on a highway if a "P" plate or a plate which resembles a "P" plate is displayed on the front or rear of the vehicle.

Penalty: 2 penalty units.

(3) Sub-regulation (1) does not apply to a member of the police force who—

(a) in the course of duty is driving a police motor vehicle; and

(b) is authorised in writing by the Chief Commissioner of Police to drive a motor vehicle of the class being driven.

(4) In this regulation—
"police motor vehicle" means a motor vehicle owned by or on loan, hire or lease to the Victoria Police Force;

"probationary driver" means a person who—

(a) is the holder of a driver licence issued on probation during the period of probation; or

(b) is the holder of a licence to drive a motor vehicle which is issued under an Act of another State or Territory of the Commonwealth that corresponds with the Act and which is issued provisionally or on probation during the period of probation.

226. Requirement to display "driver under instruction" plate

(1) A person described in regulation 201(3) must not drive a heavy vehicle if there is not conspicuously displayed on the front and rear of the motor vehicle a "driver under instruction" plate.

Penalty: 2 penalty units.

(2) In sub-regulation (1) "heavy vehicle" means a motor vehicle other than a "car" (within the meaning of regulation 205) or a motor cycle.

227. Cancellation, suspension or variation of licences and permits by the Corporation

(1) The Corporation may suspend for such time it
thinks fit or cancel the driver licence or permit of a person or vary the driver licence of a person under section 24 of the Act if it is satisfied that—

(a) the person, having been required under section 27 of the Act to submit himself or herself within a specified time for a test, has failed or refused to do so or has failed such a test; or

(b) it would be dangerous for the person to drive a motor vehicle because of illness or bodily infirmity, defect or incapacity or because of the effects of treatment for any of those things; or

(c) the person has at any time been convicted in Australia of any offence which, in the opinion of the Corporation, makes the person unfit to have such a licence or permit; or

(d) the person has, within the immediately preceding 3 years, been convicted in Victoria on more than 3 occasions of offences connected with driving a motor vehicle; or

(e) the person has failed to comply with a condition of the licence or permit or a condition of an earlier licence or permit.

(2) The Corporation must suspend or cancel a person's licence or permit or refuse to issue a driver licence or permit to a person if it is satisfied that—

(a) the person is disqualified from driving motor vehicles (of one or more types) in a State or Territory of Australia because of a judgment, an order or a decision made under the law of that State or Territory unless it is satisfied
that exceptional circumstances exist which justify it not doing so; or

(b) the person has been convicted of more than one offence against regulation 822 of the Road Safety (Vehicles) Regulations 1988 relating to the driving of a large vehicle.

(3) If—

(a) a court order requires a person who is the holder of a driver licence or permit to pay a sum of money by way of fine, penalty, costs or restitution or any two or more of those things; and

(b) the order was made in proceedings for an offence arising out of the use of a motor vehicle in Victoria, including proceedings in respect of a parking or traffic offence or infringement; and

(c) a proper officer notifies the Corporation that the order is wholly or partially unsatisfied—

the Corporation may suspend the driver licence or permit of the person until the Corporation is satisfied that the sum has been paid or satisfactory arrangements have been made for its payment.

(3A) The Corporation must not suspend a driver licence or permit under regulation 227(3) unless—

(a) the Corporation notifies the licence or permit holder in writing at least 28 days before the licence or permit suspension takes effect—

(i) that the Corporation proposes to suspend the licence or permit and the reason for the proposal; and

(ii) that the licence or permit holder may make representations to the Corporation about the proposed
suspension, and the time and manner in which the representations may be made; and

(iii) that the licence or permit holder may avoid the proposed suspension by making arrangements approved by a proper officer for the payment of the amount outstanding and the method of making those arrangements; and

(iv) of the licence or permit holder's right of appeal under regulation 228; and

(b) the Corporation is satisfied—

(i) that the licence or permit holder was the defendant in the proceedings in which the fine was imposed; and

(ii) that the licence or permit holder has not made or has not complied with an arrangement with a proper officer for the payment of the amount outstanding.

(4) In this regulation, "proper officer" means a person authorised by law to issue or to execute a warrant for the enforcement of a court order.

(5) Subject to sub-regulation (6), if a probationary driver licence issued on or after 1 August 1990 is cancelled or suspended because the licence holder committed an offence during the first 12 months of the probationary period while driving a motor vehicle, the Corporation must impose a condition on the licence or on any further probationary driver licence issued to the licence holder that for the period of 12 months after the date of commencement of the condition the licence holder must not drive a motor vehicle while carrying more than one other person.
(6) The Corporation is not required to impose a condition under sub-regulation (5) if it is satisfied exceptional circumstances exist which justify it not doing so.

228. Appeal against a decision by the Corporation affecting a driver licence or permit

A person who appeals to a Magistrates' Court under section 26 of the Act must—

(a) provide notice in writing of the appeal to the clerk of the appropriate Magistrates' Court, requesting the clerk to endorse a copy of the notice with the date on which the appeal is to be heard; and

(b) serve on the Corporation the endorsed copy of the notice, not less than 14 days before the hearing date.

229. Tests which the Corporation may require a person to undergo

For the purposes of section 27 of the Act, a test described in Column 1 of the Table set out at the foot of this regulation must be carried out by a person of the class described in Column 2 of that Table in relation to that test.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Tests</td>
<td>Legally qualified medical practitioners</td>
</tr>
<tr>
<td>Any test related to eye</td>
<td>Optometrists, Ophthalmologists, Officers of the Roads Corporation</td>
</tr>
<tr>
<td>sight</td>
<td></td>
</tr>
<tr>
<td>Disabled driver</td>
<td>Occupational Therapists</td>
</tr>
<tr>
<td>evaluation test</td>
<td></td>
</tr>
<tr>
<td>Tests of driving ability</td>
<td>Officers of the Roads Corporation, Persons who are authorised in writing by</td>
</tr>
<tr>
<td></td>
<td>the Corporation to conduct tests of driving ability</td>
</tr>
</tbody>
</table>
230. How demerit points are incurred

(1) In this regulation—

"appropriate number of demerit points" in relation to a relevant offence, means the number of demerit points indicated in an entry in Column 3 of Schedule 3 corresponding to that offence;

"relevant offence" means an offence described in Columns 1 and 2 of Schedule 3 or an offence against the law of another State or Territory which corresponds to an offence described in those columns.

(2) The Corporation must record the appropriate number of demerit points against a person if the person—

(a) is convicted of a relevant offence; or

(b) pays the penalty specified in an infringement notice issued in respect of a relevant offence; or

(c) is convicted within the meaning of section 89(4) or 89A(2) of the Act with respect to a relevant offence; or

(d) is a person against whom an enforcement order has been made and not revoked under Schedule 7 to the Magistrates’ Court Act 1989 with respect to a relevant offence.

(2A) Demerit points recorded under sub-regulation (2) must be recorded as having been incurred on the date on which the relevant offence is alleged to have occurred.

(3) The Corporation must record against a person who does not hold a driver licence any demerit points that the person would have incurred if the person held a driver licence.
(4) Demerit points recorded against a person under sub-regulation (3) must be treated as demerit points recorded against the holder of a driver licence if the person subsequently obtains a driver licence.

231. Notices to licence holder if too many demerit points

(1) A notice is in the prescribed form for the purposes of section 25(3) of the Act if it contains—

(a) details of the driver licence; and

(b) the period during which the demerit points were accumulated; and

(c) particulars of the relevant offences including the date of the offence and the demerit points recorded in respect of the offence; and

(d) details of the licence holder's right of election under section 25(3A) of the Act and the consequences of exercising or failing to exercise that right.

(2) A notice is in the prescribed form for the purposes of section 25(3B)(a) or 25(3D)(a) of the Act if it contains—

(a) a reference to the notice served under section 25(3) and to the licence holder's response or failure to respond to that notice; and

(b) (in the case of a notice under section 25(3B)(a) of the Act) particulars of the offence committed within the 12 month period after the date of the notice referred to in paragraph (a) and of the demerit points incurred in relation to that offence; and

(c) the period for which the driver licence is suspended and the date of commencement of the suspension; and

Reg. 231 substituted by S.R. No. 267/1989 reg. 5(2).
(d) information about the licence holder's right of appeal to a Magistrate's Court; and
(e) the place to which the licence holder must send or take the licence.

* * * * *

233. Special provision about demerit point appeals

(1) For the purposes of section 26(3) of the Act, notice of appeal is given when notice in writing of the appeal, endorsed by the clerk of the Magistrates' Court in accordance with regulation 228, is served on the Corporation.

(2) Notice in writing of discontinuance of appeal must be—
   (a) lodged with the clerk of the Magistrates' Court; and
   (b) served on the Corporation—
       not less than 4 days before the hearing day.

(3) If notice of discontinuance of appeal under section 26(1)(c) of the Act is lodged with the clerk of Magistrates' Court, the suspension of the person's licence has effect on and from the day the notice is lodged.

234. Surrender of driver licence and permit documents

If a person's driver licence or permit is suspended or cancelled—
   (a) by the Corporation under section 24 or 25 of the Act; or
   (b) by a Court—
       the person must, upon being served with a notice of the suspension or cancellation—
(c) if the notice is served personally by a member of the police force or an officer of the Corporation or of the Court, give the licence or permit document immediately to the person who served the notice; or

(d) in any other case, send or take the licence or permit document to the place and within the time specified in the notice.

Penalty: 5 penalty units.

235. Notification to Corporation about drink driving convictions

(1) The responsible officer of a Court which convicts a person to whom section 52 of the Act applies of an offence against section 49(1) of the Act must notify the Corporation of the details of the convictions if the Court does not cancel the person's driver licence or permit or disqualify the person from obtaining a licence or permit.

(2) In this regulation, "responsible officer" means—

(a) in the case of a Magistrates' Court—the clerk of the court; and

(b) in the case of the County Court—the registrar of the court; and

(c) in the case of the Supreme Court—the Prothonotary.

236. Application to court for re-licensing after alcohol conviction

An application to a Magistrates' Court made under section 50 of the Act must be made to the Magistrates' Court which is nearest or most accessible to the person's place of residence.
238. Replacement licence or permit

If a person's licence or permit is lost, destroyed or mutilated, or the person applies for a licence or permit under section 103(1) of the Act, the Corporation may issue a replacement on payment of the appropriate fee.
PART 3—BREATH AND BLOOD TESTS

301. 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 Alcolmeter S-D2; and

(c) the Lion Alcolmeter SD-400PA.

303. Interval before taking of sample

It is a requirement for the proper operation of a breath analyzing instrument that the authorised operator does not require a person to undertake a breath analysis until the operator is satisfied that the person has not consumed any intoxicating liquor for a period of at least 15 minutes before the analysis.
304. **Mouthpiece**

It is a requirement for the proper operation of a breath analyzing instrument that the authorised operator—

(a) provide a fresh mouthpiece for use by each person submitted to breath analysis; and

(b) use only a mouthpiece which has been kept in a sealed container until required for carrying out the analysis.

305. **Obtaining a blood sample**

A blood sample must be obtained in accordance with these Regulations by venipuncture by a legally qualified medical practitioner.

306. **Puncture**

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.

307. **Quantity of blood**

The amount of blood collected must be approximately 10 millilitres and must be withdrawn into a sterile syringe or other sterile hypodermic device.

308. **Syringes and other hypodermic devices**

A syringe or hypodermic device is to be taken to be sterile if immediately before use it was—

(a) sterilized in an autoclave or boiler; or
(b) taken from a container apparently sealed against contamination and bearing a label stating that the syringe or hypodermic device inside is sterile.

309. Procedure after taking sample

(1) A legally qualified medical practitioner who takes a blood sample must ensure that—

(a) the blood sample is divided into 3 approximately equal parts; and

(b) each part is placed into a dry container which 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 date the container was prepared and the name of the chemist, laboratory or pharmaceutical organisation who prepared it.

(2) After a blood sample has been placed in containers in accordance with sub-regulation (1), the legally qualified medical practitioner must—

(a) place the blood sample in containers with Septum Seals and shake the containers so as to mix the blood with the anti-coagulant and preservative; and

(b) attach to each container a label bearing the medical practitioner's signature, the date and the time the blood 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).
(3) If a blood sample is taken other than under section 56 of the Act, the legally qualified medical practitioner must hand one of the containers to a member of the police force and another to the person from whom the sample was taken.

(4) If a blood sample has been 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 legally qualified medical practitioner must—

(a) place one container in a locked receptacle provided for the purpose; and

(b) place and seal one container into a container labelled "screening sample"; and

(c) deliver the third container to the person from whom the blood sample was taken or place it with the person's personal property; and

314. **Certificate under section 55(4)**

A certificate given in accordance with section 55(4) is in the prescribed form if it includes—

(a) the serial number of the instrument; and
(b) the sample number; and
(c) the location of the test; and
(d) the name and date of birth of the person tested; and
(e) the surname of the operator; and
(f) the results of the self tests conducted before and after the analysis of the sample provided; and
(g) the results of zero tests conducted before and after the analysis of the sample provided; and
(h) the date and time the test was taken; and
(i) the concentration of alcohol in grams per 100 millilitres of blood indicated by the analysis to be present in the blood of the person tested.

316. **Certificate under section 57(3)**

A certificate for the purposes of section 57(3) of the Act is in the prescribed form if it includes—

(a) a statement that the requirements of these Regulations as to 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 it was taken; and

(d) the name and signature of the medical practitioner.
317. Certificate under section 57(4)

A certificate for the purposes of section 57(4) of the Act is in the prescribed form if it includes (in addition to a statement as to the concentration of alcohol found in the sample of blood)—

(a) a statement by the analyst that he or she is an approved analyst; and

(b) a statement as to the method of analysis used; and

(c) the name and signature of the analyst; and

(d) the date the analysis was carried out; and

(e) a description of the identification label on the sample.

318. Notice of immediate licence suspension

A notice for the purposes of section 51(1) of the Act is in the prescribed form if it includes—

(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), the alleged concentration of alcohol in the blood of the accused; and

(c) a statement that the driver licence or permit of the accused is immediately suspended until the charge has been determined; and

(d) a request to the accused to surrender his or her licence document or permit document immediately to the person who gave the notice to the accused; and
(e) the name and signature of the person who made the charge; and

(f) the date on which the notice was given to the accused.
PART 4—AUTOMATIC DETECTION DEVICES

401. Definitions

In this Part—

"red light camera" means the automatic detection device prescribed by regulation 403(b);

"speed camera" means an automatic detection device prescribed by regulation 403.

402. Offences which can be detected

For the purposes of section 66 of the Act the prescribed offences are—

(a) exceeding the applicable speed limit; and
(b) disobeying a traffic control signal; and
(c) driving in a bus lane or transit lane when not permitted to do so.

403. Photographic detection devices

For the purposes of section 66 of the Act, the prescribed detection devices are—

(a) the automatic detection device known as the Speed Camera I.D.M.S.—S.A.C/1; and
(b) the automatic detection device known as the Gatso Meter R.L.C; and
(c) the automatic detection device known as the Zellweger Multanova Radar Unit; and

(d) the automatic detection device known as the Traffipax Speedophot Radar Unit; and

(e) the automatic detection device known as the Gatsometer MRC System; and

(f) the automatic detection device known as the Fairey Vehicle Speed Radar Camera.

404. Sworn statement by owner

A sworn statement for the purposes of section 66(3) of the Act is in the prescribed form if (in addition to the matters referred to in that section)—

(a) it is in the form of a duly executed statutory declaration; and


(b) if the owner of the motor vehicle concerned is a company or other body corporate—it includes a statement that the person making it is an officer or employee of the owner authorised to make the statutory declaration on behalf of the owner; and

(c) if the owner of the motor vehicle concerned is not a company or other body corporate—it includes a statement that the person making it is the owner of the motor vehicle.

* * * * *

409. **Use of red light cameras**

(1) For the purposes of section 80 of the Act, a red light camera is used in the prescribed manner if it is used as set out in this regulation.

(2) If at a location to be monitored—

(a) a red light camera loaded with a film magazine is placed in or removed from a housing; or

(b) a film magazine is loaded or unloaded from a red light camera which is already in a housing at the location—

the person placing or removing the red light camera or loading or unloading the film magazine into the red light camera must—

(c) check the time, date and location code in the display of the red light camera and make 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 red light camera; and
(d) check the vehicle detector system to ensure that it is correctly monitoring the movement of vehicles at the intersection in the relevant direction of travel; and

(e) test the red light camera by using the test facilities provided to ensure the correct activation of the camera by vehicles passing over the detectors; and

(f) ensure that when the red light camera is installed and left unattended it is kept in a locked housing.

410. **Testing of speed cameras**

For the purposes of sections 79 and 81 of the Act, a speed camera is tested in the prescribed manner if—

(a) the test is such as will ascertain with respect to the speed computing components of the speed camera that—

(i) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer;

(ii) the speed camera is in a satisfactory electrical condition and in particular that any maintenance which has been carried out has been carried out satisfactorily; and

(b) the test is such as will ascertain that the speed camera is properly calibrated when used in accordance with regulation 412; and

(c) the testing officer records and retains the results of the test, including—
(i) a statement showing the speeds at which the calibration was effected and the number of times at each speed the calibration was effected; and

(ii) the date the test was made and the ambient temperature at the time of the test.

411. Sealing of speed cameras

A speed camera is sealed in the prescribed manner for the purposes of sections 79 and 81 of the Act if it is sealed by a person who has carried out a test in accordance with regulation 410 and if that test confirmed that—

(a) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer; and

(b) the speed camera is in a satisfactory electrical condition; and

(c) in the case of a speed camera referred to in regulation 403(a) or (b), the time intervals at which calibration is effected indicate speed readings within a limit of error of plus or minus 2 kilometres per hour of the true speeds determinable from those intervals; and

(d) in the case of a speed camera referred to in regulation 403(c), (d), (e) or (f), the frequencies or speeds generated at which calibration is effected indicate speed readings within a limit of error of plus or minus 3 kilometres per hour or 3 per cent (whichever is greater) of the true speeds determinable from those frequencies or speeds.
412. Use of speed cameras

(1) A speed camera referred to in regulation 403(a) is used in the prescribed manner for the purposes of sections 79 and 81 of the Act if—

(a) the two road detectors which form part of the speed camera (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 highway) have been placed across the highway approximately parallel to each other separated by a distance prescribed by the manufacturer (plus or minus 10 millimetres); and

(b) the distance between the detectors referred to in paragraph (a) has been measured by a measuring tape verified and certified as a standard of measurement under the National Measurement Act 1960 of the Commonwealth; and

(c) the detectors are connected to the time measuring and speed computing components of the device by means of a switch that is of a kind approved by the manufacturer; and

(d) the speed camera has been tested in accordance with regulation 410 or the corresponding previous regulations within two years before the occasion of its use.

(2) A speed camera referred to in regulation 403(b), (c), (d), (e) or (f) is used in the prescribed manner for the purposes of sections 79 and 81 of the Act if—

(a) it is used in accordance with operating instructions approved by a testing officer within the meaning of regulation 501; and
(b) it has been tested in accordance with regulation 410 within 12 months before the occasion of its use.

413. **Certificate as to testing and sealing of speed cameras**

(1) A certificate referred to in section 83 of the Act in relation to a speed camera must be in the form set out in Schedule 4.

(2) A person who is authorised for the purposes of section 83 in relation to digitectors is also authorised for the purposes of that section in relation to speed cameras.

414. **Interference with a photographic detection device**

A person must not, without proper authority, wilfully interfere with the time measuring or speed computing components of a speed camera or red light camera or any seal affixed to such a camera.

Penalty: 5 penalty units.

415. **Speed camera a prescribed speed measuring device**

The speed camera is a prescribed speed measuring device for the purposes of sections 74 and 79 of the Act.
PART 5—OTHER DETECTION DEVICES

Division 1—Speed measuring devices

501. Definitions

In this Part—

"digitector" means the speed measuring device prescribed by regulation 502;

"laser device" means a speed measuring device prescribed by regulation 509A;

"radar device" means a speed measuring device prescribed by regulation 506;

"testing officer" means—

(a) a technical officer or the head of the faculty, school or department of electrical engineering, electronics or communications at a university in Victoria or at a post-secondary education institution mentioned in Schedule 2 to the Post-Secondary Education Act 1978; or

(b) a person skilled in the development and operation of speed measuring devices and authorised in writing by the Chief Commissioner of Police; or

(c) the principal testing officer of a testing body accredited in the field of electrical testing by the National Association of Testing Authorities, Australia (NATA).
502. Digitector

The speed measuring device known as the digitector is a prescribed speed measuring device for the purposes of section 79 of the Act.

503. Testing of digitectors

(1) The test of a digitector must be such as will ascertain, with respect to the time measuring and speed computing components of the digitector, that—

(a) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer; and

(b) the digitector is in a satisfactory electrical condition, and in particular that any maintenance which has been carried out has been carried out satisfactorily; and

(c) the time intervals at which calibration is effected indicate speed readings within a limit of error of plus or minus 2 kilometres per hour of the true speeds determinable from those intervals.

(2) The person who conducts a test of the digitector must record and retain the results of the test, including—

(a) a statement showing the speeds at which the calibration was effected and the number of times at each speed the calibration was effected; and

(b) the date the test was made and the ambient temperature at the time of the test.
504. Sealing of digitectors

The person who conducts the test of a digitector must seal the device if the test confirms that—

(a) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer; and

(b) the device is in a satisfactory electrical condition; and

(c) the time intervals at which calibration is effected indicate speed readings within a limit of error of plus or minus 2 kilometres per hour of the true speeds determinable from those intervals.

505. Use of digitectors

(1) The two detectors which form part of the digitector must, 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 highway, be positioned across the highway approximately parallel to each other at a distance of 25 metres apart (plus or minus 75 millimetres).

(2) The distance referred to in sub-regulation (1) must be measured by a measuring tape verified and certified as a standard of measurement pursuant to the National Measurement Act 1960 of the Commonwealth.

(3) A digitector may be used only if it has been tested in accordance with regulation 503 or the corresponding previous regulations within a period of two years before the occasion of its use.
506. Radar devices

The following radar devices are prescribed as speed measuring devices for the purposes of sections 74 and 79 of the Act—

(a) the Kustom HR4;
(b) the Kustom Falcon;
(c) the Muni-Quip MDR1 Track Radar;
(d) the Kustom KR–10SP.

507. Testing of radar devices

(1) The test of a radar device must be such as will ascertain with respect to the speed computing components of the radar device that—

(a) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer; and
(b) the radar device is in a satisfactory electrical condition and, in particular, that any maintenance which has been carried out has been carried out satisfactorily.

(2) The test of a radar device must be such as will ascertain that the radar device is properly calibrated.

(3) The person who conducts the test of a radar device must record and retain the results of the test, including—

(a) a statement showing the speeds at which the calibration was effected and the number of times at each speed the calibration was effected; and
(b) the date the test was made and the ambient temperature at the time of the test.

508. Sealing of radar devices

(1) The person who conducts the test of a radar device must seal it if the test confirms that—

(a) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer; and

(b) the device is in a satisfactory electrical condition; and

(c) the frequencies generated at which calibration is effected indicate speed readings within a limit of error of plus or minus 2 kilometres per hour of the true speeds determinable from those frequencies.

509. Use of radar devices

(1) The prescribed manner of use of a radar device for the purposes of section 79 of the Act is as follows:

(a) Whenever the operator connects the radar device to a source of electricity, the operator must ensure that a reading of (888) is displayed on the digital speed display;

(b) The doppler audio signal of the radar device must be set at a level clearly audible to the operator who may take a reading if the signal indicates normal operation;

(c) In the case of the Kustom HR4 and the Kustom Falcon, the operator must activate the device with the device aimed in the direction of a motor vehicle within the operator's field of vision, and must note the reading displayed on the digital speed display;
Reg. 509A
inserted
by S.R. No. 89/1996 reg. 5.

Reg. 509B
inserted
by S.R. No. 89/1996 reg. 5.

(d) In the case of the Muni-Quip MDR1 Track Radar and the Kustom KR–10SP, the operator must activate the device with the antenna set in the direction of a motor vehicle within the operator's field of vision, and must note the reading displayed on the digital speed display.

(2) The device may only be used if it has been tested in accordance with regulation 507 or the corresponding previous regulations within twelve months before the occasion of its use.

509A. **Laser devices**

The following laser devices are prescribed as speed measuring devices for the purposes of sections 74 and 79 of the Act—

(a) the LTI 20.20 Marksman AT;

(b) the Prolaser 11 Model Auslaser.

509B. **Testing of laser devices**

(1) The test of a laser device must be such as will ascertain with respect to the speed computing components of the laser device that—

(a) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer; and

(b) the device is in a satisfactory electrical condition and that any maintenance that has been carried out has been carried out satisfactorily.

(2) The test of a laser device must be such as to ascertain that the laser device is properly calibrated and operates within the limits of error specified in regulation 509C(b).
(3) The person who conducts the test of a laser device must record and retain the results of the test, including—

(a) a statement showing the speeds at which the calibration was effected and the number of times at each speed the calibration was effected; and

(b) the date on which the test was made and the ambient temperature at the time of the test.

509C. Sealing of laser devices

The person who conducts the test of a laser device must seal the device if—

(a) the test confirms that—

(i) the circuit is in accordance with the manufacturer's circuit design, including any modification to that design approved by the manufacturer or the testing officer; and

(ii) the device is in a satisfactory electrical condition and that any maintenance that has been carried out has been carried out satisfactorily; and

(b) the limit of error of the device is not more than plus or minus 2 kilometres per hour of the true speeds determinable from those tests.

509D. Use of laser devices

(1) The prescribed manner of use of a laser device for the purposes of section 79 of the Act is as follows—

(a) whenever the operator connects the laser device to a source of electricity, the operator must ensure that all elements of the speed display are illuminated; and
(b) the operator must activate the device with the device aimed in the direction of a motor vehicle within the operator's field of vision, and must note the reading displayed on the digital speed display.

(2) The device may only be used if it has been tested and sealed in accordance with regulations 509B and 509C within 12 months before the occasion of its use.

510. *Certificate as to testing and sealing of speed measuring devices*

(1) A certificate referred to in section 83 of the Act that relates to a digitector or radar device or laser device must be in the form set out in Schedule 4.

(2) A testing officer is authorised for the purposes of section 83 in relation to digitectors and radar devices and laser devices.

511. *Interference with speed measuring device*

A person must not, without proper authority, wilfully interfere with the time measuring or speed computing components of a digitector or radar device or laser device, or any seal affixed to such a device.

Penalty: 5 penalty units.

Division 2—Portable weighing devices

512. *Definitions*

(1) In this Division—

"Engineering Department" means the head of the Engineering Department of the University of Melbourne or a testing officer
(within the meaning of Division 1) of that department;

"portable weighing device" means a portable mechanical or electrical device.

(2) A portable mechanical or electrical weighing device is a prescribed device for the purposes of section 82 of the Act.

513. Testing of portable weighing devices

(1) The loads applied for the purposes of testing a weighing device must be of one tonne or more for a single scale and 2 tonnes or more for a pair of scales.

(2) For the purposes of sub-regulation (1), there is a maximum allowable limit of error of plus or minus 2 per cent.

(3) Portable weighing devices may be tested in pairs.

(4) If portable weighing devices are tested in pairs—
   (a) a portable weighing device so tested may only be used together with the other one with which it was tested; and
   (b) the loads applied for the purposes of the tests must be of 2 tonnes or more; and
   (c) for the purposes of the test, there is a maximum allowable limit of error of plus or minus 2 per cent calculated upon the sum of the indications of the 2 devices; and
   (d) the devices so tested must be either passed or failed together.

(5) A portable weighing device must be tested and sealed by the Engineering Department—
   (a) before being first used; and
   (b) at least once every 12 months.
(6) If, at any time after a portable weighing device is sealed, a repair, alteration or adjustment (other than setting the zero) is made to its mechanism or circuitry, the device must again be tested and sealed.

514. **Portable weighing devices to be sealed**

The Engineering Department must seal a portable weighing device which passes the test with a seal which effectively prevents interference with the mechanism or circuitry of the device without breaking the seal.

515. **Use of portable weighing devices**

(1) To ascertain the mass carried on an axle with portable weighing devices, a portable weighing device must be placed under each of any two tyres on the axle so that the whole mass borne by the axle is borne by or on the devices.

(2) The sum of the readings as indicated by each of the devices taken while the axle load is bearing on the devices, less the deductions specified by the National Association of Australian State Road Authorities in its "Guidelines for weighing of vehicles" for the type of scale, site condition and method of weighing used, is to be taken to be the mass carried on the axle.

(3) The mass carried on any group of axles is the sum of the mass carried on the axles comprising the group, less the deductions specified by the National Association of Australian State Road Authorities in its "Guidelines for weighing of vehicles" for the type of scale, site condition and method of weighing used.

516. **Records of tests to be kept**

(1) The Engineering Department must keep full and accurate records of all portable weighing devices
tested and sealed, in a book provided for the purpose, setting out—

(a) the identifying number of each device; and

(b) the date on which the test was conducted; and

(c) the result of the test; and

(d) the signature of the person who conducted the test.

517. Certificate of testing and sealing

(1) A certificate referred to in section 83 of the Act in relation to a portable weighing device must be in the form set out in Schedule 4.

(2) The Engineering Department is authorised for the purposes of section 83 in relation to portable weighing devices.

518. Interference with portable weighing device

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

Penalty: 5 penalty units.

Division 3—Dynamic axle weighers

519. Definitions

In this Division—

"appropriate standards" means the applicable standards set out in a notice by the Corporation published in the Government Gazette;

"dynamic axle weigher" means a device which—
(a) is designed to weigh each axle of a moving vehicle successively; and
(b) is either—

(i) the device known as the 'Electronic Mass Unit Model 870.3'; or

(ii) a device which in operation will satisfy regulations 521 and 523 and which has been approved by the Corporation by notice published in the Government Gazette;

"surveyor" means a person registered or licensed as a surveyor under the Surveyors Act 1978;

"testing authority" means a person or body (whether corporate or unincorporate) approved by the Corporation for the purposes of this Division by notice published in the Government Gazette.

520. Dynamic axle weighers

A dynamic axle weigher is a prescribed device for the purposes of section 82 of the Act.

521. Testing of dynamic axle weighers

(1) A testing authority is authorised for the purposes of section 83 of the Act in relation to dynamic axle weighers.

(2) A test of a dynamic axle weigher must test the functional parts of it according to specifications prepared in relation to the functional parts by the manufacturer.

(3) For the purpose of a dynamic test there is a maximum allowable limit of error of plus or minus 2 per cent.
522. Use of dynamic axle weighers

(1) A dynamic axle weigher must not be used for the purposes of the Act or these Regulations—

(a) by a person other than a member of the police force or an authorised officer of the Corporation; or

(b) unless the fixed parts of it have been properly installed or re-installed according to the manufacturer's specification; or

(c) unless a surveyor has, during the preceding 12 months, issued a certificate that the weighing platform and approaches meet the appropriate standards; or

(d) (if the weighing platform approaches have been altered) unless a surveyor has resurveyed the weighing site and issued a certificate after the reinstallation or completion of the alteration (as the case may be); or

(e) unless the functional parts of it have been tested by a testing authority within the preceding 12 months.

523. Limits of error

For the purposes of section 82 of the Act, the prescribed limits of error in respect of a dynamic axle weigher are the administrative tolerances specified by the National Association of Australian State Road Authorities in its "Guidelines for weighing of vehicles".

524. Certificate as to testing

A certificate for the purposes of section 83 of the Act in relation to a dynamic axle weigher must be in the form set out in Schedule 4.

525. Proper completion of test
(1) A person who is required to weigh a motor vehicle or trailer or any axle or group of axles on a dynamic axle weigher must obey any instruction which the person who requires the weighing gives for the purposes of conducting the weighing.

(2) A weighing on a dynamic axle weigher is not completed until the person who requires the weighing is satisfied that the weighing has been properly completed.

526. Interference with dynamic axle weigher

A person must not, without proper authority, wilfully interfere with the mechanism or circuitry of a dynamic axle weigher.

Penalty: 5 penalty units.
PART 6—HOURS OF DRIVING AND LOG BOOKS

Division 1—General

601. Definitions

In this Part—

"automatic recording device" means a device approved by the Corporation that accurately records information required to be recorded by Division 4 and that may be conveniently accessed;

"commercial bus" means a bus that is used, or is intended to be used, to carry passengers for reward or in the course of a business;

"commercial truck" means—

(a) a motor vehicle (other than a bus or tractor) which exceeds 4·5 tonnes maximum loaded mass that is built mainly to carry goods and that is used, or is intended to be used, to carry goods for reward or in the course of a business; or

(b) a combination of a motor vehicle (other than a bus or tractor) and one or more trailers, being a combination that includes a vehicle which exceeds 4·5
tonnes maximum loaded mass that is built mainly to carry goods and that is used, or is intended to be used, to carry goods for reward or in the course of a business;

"driving record" means a record required by regulation 610 to be made;

"employer" includes a self-employed solo driver and a self-employed two-up driver;

"log book" means—

(a) a log book in the form approved by the Corporation; or

(b) a log book issued under a corresponding law of another State or Territory; or

(c) a record made by an automatic recording device; or

(d) in respect of a commercial bus, a log book or record of a kind referred to in paragraph (a), (b) or (c) or a form approved by the Corporation which—

(i) has been issued by the employer of the driver; and

(ii) provides for the insertion of information required to be recorded by Division 4;

"maximum loaded mass", in respect of a vehicle, means—

(a) the maximum loaded mass of the vehicle specified by the manufacturer; or
(b) if—

(i) the manufacturer has not specified a maximum loaded mass for the vehicle; or

(ii) the manufacturer cannot be identified; or

(iii) the vehicle has been modified to the extent that the manufacturer's specification is no longer appropriate—

the gross vehicle mass of the vehicle;

"non-driving time" means time during which a person is not engaged in—

(a) driving a commercial bus or commercial truck; or

(b) any activity referred to in regulation 602(1);

"rest period" means continuous time spent—

(a) in a sleeping berth on a commercial truck; or

(b) away from activities associated with the commercial truck or any load carried by it;

"solo driver" means a driver of a commercial bus or commercial truck who is not accompanied by a two-up driver;

"two-up driver" means a person who—

(a) shares with another person the driving of a commercial bus or commercial truck; and
602. Calculation of time

(1) The following time must be included when calculating the time a person has spent driving a commercial bus or commercial truck—

(a) time during which the person is a solo driver or two-up driver (including periods as a passenger) of any commercial bus or commercial truck in Victoria or in another State or Territory; and

(b) time during which the person has driven a commercial bus or commercial truck on private property; and

(c) time spent sitting in the driver's seat of a commercial bus or commercial truck with the engine running, even if the vehicle is stationary; and

(d) time spent in a commercial bus or commercial truck instructing a learner driver.

(2) When calculating a period of driving, if the commercial bus or commercial truck is owned by a primary producer and is used on private property in connection with the business of the primary producer as such, a person is not taken to be driving the bus or truck for the purposes of sub-regulation (1)(b).

603. Sleeping berths

(1) A two-up driver must not drive a commercial bus which does not have a sleeping berth that complies with the Sleeping Berth Standards for Commercial Buses formulated by the National Road Transport Commission and approved from
time to time by the Ministerial Council for Road Transport.

Penalty:  5 penalty units.

(2) A two-up driver must not drive a commercial truck which does not have a sleeping berth that complies with Australian Design Rule 42.15 of the Australian Design Rules for Motor Vehicles and Trailers as issued by the Federal Department of Transport from time to time.

Penalty:  5 penalty units.

604. **Other offences**

A person must not cause, permit or employ another person to drive a commercial bus or commercial truck in Victoria, other than in accordance with this Part.

Penalty:  8 penalty units.

**Division 2—Commercial Buses**

605. **Driving hours—solo drivers**

(1) During a period referred to in Column 1 of Table 1, a solo driver of a commercial bus—

(a) must not drive for more than the period referred to in the corresponding entry in Column 2; and

(b) must have non-driving time of not less than the period referred to in the corresponding entry in Column 3; and

(c) must comply with each of the requirements in Table 1.

Penalty:  5 penalty units.
Table 1

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2 Maximum driving time</th>
<th>Column 3 Minimum non-driving time</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 hours and 30 minutes</td>
<td>5 hours</td>
<td>30 minutes, either as one period or as two periods of 15 minutes each</td>
</tr>
<tr>
<td>24 hours</td>
<td>12 hours</td>
<td>12 hours including one period of 8 hours</td>
</tr>
<tr>
<td>168 hours (1 week)</td>
<td>72 hours</td>
<td>96 hours</td>
</tr>
</tbody>
</table>

(2) In any period of 672 hours (4 weeks), a solo driver of a commercial bus must spend not less than the following time away from activities associated with any commercial bus or any load carried by it—

(a) a period of 96 hours; or

(b) two or more periods, each of 24 hours or more, totalling 96 hours.

Penalty: 5 penalty units.

606. Driving hours—two-up drivers

(1) During a period referred to in Column 1 of Table 2, a two-up driver of a commercial bus—

(a) must not drive for more than the period referred to in the corresponding entry in Column 2; and

(b) must have non-driving time of not less than the period referred to in the corresponding entry in Column 3; and

(c) must comply with each of the requirements in Table 2.

Penalty: 5 penalty units.

Table 2
Road Safety (Procedures) Regulations 1988  
S.R. No. 28/1988

<table>
<thead>
<tr>
<th>Column 1 Period</th>
<th>Column 2 Maximum driving time</th>
<th>Column 3 Minimum non-driving time</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 hours and 30 minutes</td>
<td>5 hours</td>
<td>30 minutes, either as one period or as two periods of 15 minutes each</td>
</tr>
<tr>
<td>24 hours</td>
<td>11 hours</td>
<td>13 hours including one period of 5 hours and 30 minutes</td>
</tr>
<tr>
<td>168 hours (1 week)</td>
<td>66 hours</td>
<td>102 hours</td>
</tr>
</tbody>
</table>

(2) A two-up driver of a commercial bus must spend not less than the following time away from any activities associated with any commercial bus and any load carried by it—

(a) in respect of a period of 53 hours, a period of 13 hours or two or more periods totalling 13 hours; or

(b) in respect of a period of 672 hours (4 weeks)—

(i) a period of 96 hours; or

(ii) two or more periods, each of 24 hours or more, totalling 96 hours.

Penalty: 5 penalty units.

607. Person who is two-up driver then solo driver during a week

If a person is a two-up driver of a commercial bus for a period of 10 hours or more, the person must comply with regulation 606 for 168 hours (1 week) from the start of the two-up driving (whether the person is a solo driver or two-up driver during that week).

Penalty: 5 penalty units.

Division 3—Commercial Trucks

608. Driving hours

During a period referred to in Column 1 of Table 3, a driver (whether a solo driver or a two-up driver) of a commercial truck—

(a) must not drive for more than the period referred to in the corresponding entry in Column 2; and

(b) must have non-driving time of not less than the period referred to in the corresponding entry in Column 3; and

(c) must comply with each of the requirements in Table 3.

Penalty: 5 penalty units.

<table>
<thead>
<tr>
<th>Column 1 Period</th>
<th>Column 2 Maximum driving time</th>
<th>Column 3 Minimum non-driving time</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 hours and 30 minutes</td>
<td>5 hours</td>
<td>30 minutes, either as one period or as two periods of 15 minutes each</td>
</tr>
<tr>
<td>24 hours</td>
<td>12 hours</td>
<td>12 hours including one rest period of 6 hours</td>
</tr>
<tr>
<td>168 hours (1 week)</td>
<td>72 hours</td>
<td>96 hours including one period of 24 hours</td>
</tr>
</tbody>
</table>

Division 4—Driving records

609. Application of Division

This Division (except regulation 619) does not apply in respect of a commercial bus or commercial truck being used on a journey wholly within a radius of 100 kilometres from the place of business from which the bus or truck normally operates.
610. **Obligation to make and carry driving record**

(1) A driver of a commercial bus or commercial truck must make, or cause to be made, in accordance with regulation 611, a record of the following information and carry it in the vehicle during the period of the record—

(a) the starting and finishing times and places for all periods of—
   
   (i) solo driving; and
   
   (ii) two-up driving (including periods as a passenger); and
   
   (iii) non-driving time; and
   
   (iv) time spent away from activities associated with the vehicle and any load carried by it;

(b) time referred to in regulation 602(1);

(c) the date or dates of travel;

(d) the driver’s name and driver licence number;

(e) the registration number of each commercial bus or commercial truck which the driver has driven during the period of the record.

Penalty: 5 penalty units.

(2) A driver of a commercial bus or commercial truck must carry in the vehicle a record showing all the time within the previous 28 days that he or she has been the solo driver or two-up driver of a commercial bus or commercial truck.

Penalty: 5 penalty units.

(3) If the record referred to in sub-regulation (2) is partly or wholly made by an automatic recording device, the driver must also carry a summary sheet showing the time referred to in sub-regulation (2).
611. **Form of driving record**

(1) A driving record must be—

(a) in the form of a log book; and

(b) completed in accordance with any instructions in or accompanying the log book.

(2) A driver must verify the entries on each page of a log book (other than an automatic recording device) by signing the page in the place indicated after completion of the page.

Penalty applying to this sub-regulation: 5 penalty units.

612. **Obtaining a log book**

(1) A person may, in accordance with this regulation, obtain a log book, other than an automatic recording device, from—

(a) the Corporation; or

(b) a place which has been declared by the Minister, by notice published in the Government Gazette, to be a place at which log books may be obtained.

(2) A person may obtain a log book if—

(a) the person pays the appropriate fee; and

(b) the person produces—

(i) a log book previously issued to the person; or

(ii) a form complying with sub-regulation (3) and completed by him or her in the presence of an officer of the Corporation; and

(c) the person produces a current driver licence or a licence to drive a motor vehicle issued
under the law of the State or Territory in which the person ordinarily resides.

(3) A form complies with this sub-regulation if it is issued by the Corporation and contains provision for completion of questions disclosing some or all of the following information—

(a) whether it is the first issue of a log book to the person;

(b) if the log book is to be a replacement for a lost, destroyed or stolen log book—

(i) the circumstances under which the previously issued log book was lost, stolen or destroyed; and

(ii) the number of the log book being replaced (if known); and

(iii) details as to the person's activity during the previous 24 hours (indicating whether or not the person has driven a motor vehicle);

(c) the time and duration of the person's most recent period of 24 consecutive hours for rest.

613. Driver must give driving record to employer

(1) If a driver makes a driving record in a log book within the meaning of paragraph (a) or (b) of the definition of "log book" in regulation 601, the driver must give the completed 4 week summary page, or a copy of it, to each employer for whom the driver has worked during that 4 week period, within 14 days after the end of that period.

Penalty: 1 penalty unit.

(2) If a driver makes a driving record in a log book within the meaning of paragraph (c) or (d) of the definition of "log book" in regulation 601, the
driver must give the completed driving record to his or her employer within 6 weeks after the commencement of the period to which the driving record relates.

Penalty: 1 penalty unit.

(3) A driver's employer must retain a completed driving record or 4 week summary page or copy—
   (a) for a period of 12 months at the employer's main place of business; and
   (b) in a form that permits the record to be conveniently audited.

Penalty: 3 penalty units.

(4) A driver's employer must, if requested to do so by an officer of the Corporation authorised in writing by the Corporation in that behalf or by a member of the police force, produce for inspection any document referred to in sub-regulation (3).

Penalty: 3 penalty units.

614. Defacing, destroying or altering a log book

A person must not without reasonable excuse—
   (a) deface or destroy a log book or part of a log book; or
   (b) alter an entry in a log book; or
   (c) remove a page marked as an original page from a log book.

Penalty: 5 penalty units.

615. Making a false statement

A person must not make a statement that the person knows is untrue in an application for a log book or in a document offered in support of such an application.
Penalty: 5 penalty units.

616. **Misusing a log book**

(1) A person must not without reasonable excuse—

(a) use another person's log book; or

(b) use a cancelled log book; or

(c) possess a log book that—

(i) has been defaced, destroyed or altered in contravention of regulation 614; or

(ii) was not issued to the person; or

(iii) has been recorded as cancelled, lost, stolen or destroyed; or

(d) possess more than one log book—

(i) of a kind referred to in paragraph (a) or (b) of the definition of "log book" in regulation 601 containing pages which have not been used or cancelled; or

(ii) of a kind referred to in paragraph (c) or (d) of the definition of "log book" in regulation 601; or

(e) permit another person to possess a log book that was issued to the first-mentioned person.

Penalty: 5 penalty units.

(2) A person must not make, sell or possess anything that purports to be, but is not, a log book.

Penalty: 5 penalty units.

617. **Unlawful interference with an automatic recording device**

A person must not, without lawful authority, interfere with an automatic recording device.
618. Lost, stolen or destroyed log book

(1) If a driver's log book is lost, stolen or destroyed, the driver must notify the Corporation in writing not more than 7 days after the loss, theft or destruction.

Penalty: 1 penalty unit.

(2) If a log book—

(a) has been reported as lost or stolen under sub-regulation (1); and

(b) is returned to its owner—

the owner must hand it in to the Corporation.

Penalty: 1 penalty unit.

619. Trips under 100 kilometres radius—employer's obligation

(1) An employer must make a record of the following information in respect of each journey of a commercial bus or commercial truck being used by an employee wholly within a radius of 100 kilometres from the place of business from which the bus or truck normally operates—

(a) the driver's name;

(b) the date of the trip;

(c) the starting and finishing times and places;

(d) the driver's approximate total driving time;

(e) the registration number of the bus or truck.

Penalty: 3 penalty units.

(2) An employer must retain a record made under sub-regulation (1)—
(a) for a period of 12 months at the employer's main place of business; and

(b) in a form that permits the record to be conveniently audited.

Penalty: 3 penalty units.

(3) An employer must, if requested to do so by an officer of the Corporation authorised in writing by the Corporation in that behalf or by a member of the police force, produce for inspection any record made under sub-regulation (1).

Penalty: 3 penalty units.

620. Obligations of interstate drivers

It is sufficient compliance with this Part relating to the keeping of driving records if, in relation to periods of driving and rest from driving in another State or Territory before entering Victoria, all records required by this Part are made at the time of entering Victoria.

Division 5—Miscellaneous

621. Evidence

(1) This regulation applies in relation to a proceeding for an offence against this Part.

(2) The production of a book, record or form (including any accompanying instructions) purporting to be a log book for the purposes of this Part is evidence of the form of a log book and of the instructions in accordance with which the driving record must be completed.

(3) The statement of a member of the police force or an officer of the Corporation that a book, record or form is, or appears to be, a log book is evidence that the book, record or form is a log book.
(4) Evidence that a person was found driving a commercial bus or commercial truck in a place is evidence that the person drove the bus or truck to that place from the place of business from which the bus or truck normally operates.

622. Exemption—fatigue management programs

(1) In this regulation, "fatigue management program" means a program approved by the Corporation of methods to manage fatigue in drivers of commercial buses and commercial trucks.

(2) A person who is participating in a fatigue management program in accordance with the terms of its approval is exempt from regulations 605, 606, 607, 608 and 610 in respect of that participation.

(3) A program that was approved by the Corporation as a fatigue management program under regulation 614 of these Regulations as in force immediately before the commencement of the Road Safety (Procedures) (Driving Hours) Regulations 1996 is, on and from that commencement, deemed to be a fatigue management program within the meaning of sub-regulation (1).

(4) The Corporation may withdraw approval of a fatigue management program.
PART 7—PARKING INFRINGEMENTS

701. Service of parking infringement notices

(1) A parking infringement notice may be served—

(a) by serving the notice personally upon the person who appears to have committed the infringement or any person who is driving or appears to be in charge of the vehicle; or

(b) by fixing the notice to the vehicle as set out in sub-regulation (2); or

(c) by serving the notice on the owner of the vehicle in accordance with section 93 of the Act.

(2) If a parking infringement notice is served by fixing the notice to a vehicle, the notice must be affixed in a position which will be conspicuous to the driver—

(a) by an adhesive portion of the notice or a separate adhesive seal; or

(b) by enclosing the notice in an envelope and—

(i) tying the envelope to the vehicle; or

(ii) attaching the envelope to the vehicle by an adhesive portion of the envelope or separate adhesive seal.

702. Form of parking infringement notice

(1) A parking infringement notice is in the prescribed form if it refers to the fact that it is an infringement notice in relation to a parking offence.

(2) The particulars that a parking infringement notice must contain are—

(a) the date on which the notice is issued; and
(b) the number of the notice; and
(c) the name and address (if known) of the person alleged to have committed the infringement or the words "The Owner"; and
(d) the date and approximate time and place of commission of the infringement; and
(e) the registered number or other identification of the vehicle concerned; and
(f) a brief description of the kind of infringement alleged to have been committed; and
(g) the amount of the penalty prescribed in Schedule 5 or fixed by the council of the municipality under section 87(4) of the Act for such an infringement (as the case may be); and
(h) a statement to the effect that if the amount of the penalty is paid on time the matter will not be brought before a Court; and
(i) the signature of the authorised officer or member of the police force who issued the notice.

703. Parking infringement penalties

(1) For the purposes of section 87(3) of the Act the penalties for parking infringements are those set out in Schedule 5.

* * * * *

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PART 8—TRAFFIC INFRINGEMENTS

801. Traffic infringements

(1) Offences against the provisions of the Acts and regulations set out in Schedule 6 are prescribed offences for the purposes of Part 7 of the Act within the meaning of the definition of "Traffic infringement" in section 3 of the Act.

(2) The kinds of traffic infringements described in Schedule 6 are prescribed for the purposes of Part 7 of the Act within the meaning of section 88 of the Act.

802. Penalties for traffic infringements

The penalty for the purposes of section 66 of the Act in the case of a traffic infringement referred to in regulation 402 and the penalty for the purposes of section 88 of the Act in respect of other traffic infringements is the amount specified in Schedule 6 in relation to that infringement.

803. Service of traffic infringement notices

A traffic infringement notice may only be served in accordance with section 93 of the Act.

804. Form of traffic infringement notice

(1) A traffic infringement notice is in the prescribed form for the purposes of section 88 of the Act if—

(a) it refers to the fact that it is an infringement notice in relation to a traffic offence; and

(b) (in the case of an infringement notice relating to an offence prescribed in regulation 402) it refers to the fact that it is an infringement notice in relation to a
photographic detection device or an automatic detection device; and

(c) (in the case of an infringement notice in respect of a drink driving infringement) it—

(i) refers to the fact that it is issued in respect of a licence loss infringement; and

(ii) indicates that unless objected to within 28 days after service of the infringement notice it will take effect as a conviction and will result in cancellation or suspension of the person's licence or permit; and

(iii) specifies the concentration of alcohol alleged to have been present in the person's blood; and

(d) (in the case of an infringement notice in respect of an excessive speed infringement) it—

(i) refers to the fact that it is issued in respect of a licence loss infringement; and

(ii) indicates that unless objected to within 28 days after service of the infringement notice it will take effect as a conviction and will result in suspension of the person's licence or permit; and

(iii) specifies the speed at which the motor vehicle is alleged to have been driven and the permitted speed.
(2) An infringement notice under section 88 of the Act must contain—

(a) the date on which the notice is issued; and

(b) the number of the notice; and

(c) the name and address of the person alleged to have committed the infringement, or (if the notice is issued in respect of an offence prescribed in regulation 402) the words "The Owner"; and

(d) the date and approximate time and place of commission of the infringement; and

(e) if the infringement arises out of the driving or being in charge of a motor vehicle or trailer, the registered number or other identification of the motor vehicle or trailer; and

(f) a brief description of the kind of infringement alleged to have been committed; and

(g) the amount of the penalty prescribed in Schedule 6 in respect of the infringement and instructions as to payment of the penalty; and

(h) a statement to the effect that if the amount of the penalty is paid on time the matter will not be brought before a Court unless, before the expiration of the period specified in the notice as the time for payment of the penalty, a prosecution officer gives notice that the traffic infringement notice has been withdrawn; and

(i) the name and location of the member of the police force, officer of the Corporation, officer of the Department of Transport or other person authorised in accordance with


section 88(1) of the Act who issued the notice; and

(j) (if the notice is issued in respect of an offence prescribed in regulation 402) a statement to the effect that a copy of the photograph of the infringement may be inspected or purchased and the manner in which the inspection or purchase may be arranged; and

(k) (if section 89A applies to the notice) the address of the person to whom a notice of objection is to be given.

(3) An infringement notice issued in respect of a drink driving infringement or excessive speed infringement may be accompanied by—

(a) a notice setting out in summary form—

(i) the consequences of paying or failing to pay the amount specified as the penalty; and

(ii) the consequences of giving or failing to give a notice of objection; and

(b) a form of notice of objection.

805. Withdrawal of traffic infringement notice

For the purposes of section 88(3) of the Act, a notice of withdrawal of a traffic infringement notice—

(a) must be served in accordance with section 93 of the Act; and

(b) is in the prescribed form if it includes (in addition to the signature required by section 88(3) of the Act)—
(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 Court proceedings may be instituted against the person in respect of the alleged infringement, a statement to that effect; and
(v) if a payment has been made in respect of the infringement penalty, a statement as to the refund of the amount so paid.

806. Payment of penalty

Payment of a penalty under section 89, 89C or 89D of the Act may be made by sending the amount of the penalty by post or delivering it to the address specified in the notice as the address for payment of the penalty.

807. Proof of prior convictions

(1) A document setting out particulars of alleged prior convictions served under section 90 of the Act is in the prescribed form if it sets out—

(a) the name and address of the person to whom it applies; and

(b) in respect of each alleged prior conviction, a statement of the court at which the person is alleged to have been convicted, the date of the alleged conviction, a short description of
the alleged offence and a short description of the alleged penalty imposed.

(2) A notice which is required to be endorsed on a document served under section 90(2) of the Act must state that if the person does not appear in answer to the summons served with the notice and if the person is convicted of the infringement alleged in the summons, the document will be admissible as evidence that the person has been convicted previously as alleged.
PART 9—APPLICATION OF THE ACT TO PUBLIC AUTHORITIES

901. Power to prosecute

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

(a) the Melbourne and Metropolitan Board of Works;
(b) the Port of Melbourne Authority;
(c) the Director-General of Conservation, Forests and Lands;
(d) the Minister administering Part 7B of the Financial Management Act 1994;
(e) the Rural Water Commission of Victoria;
(f) the Director of National Parks and Wildlife;
(g) the Melbourne Wholesale Fruit and Vegetable Market Trust;
(h) the Alpine Resorts Commission.

902. Prosecution for parking offences

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

(a) the Albert Park Committee of Management Incorporated;
(b) an authorised officer for the purposes of the Land Act 1958;

(c) the Port of Geelong Authority;

(d) the Port of Portland Authority;

(e) a port officer appointed under the Marine Act 1988;

(f) the council of a university established by or under any Act;

(g) a council incorporated under the Post-Secondary Education Act 1978 or the council or governing body of an institution mentioned in Schedule 2 to that Act or in the Schedule to the Vocational Education and Training Act 1990;

(h) a committee of management appointed pursuant to the Crown Land (Reserves) Act 1978;

(i) the board of a public hospital or denominational hospital within the meaning of the Health Services Act 1988;

(j) the Alpine Resorts Commission;

(k) the Public Transport Corporation; and

(l) the Roads Corporation;
(m) secretary to the Department of Transport;

(n) Melbourne Parks and Waterways.

903. Appropriation of fines

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

(a) a person mentioned in Column 1 of the Table set out at the foot of this regulation is a prescribed person; and

(b) a fund described in Column 2 of that Table is a prescribed fund in respect of the corresponding public authority or person in Column 1; and

(c) an offence is a prescribed offence if it is committed on land or premises which are vested in or under the control of the public authority or person concerned and is—

(i) an offence under the Road Safety (Traffic) Regulations 1988; or

(ii) an offence under Part 2, 7, 8, 9 or 10 of the Road Safety (Vehicles) Regulations 1988; or
(iii) an offence under Part 2 or 6 of these Regulations.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
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<tbody>
<tr>
<td>A municipal council</td>
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<td>Melbourne and Metropolitan Board of Works</td>
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<td>Port of Melbourne Fund</td>
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<td>Port of Portland Authority</td>
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<td>Albert Park Committee of Management Incorporated</td>
<td>Albert Park Committee of Management Incorporated General Account</td>
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<tr>
<td>Alpine Resorts Commission</td>
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<td>the council or governing body of an institution mentioned in Schedule</td>
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<td>2 to that Act or in the Schedule to the Vocational Education and</td>
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<td>The board of a public hospital or denominational hospital within the</td>
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<td>meaning of the Health Services Act 1988</td>
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<tr>
<td>Roads Corporation</td>
<td>The general fund of that Corporation</td>
</tr>
<tr>
<td>Melbourne Parks and Waterways</td>
<td>Melbourne Parks and Waterways General Account</td>
</tr>
</tbody>
</table>

904. Extension of the Act by the Minister

The following persons and public authorities are prescribed for the purposes of section 98(1) of the Act—
(a) the Public Transport Corporation;

(b) the Roads Corporation;

(e) the Director-General of Conservation, Forests and Lands;

(f) the Rural Water Commission of Victoria;
(g) the Port of Melbourne Authority;
(h) the Port of Geelong Authority;
(i) the Port of Portland Authority;
(j) a port officer appointed under the Marine Act 1988;

(k) the House Committee;
(l) a municipal council;
(m) the Director of National Parks and Wildlife;

(n) the council of a university established by or under any Act;
(o) a council incorporated under the Post-Secondary Education Act 1978 or the council or governing body of an institution mentioned in Schedule 2 to that Act or in the Schedule to the Vocational Education and Training Act 1990;

(p) a committee of management appointed pursuant to the Crown Land (Reserves) Act 1978;

(q) the Melbourne Wholesale Fruit and Vegetable Market Trust;

(r) the board of a public hospital or denominational hospital within the meaning of the Health Services Act 1988;

(s) the Alpine Resorts Commission;

(t) Melbourne Parks and Waterways.
PART 10—FEES

1001. Fees

The fee payable under a provision of these Regulations listed in Column 1 of Schedule 1 is the corresponding amount set out in Column 2.

1002. Refunds

(1) Except where a refund is required by these Regulations to be made, the Corporation has a discretion to grant a refund to a person.

(2) A refund made under these Regulations must be—

(a) in the case of cancellation or surrender of a licence granted by the Corporation the unexpired period of which exceeds 12 months—an amount equal to—

\[
\frac{90}{100} \times \frac{A}{B} \times C
\]

where—

A is the unexpired number of months of duration of the licence; and

B is the total number of months for which the licence was granted; and

C is the amount paid for the licence; and

(b) in any other case—the amount which the Corporation considers should be refunded, less any amount not exceeding 10 per cent of that amount which the Corporation considers should be deducted as an administrative charge.
(3) If a person has paid sums totalling more than $57 under sub-section (7) or (9), or both, of section 22 of the Motor Car Act 1958 for the issue or renewal of a motor car driver's licence and a motor cycle driver's licence and both licences are valid for a period commencing on or after 11 June 1986, the Corporation may refund that amount by which the total paid exceeds $57.

1003. Search and extract fees

(1) The fee payable for a search of, or an extract from the Corporation's records, other than records relating to the registration of a vehicle, is, for each person included in the search or referred to in the extract, the applicable fee specified in Schedule 7.

(2) Sub-regulation (1) does not prevent the Corporation from entering into an agreement—

(a) with a public authority, including the Victoria Police Force or a municipality, for the provision of extracts by means of magnetic tape for fees that—

(i) are less than the fees prescribed in sub-regulation (1); and

(ii) do not exceed the costs of providing those extracts; or

(b) with any person for the purposes of historical research or the supply of statistical information on such terms as the Corporation thinks fit.
1004. Application of fees

The following fees received by the Corporation must be paid by it into its general fund—

(a) search and extract fees payable under regulation 1003; and

(b) test and appointment fees in relation to driver licences, learner permits and driving instructor licences; and

(c) fees for issue of replacement driver licences and permits.
### SCHEDULE 1

**FEES**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Grant or renewal of driver licence—for 10 years</td>
<td>208, 210</td>
<td>133.00</td>
</tr>
<tr>
<td>2.</td>
<td>Grant or renewal of driver licence—for 3 years</td>
<td>208, 210</td>
<td>39.00</td>
</tr>
<tr>
<td>4.</td>
<td>Driver licence variation, if the variation includes the insertion of an additional category of motor vehicle in the licence or less restrictive licence conditions</td>
<td>206, 213</td>
<td>20.00</td>
</tr>
<tr>
<td>5.</td>
<td>Learner permit appointment</td>
<td>217</td>
<td>9.00</td>
</tr>
<tr>
<td>6.</td>
<td>Learner permit—for each written or practical test</td>
<td>217</td>
<td>15.50</td>
</tr>
<tr>
<td>7.</td>
<td>Learner permit issue— (a) motor cycle (b) other motor vehicles</td>
<td>217</td>
<td>15.50</td>
</tr>
<tr>
<td>8.</td>
<td>Appointment for driver licence, driver licence variation or tractor permit where the test is to be conducted by an officer of the Corporation</td>
<td>208, 213, 221</td>
<td>9.00</td>
</tr>
<tr>
<td>9.</td>
<td>Practical test conducted by an officer of the Corporation for driver licence, driver licence variation or tractor permit</td>
<td>208, 213, 221</td>
<td>29.50</td>
</tr>
<tr>
<td>10.</td>
<td>Written test conducted by an officer of the Corporation for driver licence, driver licence variation or tractor permit</td>
<td>208, 213, 221</td>
<td>12.00</td>
</tr>
<tr>
<td>11.</td>
<td>Extension of motor cycle learner permit</td>
<td>219</td>
<td>15.50</td>
</tr>
<tr>
<td>12.</td>
<td>Tractor permit</td>
<td>221</td>
<td>8.50</td>
</tr>
<tr>
<td>13.</td>
<td>Renewal of tractor permit</td>
<td>221</td>
<td>8.50</td>
</tr>
<tr>
<td>17.</td>
<td>Issue of replacement licence</td>
<td>238</td>
<td>15.50</td>
</tr>
<tr>
<td>18.</td>
<td>Issue of replacement permit</td>
<td>238</td>
<td>15.50</td>
</tr>
<tr>
<td>19.</td>
<td>Issue of log book</td>
<td>612</td>
<td>12.00</td>
</tr>
</tbody>
</table>
### SCH. 2

**Road Safety (Procedures) Regulations 1988**  
*S.R. No. 28/1988*

**SCHEDULE 2**

Regulation 216

**OFFENCES FOR WHICH PROBATIONARY LICENCES MUST BE SUSPENDED**

<table>
<thead>
<tr>
<th>Type of Offence</th>
<th>Act or Regulation</th>
<th>Offences Committed before the Commencement Date</th>
<th>Offences Committed on or after the Commencement Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Fail to stop or give way</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>— at a red light</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 401(5), (9)</td>
<td></td>
</tr>
<tr>
<td>— at a stop sign</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 402(9), (10)</td>
<td></td>
</tr>
<tr>
<td>— at a give way sign</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 402(11), (12)</td>
<td></td>
</tr>
<tr>
<td>— at uncontrolled intersections</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 602</td>
<td></td>
</tr>
<tr>
<td>— during turns</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 603</td>
<td></td>
</tr>
<tr>
<td>— entering a highway</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 606</td>
<td></td>
</tr>
<tr>
<td>— at a pedestrian, school or level crossing</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 701, 702, 901</td>
<td></td>
</tr>
<tr>
<td>2. Drink driving, where BAC ≤ 0.05 g/100 ml or less</td>
<td><em>Motor Car Act 1958</em> section 81AA; <em>Road Safety Act 1986</em> section 49(1)</td>
<td>Road Safety Act 1986 section 49(1)</td>
<td></td>
</tr>
<tr>
<td>3. Speeding, where speed limit exceeded by 30 km/h or more</td>
<td></td>
<td>Road Safety (Traffic) Regulations 1988 reg. 1001</td>
<td></td>
</tr>
</tbody>
</table>

Sch. 2 amended by S.R. No. 173/1990 reg. 15.
### Road Safety (Procedures) Regulations 1988

**S.R. No. 28/1988**

<table>
<thead>
<tr>
<th>Type of Offence</th>
<th>Act or Regulation</th>
<th>Offences Committed before the Commencement Date</th>
<th>Offences Committed on or after the Commencement Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>Fail to stop, render assistance, give name and address, or report to Police after an accident</td>
<td><strong>Motor Car Act 1958</strong> section 80; <strong>Road Safety Act 1986</strong> section 61, except where licence cancellation is mandatory under section 61(6)</td>
<td>Road Safety Act 1986 section 61, except where licence cancellation is mandatory under section 61(6)</td>
</tr>
<tr>
<td>6.</td>
<td>Passing a stationary tram, or passing through or to the right of a safety zone</td>
<td>Transport (Road Traffic Regulations 1984 reg. 1402, 1403)</td>
<td>Road Safety (Traffic Regulations 1988 reg. 1401, 1402, 1403)</td>
</tr>
<tr>
<td>7.</td>
<td>Careless driving</td>
<td><strong>Motor Car Act 1958</strong> section 81(1); <strong>Road Safety Act 1986</strong> section 65</td>
<td>Road Safety Act 1986 section 65</td>
</tr>
<tr>
<td>8.</td>
<td>Fail to display ‘P’ plates</td>
<td>—</td>
<td>Road Safety (Procedures Regulations 1988 reg. 225(1))</td>
</tr>
<tr>
<td>9.</td>
<td>Any offence in relation to forgery or fraudulent alteration, lending or use of a driver licence</td>
<td><strong>Motor Car Act 1958</strong> section 84; <strong>Road Safety Act 1986</strong> section 72</td>
<td>Road Safety Act 1986 section 72</td>
</tr>
<tr>
<td>10.</td>
<td>Drive a high powered motor vehicle</td>
<td>—</td>
<td>Road Safety Act 1986 section 18; Road Safety (Procedures Regulations 1988 reg. 206(2))</td>
</tr>
</tbody>
</table>

AB-26/5/98 109
### SCHEDULE 3

**DEMERIT POINTS**

Note: The following abbreviations are used in this Schedule:

- **LGA**—Local Government Act 1958
- **LGB**—A local law fixing a speed limit under the Local Government Act 1989
- **RSA**—Road Safety Act 1986
- **TA**—Transport Act 1983
- **DG (T) R**—Dangerous Goods (Transport) Regulations 1987
- **RS (T) R**—Road Safety (Traffic) Regulations 1988
- **RS (V) R**—Road Safety (Vehicles) Regulations 1988

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3 Schedule 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Offence</td>
<td>Victorian Reference</td>
<td>No. of Points Code Reference</td>
</tr>
<tr>
<td>1. Exceed a speed limit by 45km/h or more</td>
<td>TA224, LGA545, LGB, RS (T) R 1001</td>
<td>6 1905 1906 2006 2007</td>
</tr>
</tbody>
</table>

Sch. 3 substituted by S.R. No. 267/1989 reg. 7.

Sch. 3 item 1 amended by S.R. Nos 138/1991 reg. 6(a), 125/1993 reg. 5(a).

Sch. 3 item 2 amended by S.R. Nos 138/1991 reg. 6(b), 326/1991 reg. 9(a).
### Sch. 3

**Road Safety (Procedures) Regulations 1988**

*S.R. No. 28/1988*

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
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</thead>
<tbody>
<tr>
<td><strong>Description of Offence</strong></td>
<td><strong>Victorian Reference</strong></td>
<td><strong>No. of Points</strong></td>
<td><strong>Schedule 6 Code Reference</strong></td>
</tr>
<tr>
<td>2. Follow too closely</td>
<td>RS (T) R 510</td>
<td>1</td>
<td>1907 2136</td>
</tr>
<tr>
<td>3. Exceed a speed limit by 30km/h or more but less than 45km/h</td>
<td>TA224, LGA545, LGB, RS (T) R 1001</td>
<td>4</td>
<td>1903 1904 2003 2005</td>
</tr>
<tr>
<td>4. Exceed a speed limit by more than 15km/h but less than 30km/h or drive at excessive speed approaching an intersection, or school or pedestrian crossing</td>
<td>RS (T) R 602(1), 701(1), 702(1), LGA545, LGB, TA224, RS (T) R 1001</td>
<td>3</td>
<td>1902 2001 2004 2008</td>
</tr>
<tr>
<td>5. Disobey traffic control signal, sign, or police directing traffic</td>
<td>RS (T) R 202 (drivers only), 401(1), 402(3), (4), (6), (7), (10), (11), (13), (14), (17), (18), (19), (29)</td>
<td>3</td>
<td>2101 2137 2502 2503 2505 2506 2507 2508</td>
</tr>
<tr>
<td>6. Fail to give way</td>
<td>RS (T) R 511(b), 602(3), (7), 603(3), 604(1), (4), 605, 606, 701(2), (3), 702(2), (4), 706, 707(1), 901, DG (T) R 300 as it relates to the Australian Code for the Transport of Dangerous Goods by Road and Rail Section 8.3.11.6.</td>
<td>3</td>
<td>2011 2012 2013 2014 2021 2022 2024</td>
</tr>
<tr>
<td>7. Drive without wearing seat belt or helmet or drive with unrestrained</td>
<td>RS (T) R 1506(1) where the person was driving the vehicle, 1507,</td>
<td>3</td>
<td>2081 2082 2083 2085 2087 2091</td>
</tr>
</tbody>
</table>

Sch. 3 item 3 amended by S.R. Nos 138/1991 reg. 6(c), 125/1993 reg. 5(b).

Sch. 3 item 4 amended by S.R. Nos 138/1991 reg. 6(d), 125/1993 reg. 5(c)(d).


Sch. 3 item 6 amended by S.R. No. 326/1991 reg. 9(c).
**Road Safety (Procedures) Regulations 1988**  
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<tr>
<th>Column 1</th>
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<th>Column 3</th>
<th>Column 4</th>
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</thead>
<tbody>
<tr>
<td>Description of Offence</td>
<td>Victorian Reference</td>
<td>No. of Points</td>
<td>Schedule 6 Code Reference</td>
</tr>
</tbody>
</table>

10. Disregard Notice of Unroadworthiness  
RS (V) R 602(5)  
3 2142

11. Drive carelessly  
RSA 65  
3 — —

12. Overtake or pass improperly  
RS (T) R 502(1)(2)(3) (5)(7)(8), 504, 505, 507(2)  
2 2031 2039 2041 2042 2043 2044

13. Turn or stop without signalling  
RS (T) R 803  
2 2051

14. Turn improperly  
RS (T) R 603(1)(a)(2), 801, 802(1), (2), (4), 805(2)  
2 2061 2062

15. Fail to keep left  
RS (T) R 512, 501  
2 2035 2037

16. Fail to dip headlights  
RS (T) R 1202  
1 2073

17. Drive at night without headlights and tail lights on  
RS (V) R 811, 812  
1 2071

Sch. 3 item 10 amended by S.R. No. 138/1993 reg. 6(e).
<table>
<thead>
<tr>
<th>Sch. 3 item 18 amended by S.R. No. 138/1991 reg. 6(f).</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18. Exceed a speed limit by TA224, LGA545, LGB, 15km/h or less</td>
<td>1901 2002</td>
</tr>
<tr>
<td>RS (T) R 1001</td>
<td></td>
</tr>
</tbody>
</table>
CERTIFICATE UNDER SECTION 83

The *speed camera/*digitector/*radar device/*laser device/*portable weighing device/*dynamic axle weigher bearing No. , was tested in accordance with the Road Safety (Procedures) Regulations 1988 on the (date).

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

The said device has been duly and properly sealed in accordance with the Regulations.

Dated (Signed)

* Strike out whichever is not applicable.
SCHEDULE 5

PRESCRIBED PENALTIES FOR PARKING INFRINGEMENTS

1. In this Schedule—

   (a) expressions used in this Schedule that are defined in regulation 105 of the Road Safety (Traffic) Regulations 1988 have the same meanings in this Schedule as in those Regulations; and

   (b) "double-parked" in relation to a vehicle means standing so that any portion of the vehicle is between the centre of a carriageway and any other vehicle standing on the carriageway; and

   (c) "parking infringement" does not include a parking infringement constituted by a contravention of section 90E of the Act.

2. A $20 penalty is prescribed for parking infringements arising from the presence of a vehicle in a parking area—

   (a) at an expired meter; or

   (b) without payment of the appropriate parking fee; or

   (c) for a longer period than that fixed in relation to the vehicle and the parking area concerned; or

   (d) not within or wholly within a parking bay; or

   (e) contrary to any other requirement applicable to the parking area—

      unless—

      (f) the infringement contravenes a regulation or local law under the Local Government Act 1989 and a different penalty has been fixed under section 87(4) of the Road Safety Act 1986 by the council of the municipality concerned; or

      (g) clause 3 or 4 of this Schedule applies to the infringement.

2A. A $20 penalty is prescribed for parking infringements arising from the presence of a vehicle in a no-parking area unless—

   (a) the infringement contravenes a regulation or local law under the Local Government Act 1989 and a different penalty
Road Safety (Procedures) Regulations 1988
S.R. No. 28/1988

has been fixed under section 87(4) of the Road Safety Act 1986 by the council of the municipality concerned; or

(b) clause 3 or 4 of this Schedule applies to the infringement.

3. A $60 penalty is prescribed for parking infringements arising from the presence of a vehicle—

(a) in such a position that it is double-parked; or

(b) in a standing control zone; or

(c) not parallel to the boundary of the carriageway concerned; or

(d) too far from the boundary of the carriageway concerned; or

(e) causing undue obstruction; or

(f) in front of a private drive; or

(g) on a footway or reservation; or

(h) opposite double lines; or

(i) within 1 metre of a fire hydrant or plug; or

(j) within 3 metres of a pillar box; or

(k) within 9 metres of—

(i) the departure side of a bus stop; or

(ii) traffic lights not at an intersection; or

(l) within 18 metres of the approach side of—

(i) traffic lights at an intersection; or

(ii) a bus stop; or

(m) contrary to any other requirement applicable to the vehicle.
4. A $100 penalty is prescribed for parking infringements arising from the presence of a vehicle—

(a) on a carriageway which at the time of the infringement is a clearway; or

(b) in a no standing area; or

(c) on or within 9 metres of—

(i) a pedestrian crossing; or

(ii) an intersection; or

(iii) the approach side of a tram stop; or

(d) on or within 18 metres of a school crossing; or

(e) in a place reserved for vehicles displaying a disabled person's parking permit if—

(i) there is not displayed in the vehicle in accordance with the Code for the Disabled Persons Parking Scheme a valid disabled person's parking permit; or

(ii) the vehicle is not parked in accordance with the conditions of use of that permit; or

(iii) the vehicle is not a taxi-cab which is engaged in taking up or setting down a person who holds a multi purpose taxi card issued by the Roads Corporation; or
(iv) the driver fails to move the vehicle when required to do so under regulation 207(b) of the Traffic Regulations; or

(f) within an intersection.
Note: The following abbreviations are used in this Schedule:

- RSA—Road Safety Act 1986;
- TA—Transport Act 1983;
- LGA—Local Government Act 1958;
- LGB—Local Government Act 1989, sections 111, 205 and Schedule 11;
- RS (T) R—Road Safety (Traffic) Regulations 1988;
- RS (P) R—Road Safety (Procedures) Regulations 1988;
- RS (V) R—Road Safety (Vehicles) Regulations 1988;
- T (TT) R—Transport (Tow Truck) Regulations 1994;
- T (PV) R—Transport (Passenger Vehicles) Regulations 1994;

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>Large Vehicles</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1901</td>
<td>Exceed speed limit by 15 km/h or less in large vehicle</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>140</td>
</tr>
<tr>
<td>1902</td>
<td>Exceed speed limit by more than 15 km/h but less than 30 km/h in large vehicle</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>220</td>
</tr>
<tr>
<td>1903</td>
<td>Exceed speed limit by 30 km/h or more but less than 40 km/h in large vehicle</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>450</td>
</tr>
<tr>
<td>1904</td>
<td>Exceed speed limit by 40 km/h or more but less than 45 km/h in large vehicle</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>450</td>
</tr>
</tbody>
</table>
### Road Safety (Procedures) Regulations 1988
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<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1905</td>
<td>Exceed speed limit by 45 km/h or more but less than 50 km/h in large vehicle</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$900</td>
</tr>
<tr>
<td>1906</td>
<td>Exceed speed limit by 50 km/h or more in large vehicle</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$900</td>
</tr>
<tr>
<td>1907</td>
<td>Follow too closely in long vehicle</td>
<td>RS (T) R 510</td>
<td>$205</td>
</tr>
<tr>
<td>1908</td>
<td>Use unsafe large vehicle or one which does not comply with the Regulations or Standards for Registration</td>
<td>RS (V) R 822, RS (T) R 1601</td>
<td>$325</td>
</tr>
</tbody>
</table>

### Speeding

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>Exceed speed limit in a vehicle other than a large vehicle by more than 15 km/h but less than 30 km/h in a zone other than a 110 km/h zone</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$165</td>
</tr>
<tr>
<td>2002</td>
<td>Exceed speed limit in a vehicle other than a large vehicle by 15 km/h or less</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$105</td>
</tr>
<tr>
<td>2003</td>
<td>Exceed speed limit in a vehicle other than a large vehicle by 30 km/h or more but less than 40 km/h</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$220</td>
</tr>
<tr>
<td>2004</td>
<td>Exceed speed limit in a vehicle other than a large vehicle by 20 km/h or more but less than 30 km/h in a 110 km/h zone</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$165</td>
</tr>
<tr>
<td>2005</td>
<td>Exceed speed limit in a vehicle other than a large vehicle by 40 km/h or more but less than 45 km/h</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$300</td>
</tr>
<tr>
<td>2006</td>
<td>Exceed speed limit in a vehicle other than a large vehicle by 45 km/h or more but less than 50 km/h</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$300</td>
</tr>
<tr>
<td>2007</td>
<td>Exceed speed limit in a vehicle other than a large vehicle by 50 km/h or more</td>
<td>RS (T) R 1001, TA 224, LGA 545, LGB</td>
<td>$360</td>
</tr>
</tbody>
</table>
### Code  Offence  Reference  Penalty

2008  Exceed speed limit in a vehicle other  RS (T) R 1001, TA 165  
      than a large vehicle by more than 20 km/h but less than 20 km/h in a 110 km/h LGB zone  224, LGA 545, LGB 165  

#### Failing to Give Way

2011  Fail to give way to a pedestrian  RS (T) R 701(2), 165  
      706, 707(1), 603(1)  
      (b)  

2012  Fail to give way at intersection  RS (T) R 602(3), 165  
      (7), 603(3)  

2013  Fail to give way not at intersection  RS (T) R 511(b), 165  
      604(1), (4), 606  

2014  Fail to yield right of way to police  RS (T) R 605 165  
      vehicle or emergency vehicle  

#### Failing to Stop

2021  Fail to stop or remain stationary at school  RS (T) R 702(2) 165  
      crossing  

2022  Pass stationary vehicle at school  RS (T) R 701(3), 165  
      crossing or pedestrian crossing  
      702(4)  

2023  Pass stationary tram  RS (T) R 1401, 165  
      1402  

2024  Fail to stop and remain stationary at level  RS (T) R 901 165  
      crossing  

#### Keeping Left and Diverging

2031  Fail to keep left of oncoming vehicle  RS (T) R 504 165  

2032  Drive on wrong side of divided highway  RS (T) R 511(a) 165  

2033  Drive on or over or to the right of double lines  RS (T) R 509 165  

2034  Fail to keep left of safety zone  RS (T) R 1403(1), 135  
      (2)  

2035  Fail to keep left of centre  RS (T) R 512 135  

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<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2036</td>
<td>Drive in centre lane of 3 or 5 lane carriageway</td>
<td>RS (T) R 503(1)</td>
<td>105</td>
</tr>
<tr>
<td>2037</td>
<td>Fail to keep as far left as practicable</td>
<td>RS (T) R 501(1), (2)</td>
<td>105</td>
</tr>
<tr>
<td>2038</td>
<td>Fail to stay within lane markings</td>
<td>RS (T) R 507(1)</td>
<td>105</td>
</tr>
<tr>
<td>2039</td>
<td>Diverge when unsafe</td>
<td>RS (T) R 507(2)</td>
<td>135</td>
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<tr>
<td></td>
<td><strong>Overtaking</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2041</td>
<td>Pass to right of tram</td>
<td>RS (T) R 502(5)</td>
<td>165</td>
</tr>
<tr>
<td>2042</td>
<td>Pass to right of right turning vehicle</td>
<td>RS (T) R 502(3)</td>
<td>165</td>
</tr>
<tr>
<td>2043</td>
<td>Overtake vehicle on left or at unsafe distance</td>
<td>RS (T) R 502(1), (5)</td>
<td>165</td>
</tr>
<tr>
<td>2044</td>
<td>Increase speed or fail to move to the left when being overtaken</td>
<td>RS (T) R 505</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td><strong>Signalling</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2051</td>
<td>Fail to give signal</td>
<td>RS (T) R 803</td>
<td>105</td>
</tr>
<tr>
<td>2052</td>
<td>Fail to cancel/incorrectly operate signal</td>
<td>RS (T) R 804</td>
<td>105</td>
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<tr>
<td></td>
<td><strong>Turning</strong></td>
<td></td>
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<tr>
<td>2061</td>
<td>Perform unsafe U turn</td>
<td>RS (T) R 603(1)(a), (2)</td>
<td>105</td>
</tr>
<tr>
<td>2062</td>
<td>Make incorrect left or right turn</td>
<td>RS (T) R 801, 802(1), (2), (4), 805(2)</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td><strong>Lighting</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2071</td>
<td>Fail to have headlights and tail lights on at night</td>
<td>RS (V) R 811, 812</td>
<td>135</td>
</tr>
<tr>
<td>2072</td>
<td>Fail to have prescribed lights other than headlights and tail lights on at night</td>
<td>RS (V) R 813, 814, 814A, 815, RS (T) R 1203(2)</td>
<td>105</td>
</tr>
<tr>
<td>2073</td>
<td>Fail to dip headlights</td>
<td>RS (T) R 1202</td>
<td>135</td>
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</table>
## Safety Procedures

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2078</td>
<td>Use hand held communication equipment while driving</td>
<td>RS (T) R 1505</td>
<td>135</td>
</tr>
<tr>
<td>2081</td>
<td>Child under 8 not restrained in front seat</td>
<td>RS (T) R 1507</td>
<td>165</td>
</tr>
<tr>
<td>2082</td>
<td>Child under 8 not restrained in rear seat where restraint available</td>
<td>RS (T) R 1507</td>
<td>165</td>
</tr>
<tr>
<td>2083</td>
<td>Carry passenger 8–18 years of age not restrained where restraint available</td>
<td>RS (T) R 1507</td>
<td>165</td>
</tr>
<tr>
<td>2084</td>
<td>Fail to wear properly fastened and adjusted seat belt</td>
<td>RS (T) R 1506</td>
<td>135</td>
</tr>
<tr>
<td>2085</td>
<td>Ride motor cycle without helmet or with passenger without helmet</td>
<td>RS (T) R 1503(5)</td>
<td>135</td>
</tr>
<tr>
<td>2086</td>
<td>Ride motor cycle carrying a passenger when licensed for less than 12 months</td>
<td>RSA 18(1)(b)</td>
<td>105</td>
</tr>
</tbody>
</table>

   where the licence condition referred to is RS (P) R 206(1) or (3) and refers to riding a motor cycle on which there is a pillion passenger.

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2087</td>
<td>Ride motor cycle with passenger not in sidecar or not securely seated in sidecar or on pillion seat</td>
<td>RS (T) R 1503(4)</td>
<td>135</td>
</tr>
<tr>
<td>2088</td>
<td>Fail to have full control, uninterrupted view or at least one hand on handlebars</td>
<td>RS (T) R 1502(1), (3)</td>
<td>135</td>
</tr>
<tr>
<td>2089</td>
<td>Open door or alight from vehicle to impede traffic or endanger persons</td>
<td>RS (T) R 1608</td>
<td>75</td>
</tr>
<tr>
<td>2090</td>
<td>Drive or travel with any part of body protruding</td>
<td>RS (T) R 1503(1)</td>
<td>75</td>
</tr>
<tr>
<td>2091</td>
<td>Fail to wear properly fastened and adjusted seat belt (driver)</td>
<td>RS (T) R 1506</td>
<td>135</td>
</tr>
<tr>
<td>2092</td>
<td>Fail to wear properly fastened and adjusted seat belt (passenger)</td>
<td>RS (T) R 1506</td>
<td>135</td>
</tr>
<tr>
<td>Code</td>
<td>Offence</td>
<td>Reference</td>
<td>Penalty</td>
</tr>
<tr>
<td>------</td>
<td>-------------------------------------------------------------------------</td>
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<td>---------</td>
</tr>
<tr>
<td>2093</td>
<td>Drive or be in charge of motor vehicle with unlawful blood alcohol level of 0.05 g/100 ml or less</td>
<td>RSA 49</td>
<td>240</td>
</tr>
<tr>
<td>2094</td>
<td>Drive or be in charge of motor vehicle with blood alcohol level of more than 0.05 but less than 10 g/100 ml</td>
<td>RSA 49</td>
<td>300</td>
</tr>
<tr>
<td>2095</td>
<td>Drive or be in charge of motor vehicle with blood alcohol level of 0.10 or more but less than 11 g/100 ml</td>
<td>RSA 49</td>
<td>420</td>
</tr>
<tr>
<td>2096</td>
<td>Drive or be in charge of motor vehicle with blood alcohol level of 0.11 or more but less than 12 g/100 ml</td>
<td>RSA 49</td>
<td>420</td>
</tr>
<tr>
<td>2097</td>
<td>Drive or be in charge of motor vehicle with blood alcohol level of 0.12 or more but less than 13 g/100 ml</td>
<td>RSA 49</td>
<td>420</td>
</tr>
<tr>
<td>2098</td>
<td>Drive or be in charge of motor vehicle with blood alcohol level of 0.13 or more but less than 14 g/100 ml</td>
<td>RSA 49</td>
<td>420</td>
</tr>
<tr>
<td>2099</td>
<td>Drive or be in charge of motor vehicle with blood alcohol level of 0.14 or more but less than 15 g/100 ml</td>
<td>RSA 49</td>
<td>420</td>
</tr>
</tbody>
</table>

*Drink Driving*

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2101</td>
<td>Fail to obey traffic control signal</td>
<td>RS (T) R 401(1)</td>
<td>165</td>
</tr>
</tbody>
</table>

*Signals*

*Licenseing and Registration*
2105 Unlicensed driving by the holder of a licence or permit issued in Australia (other than Victoria) or another country that is appropriate for the vehicle being driven but the holder has resided continuously in Victoria for 3 or more months immediately before the time of driving.

2106 Unlicensed driving in the circumstances set out in paragraphs (a) and (b) of section 18(2), namely when a previous licence or International Driving Permit has expired and the licence has not been cancelled for an offence.

2107 Unlicensed driving in circumstances other than those referred to in codes 2105 and 2106.

2108 Fail to produce licence, learner permit or drivers certificate on request or within 7 days

2109 Probationary driver failing to have licence in his or her possession while driving or in charge of a motor vehicle
### Code 2110
**Offence:** Holder of a probationary driver licence issued on or after 1 August 1990 driving a high powered motor vehicle  
**Reference:** RS (P) R 206  
**Penalty:** $105

### Code 2111
**Offence:** Fail to obey licence condition other than a condition referred to in Code 2086  
**Reference:** RSA 18  
**Penalty:** $105

### Code 2112
**Offence:** Fail to display 'L' plates when required  
**Reference:** RS (P) R 223(1)  
**Penalty:** $105

### Code 2114
**Offence:** Display 'P' plates when not required  
**Reference:** RS (P) R 225(2)  
**Penalty:** $50

### Code 2115
**Offence:** Display 'L' plates when not required  
**Reference:** RS (P) R 223(3)  
**Penalty:** $50

### Code 2116
**Offence:** Fail to notify Corporation of change of name or address  
**Reference:** RS (V) R 106, RS (P) R 203(4)  
**Penalty:** $50

### Code 2117
**Offence:** Use unregistered vehicle  
**Reference:** RSA 7  
**Penalty:** $110

### Code 2118
**Offence:** Number plate obscured, not clearly distinguishable, improperly covered, altered, defaced or not fixed  
**Reference:** RS (V) R 222(2), 821, RSA 72  
**Penalty:** $110

### Code 2119
**Offence:** Registration label obscured, altered, defaced or not fixed  
**Reference:** RS (V) R 223(1), 226, RSA 72  
**Penalty:** $50

### Code 2120
**Offence:** Fail to return number plates  
**Reference:** RS (V) R 218(2)  
**Penalty:** $50

### Code 2121
**Offence:** Fail to comply with transfer requirements—non dealer  
**Reference:** RS (V) R 303, 304, 305, 306  
**Penalty:** $75

### Code 2122
**Offence:** Fail to comply with repossession or restoration requirements  
**Reference:** RS (V) R 310  
**Penalty:** $75

### Code 2123
**Offence:** Fail to comply with transfer requirements—dealer  
**Reference:** RS (V) R 303, 304, 306  
**Penalty:** $145

### Code 2124
**Offence:** Own or use unregistered motor cycle or trailer  
**Reference:** RSA 7  
**Penalty:** $110

### Code 2125
**Offence:** Own or use unregistered motor vehicle with 2 axles (other than a motor cycle)  
**Reference:** RSA 7  
**Penalty:** $500

### Code 2126
**Offence:** Own or use unregistered motor vehicle with 3 axles  
**Reference:** RSA 7  
**Penalty:** $700
<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2127</td>
<td>Own or use unregistered motor vehicle with 4 axles</td>
<td>RSA 7</td>
<td>$800</td>
</tr>
<tr>
<td>2128</td>
<td>Own or use unregistered motor vehicle with 5 or more axles</td>
<td>RSA 7</td>
<td>$900</td>
</tr>
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</table>

**Miscellaneous**

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2131</td>
<td>Reverse from centre parking area</td>
<td>RS (T) R 604(2)</td>
<td>$105</td>
</tr>
<tr>
<td>2132</td>
<td>Reverse when unsafe</td>
<td>RS (T) R 1603(a)</td>
<td>$105</td>
</tr>
<tr>
<td>2133</td>
<td>Drive motor vehicle on footway, bicycle path or reservation</td>
<td>RS (T) R 1604</td>
<td>$75</td>
</tr>
<tr>
<td>2134</td>
<td>Place or leave dangerous substance on highway</td>
<td>RS (T) R 1609</td>
<td>$135</td>
</tr>
<tr>
<td>2135</td>
<td>Leave motor vehicle unattended with keys in ignition, brake not secured, wheels not turned in or motor running</td>
<td>RS (T) R 1602</td>
<td>$75</td>
</tr>
<tr>
<td>2136</td>
<td>Follow too closely in a vehicle other than a long vehicle</td>
<td>RS (T) R 510</td>
<td>$135</td>
</tr>
<tr>
<td>2137</td>
<td>Fail to obey traffic instruction of member of the police force or authorised officer of Roads Corporation</td>
<td>RS (T) R 202</td>
<td>$135</td>
</tr>
<tr>
<td>2138</td>
<td>Fail to keep left of tram-lane line</td>
<td>RS (T) R 508</td>
<td>$75</td>
</tr>
<tr>
<td>2139</td>
<td>Enter a blocked intersection or one that is likely to become blocked</td>
<td>RS (T) R 607</td>
<td>$75</td>
</tr>
<tr>
<td>2140</td>
<td>Impede a tram</td>
<td>RS (T) R 513(1), 602(6), 802(4)</td>
<td>$75</td>
</tr>
<tr>
<td>2141</td>
<td>Drive unlawfully in bus, transit, bicycle or truck lane</td>
<td>RS (T) R 514, 515, 516, 517</td>
<td>$75</td>
</tr>
<tr>
<td>2142</td>
<td>Use, permit or cause use of motor vehicle when prohibited by notice</td>
<td>RS (V) R 602(5)</td>
<td>$135</td>
</tr>
<tr>
<td>2143</td>
<td>Use vehicle (other than a large vehicle) or trailer which does not comply with the Regulations or Standards for Registration</td>
<td>RS (V) R 822(1)</td>
<td>$165</td>
</tr>
<tr>
<td>Code</td>
<td>Offence</td>
<td>Reference</td>
<td>Penalty</td>
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<td>-------</td>
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</tr>
<tr>
<td>2144</td>
<td>Company failing to disclose identity of driver when required</td>
<td>RSA 60</td>
<td>600</td>
</tr>
<tr>
<td>2145</td>
<td>Remove unroadworthy label without authority</td>
<td>RS (V) R 602(8)</td>
<td>165</td>
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<tr>
<td>2146</td>
<td>Drive with empty bicycle carrier</td>
<td>RS (T) R 1208</td>
<td>50</td>
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</table>

**Recreation Vehicles**

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
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</tr>
</thead>
<tbody>
<tr>
<td>2151</td>
<td>Unregistered recreation vehicle</td>
<td>RSA 35</td>
<td>110</td>
</tr>
<tr>
<td>2152</td>
<td>No number plate on recreation vehicle</td>
<td>RS (V) R 915(2)</td>
<td>50</td>
</tr>
<tr>
<td>2153</td>
<td>No registration label on recreation vehicle</td>
<td>RS (V) R 918</td>
<td>50</td>
</tr>
<tr>
<td>2154</td>
<td>Use unsafe vehicle in public place</td>
<td>RS (V) R 1005(2)</td>
<td>135</td>
</tr>
<tr>
<td>2155</td>
<td>Cut out device, or no silencer</td>
<td>RS (V) R 1002</td>
<td>50</td>
</tr>
<tr>
<td>2156</td>
<td>Driving without lights on at night</td>
<td>RS (V) R 1003</td>
<td>105</td>
</tr>
<tr>
<td>2157</td>
<td>Fail to wear helmet</td>
<td>RS (V) R 1004</td>
<td>135</td>
</tr>
<tr>
<td>2158</td>
<td>Fail to comply with transfer, repossession or restoration requirements</td>
<td>RS (V) R 928, 931</td>
<td>75</td>
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</tbody>
</table>

**Commercial Vehicle**

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2161</td>
<td>Fail to carry, use or permit inspection of portable warning signs</td>
<td>RS (T) R 1205</td>
<td>105</td>
</tr>
<tr>
<td>2162</td>
<td>Fail to observe limit on hours of driving</td>
<td>RS (P) R 605, 606, 608</td>
<td>165</td>
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<tr>
<td>2163</td>
<td>Driving record offences</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>—fail to make</td>
<td>RS (P) R 610</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>—fail to carry</td>
<td>RS (P) R 610</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>—deface, destroy or alter log book</td>
<td>RS (P) R 614</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>—remove page from log book</td>
<td>RS (P) R 614</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>—possess log book not issued to person</td>
<td>RS (P) R 616(1)(c)(i)</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>—possess more than one log book</td>
<td>RS (P) R 616(1)(d)</td>
<td>165</td>
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<tr>
<td>Code</td>
<td>Offence</td>
<td>Reference</td>
<td>Penalty</td>
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<td>------</td>
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<tr>
<td>2165</td>
<td>Log book not signed</td>
<td>RS (P) R 611(2)</td>
<td>165</td>
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<tr>
<td>2166</td>
<td>Insecure load</td>
<td>RS (T) R 1606</td>
<td>135</td>
</tr>
<tr>
<td>2172</td>
<td>(Truck) fail to carry and produce permit when required</td>
<td>RS (V) R 723</td>
<td>75</td>
</tr>
<tr>
<td>2173</td>
<td>Fail to display name and address and mass limits as required</td>
<td>RS (V) R 823, 824</td>
<td>50</td>
</tr>
<tr>
<td>2174</td>
<td>Motor vehicle exceeds prescribed mass by up to 1 tonne</td>
<td>RS (V) R 702</td>
<td>145</td>
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<tr>
<td>2175</td>
<td>Motor vehicle exceeds prescribed mass by 1·01 to 2 tonnes</td>
<td>RS (V) R 702</td>
<td>265</td>
</tr>
<tr>
<td>2176</td>
<td>Motor vehicle exceeds prescribed mass by 2·01 to 3 tonnes</td>
<td>RS (V) R 702</td>
<td>385</td>
</tr>
<tr>
<td>2177</td>
<td>Motor vehicle exceeds prescribed mass by 3·01 to 4 tonnes</td>
<td>RS (V) R 702</td>
<td>505</td>
</tr>
<tr>
<td>2178</td>
<td>Use vehicle exceeding permitted dimensions</td>
<td>RS (V) R 702, 807</td>
<td>165</td>
</tr>
</tbody>
</table>

**Tow Trucks**

<table>
<thead>
<tr>
<th>Code</th>
<th>Offence</th>
<th>Reference</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>4400</td>
<td>Tow Truck driver operate flashing light other than at breakdown or accident scene</td>
<td>T (TT) R 14</td>
<td>165</td>
</tr>
<tr>
<td>4401</td>
<td>Fail to notify licensing authority of change of address</td>
<td>T (TT) R 15(1)(c), TA 182C(3)(b)</td>
<td>105</td>
</tr>
<tr>
<td>4402</td>
<td>Authority to Tow book not carried</td>
<td>T (TT) R 7(1)</td>
<td>165</td>
</tr>
<tr>
<td>4403</td>
<td>Fail to enter all particulars on Authority to Tow form</td>
<td>T (TT) R 7(2)(b)</td>
<td>165</td>
</tr>
<tr>
<td>4404</td>
<td>Fail to hand completed Authority to Tow duplicate to signatory</td>
<td>T (TT) R 7(2)(c)</td>
<td>165</td>
</tr>
<tr>
<td>Code</td>
<td>Offence</td>
<td>Reference</td>
<td>Penalty</td>
</tr>
<tr>
<td>------</td>
<td>-------------------------------------------------------------------------</td>
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<td>---------</td>
</tr>
<tr>
<td>4405</td>
<td>Tow truck not fitted with a flashing or rotating light or lights</td>
<td>T (TT) R 5(1)(f)</td>
<td>165</td>
</tr>
<tr>
<td>4406</td>
<td>Tow truck not fitted with broom, shovel or rubbish receptacle</td>
<td>T (TT) R 5(1)(d)</td>
<td>165</td>
</tr>
<tr>
<td>4407</td>
<td>Tow truck not equipped with fire extinguisher</td>
<td>T (TT) R 5(1)(e)</td>
<td>165</td>
</tr>
<tr>
<td>4408</td>
<td>Fail to maintain copies of invoices</td>
<td>T (TT) R 8(1)(a)</td>
<td>165</td>
</tr>
<tr>
<td>4409</td>
<td>Fail to keep Authority to Tow forms</td>
<td>T (TT) R 8(1)(b)</td>
<td>165</td>
</tr>
<tr>
<td>4410</td>
<td>Fail to maintain a record of tow truck drivers</td>
<td>T (TT) R 8(1)(c)</td>
<td>165</td>
</tr>
<tr>
<td>4411</td>
<td>Fail to attend accident within 30 minutes</td>
<td>T (TT) R 11(4)(a)</td>
<td>165</td>
</tr>
<tr>
<td>4412</td>
<td>Tow truck driver at accident scene unlawfully attending, towing or attempting to tow damaged motor vehicle</td>
<td>TA 183B(1)</td>
<td>2000</td>
</tr>
<tr>
<td>4413</td>
<td>Owner of tow truck whose driver at accident scene unlawfully attends, tows or attempts to tow damaged motor vehicle</td>
<td>T (TT) R 12(1)</td>
<td>700</td>
</tr>
<tr>
<td>4414</td>
<td>Touting or soliciting at accident scene for towing, storing, removal or repair of damaged vehicle</td>
<td>TA 177(1), (2), (3)</td>
<td>2000</td>
</tr>
<tr>
<td>4415</td>
<td>Fail to produce records on demand</td>
<td>T (TT) R 8(3)</td>
<td>165</td>
</tr>
<tr>
<td>4416</td>
<td>Drive or travel in tow truck not being the holder of Driver Authority</td>
<td>TA 182A(1)</td>
<td>2000</td>
</tr>
<tr>
<td>4417</td>
<td>Fail to carry or produce Driver Authority on demand</td>
<td>TA 182C(1), (2)</td>
<td>500</td>
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<tr>
<td>4418</td>
<td>Permit person to drive or travel in tow truck not being an Authority holder</td>
<td>TA 182A(2), (3)</td>
<td>2000</td>
</tr>
<tr>
<td>4419</td>
<td>Unlicensed tow truck</td>
<td>TA 172(1), TA 172A(1), TA 172B(1)</td>
<td>2000</td>
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<tbody>
<tr>
<td>4420</td>
<td>Operate heavy tow truck towing damaged motor vehicle under 4.5 tonnes GVM from accident scene</td>
<td>TA 172B(3)</td>
<td>$2000</td>
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<tr>
<td>4421</td>
<td>Name and address, tare and gross, or depot number not displayed on tow truck</td>
<td>T (TT) R 5(2)</td>
<td>$165</td>
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<tr>
<td>4422</td>
<td>Fail to tow damaged motor vehicle on request</td>
<td>T (TT) R 13(3)</td>
<td>$500</td>
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<tr>
<td>4423</td>
<td>Tow motor vehicle to place other than specified in authority to tow form</td>
<td>T (TT) R 7(2)(d)</td>
<td>$300</td>
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<tr>
<td>4424</td>
<td>Tow truck driver failing to clean roadway</td>
<td>T (TT) R 13(1)</td>
<td>$165</td>
</tr>
<tr>
<td>4425</td>
<td>Attend accident scene outside controlled area without authorisation</td>
<td>T (TT) R 12(4)</td>
<td>$300</td>
</tr>
<tr>
<td>4426</td>
<td>Fail to produce tow truck for inspection</td>
<td>T (TT) R 6(2)</td>
<td>$165</td>
</tr>
<tr>
<td>4427</td>
<td>Use, permit or cause use of tow truck when prohibited by repair notice</td>
<td>T (TT) R 6(5)</td>
<td>$135</td>
</tr>
<tr>
<td>4428</td>
<td>Fail to operate tow truck from authorised depot</td>
<td>T (TT) R 9(1)</td>
<td>$500</td>
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### Bicycles

<table>
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<th>Code</th>
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<tbody>
<tr>
<td>2221</td>
<td>Fail to obey traffic instruction given by member of the police force or authorised officer of Roads Corporation</td>
<td>RS (T) R 202</td>
<td>$20</td>
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<tr>
<td>2222</td>
<td>Fail to obey a traffic control signal</td>
<td>RS (T) R 401</td>
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<td>2223</td>
<td>Fail to obey a traffic sign</td>
<td>RS (T) R 402</td>
<td>$20</td>
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<tr>
<td>2224</td>
<td>Fail to keep left</td>
<td>RS (T) R 512</td>
<td>$20</td>
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<tr>
<td>2225</td>
<td>Ride over double lines</td>
<td>RS (T) R 509</td>
<td>$20</td>
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<tr>
<td>2226</td>
<td>Fail to give way</td>
<td>RS (T) R 511(b), 602(3), (7), 603, 604, 605, 606, 701(2), 706, 707(1)</td>
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<tr>
<td>Code</td>
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<td>Penalty</td>
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<tr>
<td>2227</td>
<td>Fail to give signal when making right turn or U turn</td>
<td>RS (T) R 803</td>
<td>$20</td>
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<tr>
<td>2228</td>
<td>Fail to have lamps and equipment</td>
<td>RS (T) R 1206</td>
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<tr>
<td>2229</td>
<td>Riding improperly</td>
<td>RS (T) R 1301</td>
<td>$20</td>
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<tr>
<td>2230</td>
<td>Misuse bicycle lane</td>
<td>RS (T) R 1302(2), (3), (4)</td>
<td>$20</td>
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<tr>
<td>2231</td>
<td>Bicycle drawn by other vehicle</td>
<td>RS (T) R 1303</td>
<td>$20</td>
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<tr>
<td>2232</td>
<td>Ride more than two abreast</td>
<td>RS (T) R 1304</td>
<td>$20</td>
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<tr>
<td>2233</td>
<td>Fail to wear securely fitted bicycle helmet of approved type</td>
<td>RS (T) R 1305</td>
<td>$20</td>
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<tr>
<td>2234</td>
<td>Use a bicycle to carry a person who is not wearing a securely fitted bicycle helmet of approved type</td>
<td>RS (T) R 1305</td>
<td>$20</td>
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<tr>
<td>2235</td>
<td>Ride bicycle on footway or reservation when not permitted</td>
<td>RS (T) R 1604</td>
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**Pedestrians**

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<tr>
<td>2241</td>
<td>Fail to obey traffic instruction given by a member of the police force or authorised officer of Roads Corporation</td>
<td>RS (T) R 202</td>
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<td>2242</td>
<td>Fail to obey traffic control signal</td>
<td>RS (T) R 401</td>
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<td>2243</td>
<td>Walk improperly on carriageway</td>
<td>RS (T) R 703(1), 704(1)(a), (b), (d), (f), 705</td>
<td>$15</td>
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<tr>
<td>2244</td>
<td>Alight from or board a moving vehicle</td>
<td>RS (T) R 704(1)(c)</td>
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<tr>
<td>2245</td>
<td>Crossing road within 20 metres of pedestrian crossing</td>
<td>RS (T) R 705(4)</td>
<td>$15</td>
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<tr>
<td>Code</td>
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<td>Penalty</td>
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<td></td>
<td><strong>Taxis</strong></td>
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<td>2360</td>
<td>Fail to return licence</td>
<td>T (T–C) R 5</td>
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<tr>
<td>2361</td>
<td>Uncertificated driving</td>
<td>T (T–C) R 6(1)</td>
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<td>2362</td>
<td>Breach of Certificate condition</td>
<td>T (T–C) R 6(3)</td>
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<td>2363</td>
<td>Fail to sign a Certificate</td>
<td>T (T–C) R 6(7)</td>
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<td>2364</td>
<td>Fail to notify Certificate changes</td>
<td>T (T–C) R 6(8)</td>
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<td>2365</td>
<td>Fail to return Certificate</td>
<td>T (T–C) R 6(9)</td>
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<td>2366</td>
<td>Allow Uncertificated Driving</td>
<td>T (T–C) R 7(1)</td>
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<tr>
<td>2367</td>
<td>Fail to notify not certificated</td>
<td>T (T–C) R 7(3)</td>
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<td>2368</td>
<td>Fail to have records</td>
<td>T (T–C) R 8(1)</td>
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<td>2369</td>
<td>Fail to retain records</td>
<td>T (T–C) R 8(2)</td>
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<td>2370</td>
<td>Fail to keep records in English</td>
<td>T (T–C) R 8(3)</td>
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<td>2371</td>
<td>Fail to produce records</td>
<td>T (T–C) R 8(4)</td>
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<td>2372</td>
<td>Fail to give accurate copy of records</td>
<td>T (T–C) R 8(5)</td>
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<tr>
<td>2373</td>
<td>Fail to attach signs to taxi-cab</td>
<td>T (T–C) R 9(1)</td>
<td>50</td>
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<tr>
<td>2374</td>
<td>Fit unapproved signs</td>
<td>T (T–C) R 9(2)</td>
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<td>2375</td>
<td>Obscure sign</td>
<td>T (T–C) R 9(3)</td>
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<tr>
<td>2376</td>
<td>Fit unapproved attachments</td>
<td>T (T–C) R 9(4)</td>
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<td>2377</td>
<td>Fail to comply with vehicle standards</td>
<td>T (T–C) R 10(1)</td>
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<td>2378</td>
<td>Fail to comply with A.D.Rs</td>
<td>T (T–C) R 10(2)</td>
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<tr>
<td>2379</td>
<td>Unapproved alteration to taxi-cab</td>
<td>T (T–C) R 11(1)</td>
<td>200</td>
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<tr>
<td>2380</td>
<td>Use taxi-cab before inspection</td>
<td>T (T–C) R 11(2)</td>
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<tr>
<td>2381</td>
<td>Fail to fit warning device</td>
<td>T (T–C) R 12(1)</td>
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<td>2382</td>
<td>Inaccessible activating switch</td>
<td>T (T–C) R 12(2)</td>
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<tr>
<td>2383</td>
<td>Fit unapproved warning device</td>
<td>T (T–C) R 12(4)</td>
<td>100</td>
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<tr>
<td>2384</td>
<td>Fit unapproved protective screen</td>
<td>T (T–C) R 13(2)</td>
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<tr>
<td>2385</td>
<td>Not displaying required material</td>
<td>T (T–C) R 14(1)</td>
<td>100</td>
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<tr>
<td>2386</td>
<td>Unapproved taxi-cab colour</td>
<td>T (T–C) R 14(2)</td>
<td>100</td>
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<tr>
<td>2387</td>
<td>Fail to fit roof sign</td>
<td>T (T–C) R 15(1)</td>
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<tr>
<td>2388</td>
<td>Roof lamp cannot be turned off from inside taxi-cab</td>
<td>T (T–C) R 15(2)</td>
<td>100</td>
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<tr>
<td>2389</td>
<td>Fail to turn off lamp when taxi-cab hired</td>
<td>T (T–C) R 15(3)</td>
<td>100</td>
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<tr>
<td>2390</td>
<td>Light lamp when unauthorised</td>
<td>T (T–C) R 15(4)</td>
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<tr>
<td>2391</td>
<td>Fail to fit tariff lamps</td>
<td>T (T–C) R 16(1)</td>
<td>100</td>
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<td>2392</td>
<td>Unauthorised use of tariff lamps</td>
<td>T (T–C) R 16(2)</td>
<td>100</td>
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<tr>
<td>2393</td>
<td>Fail to fit internal lamps</td>
<td>T (T–C) R 16(3)</td>
<td>100</td>
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<tr>
<td>2394</td>
<td>Operate taxi-cab when lamps not working</td>
<td>T (T–C) R 16(4)</td>
<td>100</td>
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<tr>
<td>2395</td>
<td>Fail to fit 'Not for Hire' sign</td>
<td>T (T–C) R 17(1)</td>
<td>100</td>
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<tr>
<td>2396</td>
<td>Fail to display 'Not for Hire' sign</td>
<td>T (T–C) R 17(2)</td>
<td>100</td>
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<tr>
<td>2397</td>
<td>Accept hiring when sign displayed</td>
<td>T (T–C) R 17(3)</td>
<td>100</td>
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<td>2398</td>
<td>Inoperative air-conditioner</td>
<td>T (T–C) R 18</td>
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<td>2399</td>
<td>Fail to produce vehicle for inspection</td>
<td>T (T–C) R 19(2)</td>
<td>200</td>
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<tr>
<td>2400</td>
<td>Use taxi-cab when prohibited</td>
<td>T (T–C) R 19(5)</td>
<td>200</td>
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<tr>
<td>2401</td>
<td>Fail to produce inspection details</td>
<td>T (T–C) R 19(7)</td>
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<tr>
<td>2402</td>
<td>Interfere with taxi-cab equipment</td>
<td>T (T–C) R 20</td>
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<td>2403</td>
<td>Fail to carry passenger</td>
<td>T (T–C) R 22(1)</td>
<td>100</td>
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<td>2404</td>
<td>Fail to fulfil hiring</td>
<td>T (T–C) R 22(2)</td>
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<td>2405</td>
<td>Incorrect route</td>
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<td>2406</td>
<td>Fail to take nominated route</td>
<td>T (T–C) R 22(4)</td>
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<td>2407</td>
<td>Touting</td>
<td>T (T–C) R 23</td>
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<td>2408</td>
<td>Absent from taxi-cab</td>
<td>T (T–C) R 24</td>
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<td>2409</td>
<td>Fail to wear uniform</td>
<td>T (T–C) R 25(1)</td>
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<td>2411</td>
<td>Consume alcohol on duty</td>
<td>T (T–C) R 26</td>
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<tr>
<td>2412</td>
<td>Smoke in a taxi-cab</td>
<td>T (T–C) R 27</td>
<td>$200</td>
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<td>2413</td>
<td>Unauthorised carriage of animals</td>
<td>T (T–C) R 28</td>
<td>$50</td>
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<td>2414</td>
<td>Fail to correctly set down passengers</td>
<td>T (T–C) R 29(1)</td>
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<td>2415</td>
<td>Interfere with traffic</td>
<td>T (T–C) R 29(2)</td>
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<td>2416</td>
<td>Refuse to carry passenger</td>
<td>T (T–C) R 30(2)</td>
<td>$50</td>
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<tr>
<td>2417</td>
<td>Fail to assist passenger</td>
<td>T (T–C) R 31(1)</td>
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<td>2418</td>
<td>Fail to take care of luggage</td>
<td>T (T–C) R 31(2)</td>
<td>$50</td>
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<tr>
<td>2419</td>
<td>Fail to give property to driver</td>
<td>T (T–C) R 32(1)</td>
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<tr>
<td>2420</td>
<td>Fail to give lost property to Police</td>
<td>T (T–C) R 32(2)</td>
<td>$100</td>
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<tr>
<td>2421</td>
<td>Incorrect use of taxi-stand</td>
<td>T (T–C) R 33(2)</td>
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<tr>
<td>2422</td>
<td>Try to use fully occupied taxi-stand</td>
<td>T (T–C) R 33(3)</td>
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<tr>
<td>2423</td>
<td>Improper use of taxi-stand</td>
<td>T (T–C) R 33(4)</td>
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<td>2424</td>
<td>Fail to take next position on taxi-stand</td>
<td>T (T–C) R 33(5)</td>
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<td>2425</td>
<td>Fail to accept hiring</td>
<td>T (T–C) R 33(7)</td>
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<td>2426</td>
<td>Unauthorised fare</td>
<td>T (T–C) R 34(1)</td>
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<td>Overcharging</td>
<td>T (T–C) R 34(2)</td>
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<td>2428</td>
<td>Unauthorised detention rate</td>
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<td>2429</td>
<td>Fail to wait for passenger</td>
<td>T (T–C) R 34(7)</td>
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<td>Unauthorised multiple-hiring</td>
<td>T (T–C) R 34(8)</td>
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<td>Refuse to tell hirer of fare</td>
<td>T (T–C) R 34(9)</td>
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<td>2432</td>
<td>Fail to give receipt</td>
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<td>Fail to give legible receipt</td>
<td>T (T–C) R 34(11)</td>
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<td>Unauthorised meter</td>
<td>T (T–C) R 35(1)</td>
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<td>Fail to fit operating meter</td>
<td>T (T–C) R 35(2)</td>
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<td>2436</td>
<td>Unsealed meter</td>
<td>T (T–C) R 35(3)</td>
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<td>2437</td>
<td>Inoperative meter</td>
<td>T (T–C) R 35(4)</td>
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<td>2438</td>
<td>Unapproved meter</td>
<td>T (T–C) R 35(5)</td>
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<td>2439</td>
<td>Unauthorised meter alterations</td>
<td>T (T–C) R 35(7)</td>
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<tr>
<td>2440</td>
<td>Operate meter when taxi-cab not hired</td>
<td>T (T–C) R 35(8)</td>
<td>$100</td>
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<tr>
<td>2441</td>
<td>Fail to start meter when taxi-cab hired</td>
<td>T (T–C) R 35(9)</td>
<td>$100</td>
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<tr>
<td>2442</td>
<td>Fail to inform hirer of new tariff</td>
<td>T (T–C) R 35(10)</td>
<td>$100</td>
</tr>
<tr>
<td>2443</td>
<td>Fail to return meter to neutral</td>
<td>T (T–C) R 35(11)</td>
<td>$100</td>
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<tr>
<td>2444</td>
<td>Fail to correctly fit meter</td>
<td>T (T–C) R 35(12)</td>
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<tr>
<td>2445</td>
<td>Meter not working correctly</td>
<td>T (T–C) R 35(14)</td>
<td>$100</td>
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### Passenger Vehicles

<table>
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<tbody>
<tr>
<td>2446</td>
<td>Fail to return licence</td>
<td>T (PV) R 5(1)</td>
<td>$100</td>
</tr>
<tr>
<td>2447</td>
<td>Uncertificated driving</td>
<td>T (PV) R 6(1)</td>
<td>$150</td>
</tr>
<tr>
<td>2448</td>
<td>Breach of Certificate condition</td>
<td>T (PV) R 6(3)</td>
<td>$100</td>
</tr>
<tr>
<td>2449</td>
<td>Fail to sign a Certificate</td>
<td>T (PV) R 6(8)</td>
<td>$50</td>
</tr>
<tr>
<td>2450</td>
<td>Fail to notify Certificate changes</td>
<td>T (PV) R 6(9)</td>
<td>$50</td>
</tr>
<tr>
<td>2451</td>
<td>Fail to return Certificate</td>
<td>T (PV) R 6(10)</td>
<td>$50</td>
</tr>
<tr>
<td>2452</td>
<td>Allow Uncertificated driving</td>
<td>T (PV) R 7(1)</td>
<td>$150</td>
</tr>
<tr>
<td>2453</td>
<td>Fail to notify not certificated</td>
<td>T (PV) R 7(3)</td>
<td>$150</td>
</tr>
<tr>
<td>2454</td>
<td>Fail to have records</td>
<td>T (PV) R 10(1)</td>
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</tr>
<tr>
<td>2455</td>
<td>Fail to retain records</td>
<td>T (PV) R 10(3)</td>
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</tr>
<tr>
<td>2456</td>
<td>Fail to keep records in English</td>
<td>T (PV) R 10(4)</td>
<td>$50</td>
</tr>
<tr>
<td>2457</td>
<td>Fail to produce records</td>
<td>T (PV) R 10(5)</td>
<td>$100</td>
</tr>
<tr>
<td>2458</td>
<td>Fail to give accurate copy of records</td>
<td>T (PV) R 10(6)</td>
<td>$100</td>
</tr>
<tr>
<td>2459</td>
<td>Fail to attach signs to vehicle</td>
<td>T (PV) R 11(1)</td>
<td>$50</td>
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<tr>
<td>2460</td>
<td>Fit unapproved signs</td>
<td>T (PV) R 11(2)</td>
<td>$50</td>
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<tr>
<td>2461</td>
<td>Obscure sign</td>
<td>T (PV) R 11(3)</td>
<td>$50</td>
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<tr>
<td>2462</td>
<td>Fail to comply with vehicle standards</td>
<td>T (PV) R 12(1)</td>
<td>$200</td>
</tr>
<tr>
<td>2463</td>
<td>Fail to comply with A.D.Rs</td>
<td>T (PV) R 12(2)</td>
<td>$200</td>
</tr>
<tr>
<td>2464</td>
<td>Unapproved alteration to vehicle</td>
<td>T (PV) R 13(1)</td>
<td>$200</td>
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## Road Safety (Procedures) Regulations 1988

### S.R. No. 28/1988

<table>
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<th>Offence</th>
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<th>Penalty</th>
</tr>
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<tbody>
<tr>
<td>2465</td>
<td>Use vehicle before inspection</td>
<td>T (PV) R 13(2)</td>
<td>200</td>
</tr>
<tr>
<td>2466</td>
<td>Unapproved fitting or equipment</td>
<td>T (PV) R 13(3)</td>
<td>200</td>
</tr>
<tr>
<td>2467</td>
<td>Fail to produce vehicle for inspection</td>
<td>T (PV) R 18(2)</td>
<td>200</td>
</tr>
<tr>
<td>2468</td>
<td>Use vehicle when prohibited</td>
<td>T (PV) R 18(5)</td>
<td>200</td>
</tr>
<tr>
<td>2469</td>
<td>Fail to produce inspection details</td>
<td>T (PV) R 18(7)</td>
<td>200</td>
</tr>
<tr>
<td>2470</td>
<td>Interfere with vehicle equipment</td>
<td>T (PV) R 20</td>
<td>150</td>
</tr>
<tr>
<td>2471</td>
<td>Touting</td>
<td>T (PV) R 24</td>
<td>500</td>
</tr>
<tr>
<td>2472</td>
<td>Absent from vehicle</td>
<td>T (PV) R 25</td>
<td>50</td>
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<tr>
<td>2473</td>
<td>Fail to correctly set down passengers</td>
<td>T (PV) R 30(1)</td>
<td>50</td>
</tr>
<tr>
<td>2474</td>
<td>Interfere with traffic</td>
<td>T (PV) R 30(2)</td>
<td>50</td>
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<tr>
<td>2475</td>
<td>Consume alcohol on duty</td>
<td>T (PV) R 31</td>
<td>120</td>
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<td>2476</td>
<td>Fail to give property to driver</td>
<td>T (PV) R 34(1)</td>
<td>50</td>
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<td>2477</td>
<td>Fail to give property to licence holder or vehicle operator</td>
<td>T (PV) R 34(3)</td>
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<tr>
<td>2478</td>
<td>Fail to give lost property to Police</td>
<td>T (PV) R 34(4)</td>
<td>100</td>
</tr>
<tr>
<td>2479</td>
<td>Operating unlicensed</td>
<td>TA 158(1)</td>
<td>100</td>
</tr>
<tr>
<td>2480</td>
<td>Operating outside conditions of licence</td>
<td>TA 158(3)</td>
<td>100</td>
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<tr>
<td>2481</td>
<td>School bus without hazard warning device and 'school bus' signs</td>
<td>T (PV) R 15(1)</td>
<td>105</td>
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<tr>
<td>2482</td>
<td>Fail to activate hazard warning device on school bus</td>
<td>T (PV) R 15(3)</td>
<td>135</td>
</tr>
<tr>
<td>2483</td>
<td>Vehicle door open while vehicle in motion</td>
<td>T (PV) R 27</td>
<td>135</td>
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### Signs

<table>
<thead>
<tr>
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<th>Offence</th>
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<th>Penalty</th>
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<tbody>
<tr>
<td>2501</td>
<td>Fail to obey turn prohibition or requirement sign</td>
<td>RS (T) R 402(1), (2), (5), (16), (23), (28), (30)</td>
<td>105</td>
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<tr>
<td>2502</td>
<td>Fail to obey one way or do not enter sign</td>
<td>RS (T) R 402(3), (4)</td>
<td>165</td>
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<table>
<thead>
<tr>
<th>Code</th>
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<th>Reference</th>
<th>Penalty</th>
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</thead>
<tbody>
<tr>
<td>2503</td>
<td>Fail to obey no overtaking or passing or no overtaking on bridge sign</td>
<td>RS (T) R 402(6), (7)</td>
<td>$ 165</td>
</tr>
<tr>
<td>2504</td>
<td>Fail to obey keep left or keep right sign</td>
<td>RS (T) R 402(8), (9)</td>
<td>$ 105</td>
</tr>
<tr>
<td>2505</td>
<td>Fail to obey stop, stop here on red signal or stop here on red arrow sign</td>
<td>RS (T) R 402(10), (11), (17), (29)</td>
<td>$ 165</td>
</tr>
<tr>
<td>2506</td>
<td>Fail to obey give way sign</td>
<td>RS (T) R 402(13), (14)</td>
<td>$ 165</td>
</tr>
<tr>
<td>2507</td>
<td>Fail to obey emergency stopping lane only sign</td>
<td>RS (T) R 402(18)</td>
<td>$ 165</td>
</tr>
<tr>
<td>2508</td>
<td>Fail to obey roundabout sign</td>
<td>RS (T) R 402(19)</td>
<td>$ 165</td>
</tr>
<tr>
<td>2509</td>
<td>Fail to obey low clearance or clearance sign</td>
<td>RS (T) R 402(24)</td>
<td>$ 105</td>
</tr>
<tr>
<td>2510</td>
<td>Fail to obey no exit sign</td>
<td>RS (T) R 402(26)</td>
<td>$ 105</td>
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<tr>
<td>2511</td>
<td>Fail to obey no trucks sign</td>
<td>RS (T) R 402(27)</td>
<td>$ 105</td>
</tr>
<tr>
<td>2512</td>
<td>Fail to obey all trucks must enter, buses must enter, or (32)</td>
<td>RS (T) R 402(31), (32)</td>
<td>$ 105</td>
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<tr>
<td>2513</td>
<td>Exceed bridge load limit sign by up to 1 tonne over the limit</td>
<td>RS (T) R 402(25)</td>
<td>$ 145</td>
</tr>
<tr>
<td>2514</td>
<td>Exceed bridge load limit sign by 1.01 to 2 tonnes</td>
<td>RS (T) R 402(25)</td>
<td>$ 265</td>
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<tr>
<td>2515</td>
<td>Exceed bridge load limit sign by 2.01 to 3 tonnes</td>
<td>RS (T) R 402(25)</td>
<td>$ 385</td>
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<tr>
<td>2516</td>
<td>Exceed bridge load limit sign by 3.01 to 4 tonnes</td>
<td>RS (T) R 402(25)</td>
<td>$ 505.&quot;</td>
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SCHEDULE 7

Regulation 1003

SEARCH AND EXTRACT FEES

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Fee</th>
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<tbody>
<tr>
<td>1.</td>
<td>Issue of certificate under section 84(1) of the Act</td>
<td>6.50</td>
</tr>
<tr>
<td>2.</td>
<td>Issue of extract of current information</td>
<td>6.50</td>
</tr>
<tr>
<td>3.</td>
<td>Issue of extract of historical information</td>
<td>12.00</td>
</tr>
<tr>
<td>4.</td>
<td>Issue of information by telephone on telephone enquiry from a municipality</td>
<td>6.50</td>
</tr>
<tr>
<td>5.</td>
<td>Search for any other purposes—</td>
<td></td>
</tr>
<tr>
<td>(i)</td>
<td>of current records</td>
<td>6.50</td>
</tr>
<tr>
<td>(ii)</td>
<td>of historical records</td>
<td>12.00</td>
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NOTES

1. General Information


# Table of Amendments

This Version incorporates amendments made to the Road Safety (Procedures) Regulations 1988 by statutory rules, subordinate instruments and Acts.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Date of Making</th>
<th>Date of Commencement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Safety (Procedures) (Amendment) Regulations 1988, S.R. No. 90/1988</td>
<td>8.3.88</td>
<td>8.3.88</td>
</tr>
<tr>
<td>Road Safety (Procedures) (Fee Amendment) Regulations 1989, S.R. No. 9/1989</td>
<td>24.1.89</td>
<td>12.2.89</td>
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<td>Road Safety (Procedures) (Amendment No. 3) Regulations 1989, S.R. No. 119/1989</td>
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<td>Road Safety (Procedures) (Infringements) Regulations 1989, S.R. No. 245/1989</td>
<td>10.10.89</td>
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<td>Road Safety (Procedures) (Demerit Points) Regulations 1989, S.R. No. 267/1989</td>
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<td>Road Safety (Procedures) (Suspension of Licences) Regulations 1990, S.R. No. 13/1990</td>
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<tr>
<td>Road Safety (Procedures) (Relicensing) Regulations 1990, S.R. No. 73/1990</td>
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<td>Road Safety (Bicycle Helmets) Regulations 1990, S.R. No. 122/1990</td>
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<td>Date of Making</td>
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<tr>
<td>Road Safety (Procedures) (Graduated Licences) Regulations 1990, S.R. No. 173/1990</td>
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<td>Road Safety (Procedures) (Parking Fines) Regulations 1990, S.R. No. 274/1990</td>
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<td>Road Safety (Procedures) (Fees and Licences) Regulations 1990, S.R. No. 320/1990</td>
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<tr>
<td>Road Safety (Procedures) (Portable Weighing Devices) Regulations 1990, S.R. No. 353/1990</td>
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<tr>
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<th>Date of Commencement</th>
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<td>Road Safety (Procedures) (Licence Variation) Regulations 1992, S.R. No. 223/1992</td>
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<tr>
<td>Road Safety (Procedures) (Fees) Regulations 1993, S.R. No. 2/1993</td>
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<tr>
<td>Road Safety (Procedures) (Speed Penalties) Regulations 1993, S.R. No. 125/1993</td>
<td>29.6.93</td>
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<tr>
<td>Road Safety (Procedures) (Testing Officers) Regulations 1993, S.R. No. 141/1993</td>
<td>27.7.93</td>
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<tr>
<td>Road Safety (Procedures) (Motor Cycles) Regulations 1993, S.R. No. 158/1993</td>
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<tr>
<td>Road Safety (Procedures) (Fees) Regulations 1994, S.R. No. 23/1994</td>
<td>22.2.94</td>
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</table>
Road Safety (Procedures) Regulations 1988
S.R. No. 28/1988

Date of Commencement: 23.8.94

Road Safety (Procedures) (Learner Permit) Regulations 1994, S.R. No. 178/1994
Date of Making: 8.11.94
Date of Commencement: 8.11.94

Road Safety (Procedures) (Exemption) Regulations 1995, S.R. No. 43/1995
Date of Making: 11.4.95
Date of Commencement: 11.4.95

Road Safety (Procedures) (Amendment) Regulations 1995, S.R. No. 60/1995
Date of Making: 23.5.95
Date of Commencement: 23.5.95

Road Safety (Procedures) (Infringements) Regulations 1995, S.R. No. 98/1995
Date of Making: 1.8.95
Date of Commencement: 1.8.95

Road Safety (Procedures) (Licence Classifications) Regulations 1995,
S.R. No. 115/1995
Date of Making: 12.9.95
Date of Commencement: 12.9.95

Date of Making: 3.10.95
Date of Commencement: 3.10.95

Road Safety (Procedures) (Digitised Images) Regulations 1995, S.R. No. 142/1995
Date of Making: 14.11.95
Date of Commencement: 14.11.95

Road Safety (Procedures) (Towing Infringements) Regulations 1995,
S.R. No. 154/1995
Date of Making: 5.12.95
Date of Commencement: 5.12.95

Road Safety (Procedures) (Miscellaneous) Regulations 1995, S.R. No. 193/1995
Date of Making: 19.12.95
Date of Commencement: 19.12.95

Road Safety (Procedures) (Demerit Points) Regulations 1996, S.R. No. 5/1996
Date of Making: 23.1.96
Date of Commencement: 1.2.96

Road Safety (Procedures) (Driving Hours) Regulations 1996, S.R. No. 17/1996
Date of Making: 27.2.96
Date of Commencement: 27.2.96

Road Safety (Bicycle Carriers) Regulations 1996, S.R. No. 63/1996
Date of Making: 9.7.96
Date of Commencement: 1.9.96

Date of Making: 23.7.96
Date of Commencement: 23.7.96


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### Notes

**Road Safety (Procedures) Regulations 1988**  
**S.R. No. 28/1988**

- **Date of Making:** 20.8.96  
- **Date of Commencement:** 20.8.96

- **Date of Making:** 27.8.96  
- **Date of Commencement:** 27.8.96

- **Date of Making:** 24.9.96  
- **Date of Commencement:** 1.10.96

- **Date of Making:** 1.10.96  
- **Date of Commencement:** 1.10.96

Road Safety (Procedures) (Preliminary Breath Test Devices) Regulations 1997, S.R. No. 21/1997  
- **Date of Making:** 18.3.97  
- **Date of Commencement:** 18.3.97

- **Date of Making:** 31.3.98  
- **Date of Commencement:** Regs 1-4, 6 on 1.4.98: reg. 3(1)

- **Date of Making:** 26.5.98  
- **Date of Commencement:** 26.5.98
3. Explanatory Details


5 Reg. 205: Reg. 9 of the Road Safety (Procedures) (Licence Classifications) Regulations 1995, S.R. No. 115/1995, reads as follows:

9. Transitional provisions

(1) A driver licence in force immediately before the commencement of these Regulations which is endorsed with the former licence code appearing in Column 1 of the following Table is deemed, on and after that commencement, to be a licence endorsed with the new licence code appearing in the corresponding entry in Column 2 and remains in force until its expiry or cancellation.

<table>
<thead>
<tr>
<th>Column 1 Former licence code</th>
<th>Column 2 New licence code</th>
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<tbody>
<tr>
<td>Bike</td>
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<tr>
<td>Car</td>
<td>C</td>
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<tr>
<td>SB</td>
<td>LR</td>
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<td>HC</td>
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<td>LB</td>
<td>MR</td>
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<tr>
<td>HB</td>
<td>HR</td>
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<tr>
<td>AB</td>
<td>HR</td>
</tr>
<tr>
<td>RT</td>
<td>MC</td>
</tr>
</tbody>
</table>

(2) An application for a driver licence that has been received but not determined by the Corporation before the commencement of these Regulations
must be determined under the Principal Regulations as amended by these Regulations.

6 Reg. 205A: See note 5.
7 Reg. 206: See note 5.
8 Reg. 206A: See note 5.
9 Reg. 207: See note 5.
10 Reg. 603(1): The following table of applied, adopted or incorporated matter was included in S.R. No. 17/1996 in accordance with the requirements of regulation 6 of the Subordinate Legislation Regulations 1994.

**Table of Applied, Adopted or Incorporated Matter**

<table>
<thead>
<tr>
<th>Statutory Rule provision</th>
<th>Title of applied, adopted or incorporated document</th>
<th>Matter in applied, adopted or incorporated document</th>
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</thead>
<tbody>
<tr>
<td>Regulation 4—proposed regulation 603(1)</td>
<td>Sleeping Berth Standards for Commercial Buses formulated by the National Road Transport Commission and approved from time to time by the Ministerial Council for Road Transport</td>
<td>The whole</td>
</tr>
<tr>
<td>Regulation 4—proposed regulation 603(2)</td>
<td>Australian Design Rules for Motor Vehicles and Trailers as issued by the Federal Department of Transport from time to time</td>
<td>Australian Design Rule 42.15</td>
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</table>