

NORTHERN TERRITORY OF AUSTRALIA

TRAFFIC REGULATIONS

Regulations 1999, No. 37

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NORTHERN TERRITORY OF AUSTRALIA

Regulations 1999, No. 37

Regulations under the *Traffic Act*

I, NEIL RAYMOND CONN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Traffic Act*.

Dated 30 November 1999.

N. R. CONN
Administrator

By His Honour's Command

M. J. PALMER
Minister for Transport and Infrastructure Development

Traffic Regulations

PART 2 – TRAFFIC RULES THAT APPLY IN TERRITORY

Division 1 – Safety of persons in vehicles

4. Approved child restraints

A device for restraining a child under the age of 12 months is an approved child restraint if it –

- (a) complies with Australian Standard AS/NZS 1754:1995 Child Restraint Systems for Use in Motor Vehicles; or
- (b) is of a type approved by the Registrar.

5. Child must be restrained

(1) A person must not drive a vehicle with a child under the age of 12 months in the vehicle unless the child is restrained in an approved child restraint.

(2) Subregulation (1) applies only if there is an approved child restraint fitted in the vehicle that is not being used to restrain another child under the age of 12 months.

6. Seat belts

(1) A seat belt is taken to be a suitable restraint for a child over the age of 12 months.

(2) A person must not drive a vehicle with a child over the age of 12 months and under the age of 16 years in the vehicle unless the child is restrained by a seat belt.

(3) A person over the age of 16 years must not travel in a vehicle unless the person is restrained by a seat belt.

(4) Subregulations (3) and (4) apply only if a seat belt is fitted to the vehicle and the seat belt is not being used to restrain another person.

7. Riding in load space

(1) Subject to this regulation –

- (a) a driver must not drive a vehicle with a person; or
- (b) a person must not travel in or on a vehicle,

in a space of the vehicle designed primarily to carry goods unless –

- (c) the space is enclosed;

Traffic Regulations

(3) An exemption under subregulation (2) is subject to any conditions specified in the exemption relating to –

- (a) the use of a helmet of a specified type and standard; or
- (b) the use of specified protective devices, including seat belts or other restraints.

(4) A person must not drive a motor cycle with a child who is the subject of an exemption under subregulation (2) in a sidecar attached to the motor cycle unless the conditions referred to in subregulation (3) are complied with.

Division 2 – Persons to provide details

9. Persons to produce licence, give particulars

(1) If an authorised person believes a driver has committed an offence against the Act or these Regulations, the authorised person may require the driver to –

- (a) produce his or her licence to drive the vehicle; and
- (b) provide his or her personal particulars.

(2) If an authorised person believes a driver has committed an offence against the Act or these Regulations, the authorised person may require a person to provide –

- (a) his or her personal particulars; and
- (b) any information within the person's power that may identify the driver of the vehicle or assist in investigating the alleged offence.

(3) If an authorised person believes a vehicle has been used in the commission of an offence against the Act or these Regulations, the authorised person may require the owner of the vehicle to provide any information within the owner's power that may identify the driver of the vehicle or assist in investigating the alleged offence.

(4) A driver who is required to produce his or her licence or provide his or her personal particulars must comply with the requirement and must not give false or misleading information.

(5) A person who is required to provide his or her personal particulars must comply with the requirement and must not give false or misleading information.

Traffic Regulations

"L-plate" means a sign with sides not less than 150mm in length bearing a black letter "L" clearly marked on a yellow background;

"learner" means a driver who is the holder of a permit licence granted under section 9 of the *Motor Vehicles Act* that permits the person to drive the vehicle;

"licence holder" means a person who is over 18 years of age and is the holder of a licence (not being a permit licence under section 9, or a licence that is provisional under section 10A, of the *Motor Vehicles Act*) to drive the type of vehicle;

"P-plate" means a sign with sides not less than 150mm in length bearing a red letter "P" clearly marked on a white background;

"provisional driver" means a person who is the holder of a licence that under section 10A of the *Motor Vehicles Act* is provisional, but does not include a member of the Police Force, an ambulance officer or a member of the Fire and Emergency Services when driving a vehicle in the course of the person's duties.

12. Learners driving motor vehicles

(1) In this regulation, "vehicle" does not include a motor cycle.

(2) A licence holder must not travel in a vehicle that is driven by a learner unless the licence holder, or another licence holder, is occupying a front seat of the vehicle.

(3) A licence holder who is occupying a front seat of a vehicle must not permit the vehicle to be driven by a learner unless there are L-plates displayed conspicuously so as to be clearly visible from both the front and the rear of the vehicle.

(4) A learner must not drive a vehicle unless there are L-plates displayed conspicuously so as to be clearly visible from both the front and the rear of the vehicle.

(5) A person must not occupy a front seat of a vehicle being driven by a learner unless the person is –

- (a) a licence holder; or
- (b) an approved person who is testing the learner's capability to drive the vehicle with safety to the public.

(6) A learner must not drive a vehicle unless another person is occupying a front seat of the vehicle and the person is –

Traffic Regulations

15. Provisional drivers riding motor cycles

(1) A provisional driver must not drive a motor cycle unless there is a P-plate displayed conspicuously so as to be clearly visible from the rear of the motor cycle.

(2) A provisional driver must not drive a motor cycle at a speed greater than 100 km/h unless permitted to do so by, and while under the direct supervision of, a person conducting a driving course approved by the Registrar.

(3) A person who has not held a licence to drive a motor cycle for a continuous period of 12 months must not drive a motor cycle with a person seated on a pillion seat.

Division 4 – Warning and signalling devices

16. Flashing warning lights

(1) Subject to subregulation (2) and rules 221 and 222, a person must not, on a road, drive or stop a vehicle on which is mounted a lamp displaying intermittent flashes.

(2) Subregulation (1) does not apply to –

(a) an emergency vehicle on which is mounted a lamp displaying intermittent red or blue or red and blue flashes;

(b) a vehicle used in the enforcement of the load or dimensional requirements of the *Motor Vehicles Act* on which is mounted a lamp displaying intermittent magenta flashes; or

(c) a vehicle on which is mounted a lamp displaying intermittent yellow flashes if the vehicle is –

(i) a tow truck at the scene of an accident or engaged in attaching or manoeuvring to attach towing apparatus to a disabled vehicle;

(ii) a vehicle in respect of which an exemption under section 59 of the *Motor Vehicles Act* is in force;

(iii) a vehicle escorting a vehicle referred to in subparagraph (ii);

(iv) a vehicle engaged at a site of work comprising –

(A) road construction or road maintenance;

(B) cleaning or litter collection on a road, footpath or reservation;

Traffic Regulations

(3) Subregulation (2) does not apply if a member of the Police Force has taken the particulars of the driver's name and address at the scene of the crash.

(4) In this regulation –

"animal" means a horse, cattle, buffalo, camel, sheep, pig or dog;

"property" includes a vehicle or an animal.

Division 6 – Animals

20. Leading animals

A driver of an animal drawn vehicle must not –

- (a) ride on the vehicle unless the animal is guided by proper reins;
- (b) be so far from, or so situated in relation to, the vehicle when it is in motion that the person cannot properly guide or control the animal;
- (c) leave the vehicle unattended unless one of the wheels is prevented from turning by a securely fastened chain or strap; or
- (d) ride on the shafts of the vehicle.

21. Animals on clearways

A person must not –

- (a) drive an animal drawn vehicle; or
- (b) ride, lead or be in control of an animal,

on a clearway during the hours when stopping in the clearway is prohibited.

22. Animals on roads

A person must not cause or permit animals to –

- (a) assemble;
- (b) stand; or
- (c) be drafted,

so as to obstruct vehicles or pedestrians on a road.

Traffic Regulations

(2) A person given a direction under subregulation (1) must comply with the direction.

Division 8 – Other road rules

26. Offence in relation to registration label or plate

(1) A person must not drive a vehicle or permit a vehicle to be driven that is required to be registered under the *Motor Vehicles Act* –

- (a) if it does not have attached or affixed to it a registration label or number plate as required under that Act; or
- (b) if it carries a label or plate otherwise than in compliance with that Act.

(2) A person must not drive a vehicle or permit a vehicle to be driven that has attached or affixed to it a registration label or number plate that –

- (a) has been altered or defaced or on which any writing, mark or colour is not clearly legible or visible;
 - (b) was issued in respect of another vehicle or in respect of a registration period that has expired; or
 - (c) contains an incorrect particular.
- (3) A person must not –
- (a) unlawfully print, manufacture or be in possession of a label or plate that resembles a registration label or number plate and that is calculated or likely to deceive;
 - (b) alter or deface a registration label or number plate other than as required or permitted by another law of the Territory; or
 - (c) buy or sell a label or plate that resembles a registration label or number plate and that is calculated or likely to deceive.

27. Interfering with traffic infringement detection device

(1) A person must not unlawfully tamper with, interfere with or cause damage to a traffic infringement detection device.

(2) A person must not unlawfully interfere with the operation of a traffic infringement detection device.

(3) A person must not drive a vehicle that has in it or on it a device for preventing the effective operation of a traffic infringement detection device.

Traffic Regulations

- (a) to the Territory – when removed by a member of the Police Force;
or
- (b) to the competent authority – when removed by an officer of the
competent authority.

32. Use of air cushioned vehicle

A person must not drive an aircushioned vehicle or hovercraft on a road or public place without the written approval of the competent authority.

33. Driving on certain beaches prohibited

(1) A person must not drive a motor vehicle on a prescribed beach below high water mark except –

- (a) on a ramp or jetty;
- (b) for the purpose of launching a boat or taking a boat out of the
water; or
- (c) with the written approval of the competent authority in respect of
the beach.

(2) For the purposes of subregulation (1), all beaches between Emery Point and Buffalo Creek are prescribed beaches.

34. Obstructing traffic

- (1) A person must not enter or remain on a road for the purpose of –
 - (a) soliciting contributions, employment, business or a ride from an
occupant of a vehicle;
 - (b) displaying an advertisement; or
 - (c) offering goods or services for sale.

(2) A person must not purchase or offer to purchase an article or a service from a person standing on a road.

(3) In this regulation, "road" includes a road-related area but does not include a footpath.

35. Certain vehicles not to display turn sign

A person must not drive a –

- (a) vehicle; or

Traffic Regulations

- (5) If the Director grants a permit, the Director may –
 - (a) impose conditions relating to the holding of the event that the Director thinks fit; and
 - (b) exempt a person taking part in the event from the requirements of these Regulations that are specified in the permit.
- (6) The person granted a permit must –
 - (a) attend the event in respect of which the permit is granted; and
 - (b) on demand by a member of the Police Force –
 - (i) produce the permit; and
 - (ii) provide the member with the person's name and address.
- (7) A person taking part in an event for which a permit has been granted does not commit an offence against these Regulations while taking part in the event in accordance with the conditions or exemptions, if any, imposed or given under subregulation (5).
- (8) A person must comply with the conditions of a permit.
- (9) In this regulation, "event" means –
 - (a) a vehicle reliability trial, vehicle race or vehicle speed test; or
 - (b) a bicycle race or bicycle trial.

38. Parades and processions

- (1) A person must not take part in a parade, procession (other than a funeral procession) or other event (not being an event in respect of which a permit under regulation 37 is required) that may disrupt traffic on a road unless a permit has been granted under this regulation in respect of the parade, procession or event.
- (2) An application for a permit to hold a parade, procession or event of a kind referred to in subregulation (1) on a road is to be made to the competent authority.
- (3) The person who applies for a permit must –
 - (a) give public notice of the application, by the means that the competent authority requires, not less than 7 days before the date of the parade, procession or event; and
 - (b) obtain the consent in writing of the Commissioner.

PART 3 – INFRINGEMENT NOTICE SCHEMES

Division 1 – Preliminary

39. Interpretation

(1) In this Part –

"appropriate place" means a place specified in an infringement notice –

- (a) for paying a penalty; or
- (b) for lodging a statutory declaration,

as the context requires;

"infringement notice" means a parking infringement notice or traffic infringement notice;

"new owner" has the same meaning as in section 5(1) of the *Motor Vehicles Act*;

"notice of disposal" has the same meaning as in section 20 of the *Motor Vehicles Act*;

"offence" means –

- (a) a parking infringement; or
- (b) an offence or alleged offence against a law of the Territory that is one of a kind specified in a short form in column 1 of Schedule 1;

"offender" means –

- (a) a person who an officer or a member of the Police Force reasonably believes has committed an offence; or
- (b) if an offence is detected by a traffic infringement detection device – the owner of the vehicle allegedly used to commit the offence;

"owner", of a vehicle, includes –

- (a) the person shown as the registered owner or, if the vehicle registration has expired, the last registered owner under the *Motor Vehicles Act* (or corresponding law in another jurisdiction) or in a national register; and

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Division 2 – Traffic infringement scheme

41. Service of traffic infringement notice

(1) If an officer or a member of the Police Force believes that an offence has been committed, the officer or member may serve or cause to be served a traffic infringement notice by –

- (a) personally handing it to the offender;
- (b) posting it to the offender at the offender's postal address, place of residence or place of business; or
- (c) leaving it at the offender's place of residence or place of business with a person apparently resident or employed there and apparently over 16 years of age.

(2) If the owner of a vehicle makes a statutory declaration in accordance with regulation 53 indicating that some other person was in control of the vehicle at the time the alleged offence occurred, an officer or a member of the Police Force may serve or cause to be served a traffic infringement notice on the person named in the statutory declaration by –

- (a) personally handing it to the person;
- (b) posting it to the person at the person's postal address or place of residence; or
- (c) leaving it at the person's place of residence with a person apparently resident there and apparently over 16 years of age.

42. Particulars to be shown on traffic infringement notice

A traffic infringement notice is to clearly show –

- (a) the date, time and place of the offence;
- (b) the nature of the offence or offences and the penalty or penalties payable;
- (c) the place or places where a penalty may be paid;
- (d) the date of the traffic infringement notice and a statement that the penalty or penalties may be paid within 28 days after that date;
- (e) a summary of the provisions relating to the withdrawal of a traffic infringement notice;
- (f) a statement to the effect that, if the amount of the penalty shown on the notice is paid at an appropriate place within the time specified

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45. Payment of penalty within specified period

(1) If the total penalty shown on a traffic infringement notice is paid at an appropriate place within the period specified in the notice, the offender has expiated the offence and no further proceedings can be taken in relation to the offence (unless the notice is withdrawn in accordance with regulation 43).

(2) If a penalty under this Division is paid by cheque, the offence is not expiated unless the cheque is honoured on first presentation.

46. General

(1) An act or omission may constitute an offence against more than one regulation and incur a penalty for each offence.

(2) An act or omission may constitute more than one offence against a regulation and incur a penalty for each offence.

(3) For the purposes of subregulations (1) and (2), if one offence necessarily involves the commission of an offence that is lower in a hierarchy of offences and the penalty for the higher offence takes into account the hierarchy, an offender is not additionally liable for the penalty that would be incurred by committing the offence lower in the hierarchy.

(4) If more than one traffic infringement notice is issued in respect of one offence, the offender may expiate the offence by paying the penalty shown on any one of the infringement notices served in relation to the offence.

(5) An offender may be prosecuted for an offence –

(a) despite that no traffic infringement notice has been issued in relation to the offence; or

(b) if a traffic infringement notice has been issued but later withdrawn in accordance with regulation 43,

and nothing in this Division limits the amount of a fine or other penalty that may be imposed by a court in relation to the offence.

Division 3 – Parking infringement scheme

47. Service of parking infringement notice

(1) If a member of the Police Force or an officer of a competent authority believes that a parking infringement has been committed in relation to a vehicle, the member or officer may serve or cause to be served a parking infringement notice –

(a) personally on –

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- (f) any other particulars that a competent authority considers necessary.

49. Penalty

Unless otherwise specified, the penalty for a parking infringement is –

- (a) stopping or parking in a disabled person's parking bay – \$60;
- (b) stopping where prohibited – \$50;
- (c) parking where prohibited – \$40; and
- (d) other parking infringements – \$20.

50. Payment of penalty

(1) If the penalty shown on the parking infringement notice is paid at an appropriate place within the period specified in the notice the infringement is expiated and no further proceedings can be taken in relation to the infringement.

(2) If a penalty under this Division is paid by cheque, the offence is not expiated unless the cheque is honoured on first presentation.

51. General

(1) If it is an offence to park or stop a vehicle for longer than the period indicated in a parking sign or otherwise prescribed under these Regulations, a person commits a separate offence for each period that is exceeded while the person's vehicle remains parked or stopped.

(2) If more than one infringement notice is issued in respect of a parking infringement, the offender may expiate the offence by paying the penalty shown on any one of the infringement notices served in relation to the offence.

(3) An offender may be prosecuted for a parking infringement despite that no infringement notice has been issued in relation to that offence and nothing in this Part limits the amount of a fine or other penalty that may be imposed by a court in relation to the offence.

52. Officer of competent authority

(1) If a parking infringement is committed in a municipality within the meaning of the *Local Government Act*, a reference in this Division to an officer of the competent authority includes a reference to an officer or employee of the council of the municipality (whether or not the place where the parking infringement was committed is under the care, control or management of the council).

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- (iii) stating that at the time when the offence was committed the vehicle had been stolen or was being used unlawfully without the owner's consent.
- (3) If the owner of the vehicle is a body corporate, a director, secretary or manager of the body corporate may make a statutory declaration for the purposes of subregulation (2).
- (4) If the owner of the vehicle is the Territory, the Commonwealth, a State or another Territory of the Commonwealth or a statutory corporation, a person authorised, or apparently authorised, for the purpose may make a statutory declaration for the purposes of subregulation (2).
- (5) A person named in a statutory declaration as being in control of a vehicle at the time of an offence cannot be found guilty of the offence unless a copy of the statutory declaration is affixed to the summons for the offence at the time the summons is served on the person.
- (6) A statutory declaration referred to in subregulation (2)(c) –
 - (a) is admissible in evidence in a prosecution against the person in relation to the offence; and
 - (b) is evidence that the person was the driver of the vehicle at the time of the offence.
- (7) If a person is specified as the new owner of a vehicle in a notice of disposal referred to in subregulation (2)(b) –
 - (a) the person is to be taken to be the owner of the vehicle at the time of the offence for the purposes of this regulation (other than subregulation (2)(b)); and
 - (b) this regulation applies as if a reference to the owner of the vehicle (other than in subregulation (2)(b)) were a reference to the person.
- (8) Subject to subregulation (9), nothing in this regulation affects the liability of an actual offender who is not the owner of the vehicle.
- (9) If a penalty has been imposed on a person in relation to an offence –
 - (a) another person cannot be charged with the same offence; and
 - (b) a further penalty cannot be imposed on or recovered from another person in relation to the same offence.
- (10) Subregulation (9) does not apply if the traffic infringement notice in relation to the offence is withdrawn in accordance with regulation 43.

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a fire management operation within the meaning of the *Motor Vehicles Act* or an operation relating to the control of a bushfire at that place.

(3) Section 19(8) of the Act does not apply to the driver of a vehicle referred to in section 19(9)(b)(iv) if not more than 9 persons (including the driver) are travelling in the vehicle.

(4) Section 19(8) of the Act does not apply to the driver of a vehicle referred to in section 19(9)(b)(vi) if the space designed for carrying goods was enclosed at the time of the manufacture of the vehicle.

56. Prescribed breath analysis instrument

For the purposes of section 29 of the Act and these Regulations, a device for the carrying out of a breath analysis that is of a type known as a Dräger Alcotest 7110 is a prescribed breath analysis instrument.

57. Breath analysis

(1) A person must not use a prescribed breath analysis instrument for the purposes of the Act unless the person has prepared it for use at that time.

(2) To prepare a prescribed breath analysis instrument for use, a person must ensure that –

- (a) the instrument is turned on; and
- (b) the words "READY TO START" appear on the display panel of the instrument.

(3) A person must not carry out a breath analysis of a sample of a person's breath for the purposes of the Act unless satisfied that the person whose breath is to be analysed has not consumed alcohol within the period of 15 minutes immediately preceding the giving of the sample.

58. Conduct of breath analysis

(1) A person carrying out a breath analysis must provide an unused mouthpiece for use in providing each sample of a person's breath in each breath analysis.

(2) Within one hour after completing a breath analysis of a sample of a person's breath, the person carrying out the analysis must sign and deliver to the person who provided the sample a statement showing –

- (a) the result of the analysis; and
- (b) the date and time when the analysis was performed.

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61. Forms

For the purposes of section 27 of the Act, a form of certificate set out in Schedule 2 may be used by the person and on the occasion indicated in the following table:

TABLE

Form	When and by whom used
1.	May be used by a person authorised by the Commissioner to use a prescribed breath analysis instrument for the purposes of the Act after that person has performed a breath analysis using that instrument.
2.	May be used by a person authorised by the Commissioner to use a prescribed breath analysis instrument for the purposes of the Act after a person refuses or fails to – <ul style="list-style-type: none">(a) submit to a breath analysis as required by that authorised person; or(b) provide, in accordance with the directions of that authorised person given for the purpose of carrying out a breath analysis using that instrument, a sample of breath sufficient for the completion of the breath analysis.
3.	May be used by a member of the staff of a hospital after taking a sample of blood.
4.	May be used by a member of the staff of a hospital after a person refuses or fails to – <ul style="list-style-type: none">(a) give a sample of blood; or(b) provide, in accordance with the directions of that member of the staff, a sample of blood sufficient for the completion of a blood test to ascertain the concentration of alcohol in the blood of the person required to give the sample.
5.	May be used by an authorised analyst after carrying out a blood test.

Traffic Regulations

- (a) does not comply with a request of the member or officer to move the vehicle; or
- (b) cannot be found after reasonable inquiry of persons in the vicinity of the vehicle,

a member of the Police Force or an officer of the competent authority may enter the vehicle for the purpose of moving it.

(4) A member of the Police Force or officer who enters a vehicle under subregulation (3) is not liable for any damage caused by the member or officer when entering or moving the vehicle.

65. Removal of abandoned vehicles

(1) An officer of a competent authority may move, or cause to be moved, an abandoned vehicle.

(2) For the purposes of subregulation (1), if the driver or owner of an abandoned vehicle –

- (a) does not comply with a request of the officer to move the vehicle; or
- (b) cannot be found after reasonable enquiry of persons in the vicinity of the vehicle,

the officer may enter the vehicle for the purpose of moving it or causing it to be moved.

(3) An officer who enters an abandoned vehicle under subregulation (3) is not liable for any damage caused by when entering or moving the vehicle.

(4) If a vehicle is moved under subregulation (1), the officer who moved the vehicle or caused it to be moved must, within 7 days after it is moved, serve or cause to be served a notice on the owner –

- (a) personally; or
 - (b) by post to the owner's postal address, place of residence or place of business.
- (5) The notice is to state –
- (a) that the vehicle has been moved and the address to which it has been moved;

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- (b) in the opinion of the competent authority — has a value of less than \$200,

the competent authority may dispose of the vehicle in a manner that it determines appropriate.

69. Proceeds of sale

(1) All money received from selling or disposing of a vehicle under this Part is to be applied in paying, in the following order:

- (a) the costs incurred by the competent authority in selling or disposing of the vehicle;
- (b) the costs of removing and storing the vehicle;
- (c) the costs of serving or publishing the notice under regulation 65.

(2) The residue of the money, if any, is to be paid, on demand, to the owner of the vehicle immediately before its sale or disposal.

(3) If, after 6 months after a vehicle is sold or disposed of, any money from the sale or disposal remains in the possession of the competent authority and is unclaimed by the owner of the vehicle or any person claiming through the owner, the money becomes the property of the competent authority.

(4) A sale or disposal of a vehicle under this Part is valid against all persons.

70. Claim against owner

(1) The owner of a vehicle moved under regulation 65 is liable to a competent authority for the reasonable expenses incurred by the competent authority in removing, storing, selling or attempting to sell the vehicle or disposing of the vehicle.

(2) The competent authority may recover, as a debt due and payable to it, any of those expenses incurred by it that are not satisfied from the proceeds of the sale or disposal.

PART 6 – AUSTRALIAN ROAD RULES

Division 1 – Australian Road Rules are law in Territory

71. Australian Road Rules

(1) The Australian Road Rules contained in Schedule 3 are made as regulations under the Act and are a law of the Territory.

Traffic Regulations

78. Mechanical signalling device

For the purposes of rules 49 and 54, a device approved by the Registrar under the *Motor Vehicles Act* as a substitute for turn direction indicator lamps is a mechanical signalling device.

79. Road train area

(1) Subject to subregulation (2), for the purposes of rule 127(2), each road and public place in the Territory is a road train area.

(2) The Director may, by notice in the *Gazette*, declare a road or public place not to be a road train area.

80. Driver entering or leaving property

(1) Rule 132(2) does not apply to a driver who crosses a dividing line in order to enter or leave a property by the shortest practical route, if it is safe for the driver to do so.

(2) Subregulation (1) has effect until 1 January 2003.

81. No standing sign

(1) For the purposes of Part 12 of the Australian Road Rules, a sign that displays the words "no standing" has the same meaning as a "no stopping" sign.

(2) Subregulation (1) has effect until 1 January 2003.

82. Lights

For the purposes of rule 215(4), the lights that are to be fitted to a vehicle are those lights that are required by –

- (a) the Australian Design Rules; and
- (b) the Motor Vehicle (Standards) Regulations.

83. Hazard and warning lights

(1) For the purposes of rule 221(f), the driver of a bus carrying children may use the vehicle's hazard warning lights when stopping the bus to drop off or pick up children.

(2) For the purposes of rule 222, if the bus is a school bus that is required to be fitted with warning lights, the driver must use the warning lights when stopping the bus to drop off or pick up children.

Traffic Regulations

- (a) a postal vehicle is exempted from the provisions of the rules specified in rule 313(2); and
- (b) a postal worker includes a contractor delivering items on behalf of the postal authority.

PART 7 – MISCELLANEOUS

88. Minimum penalty under section 34 of Act

(1) The minimum penalty prescribed in section 34(1) of the Act does not apply to an offence against that subsection if –

- (a) the offence occurs in the same month and year as that indicated on the registration label attached or affixed under the *Motor Vehicles Act* (or a corresponding Act of another jurisdiction) to the vehicle to which the offence relates; or
 - (b) the vehicle to which the offence relates is a box trailer.
- (2) In subregulation (1), "box trailer" means a trailer –
- (a) the unladen mass of which does not exceed 500kg; or
 - (b) the laden mass of which is not capable of exceeding, or is unlikely to exceed, 1t.

89. Certificate relating to test of traffic infringement detection devices

If a person approved under section 44(2) of the Act tests a traffic infringement detection device in accordance with the notice approving the device under section 44(1) of the Act, at the conclusion of the test the person must issue and sign a certificate –

- (a) setting out the results of the test;
- (b) specifying the date on which the test was made; and
- (c) specifying that the traffic infringement detection device is a traffic infringement detection device within the meaning of the Act.

90. Exemption of persons or vehicles

(1) On application by a person, the Registrar may exempt a person or a class of persons, or a vehicle or class of vehicles, from the provisions of Division 1 of Part 2 and from rules 264 to 271 (inclusive) that the Registrar considers appropriate, for a specific event or specific purposes as specified in the instrument of exemption.

Traffic Regulations

95. Saving of authorised operators and authorised analysts

(1) On the commencement of these Regulations, a person who was authorised by the Commissioner to operate a prescribed breath analysis instrument under regulation 117 of the Traffic Regulations as in force immediately before the commencement of these Regulations is to be taken to be authorised under regulation 59 of these Regulations to use the prescribed breath analysis instrument.

(2) On the commencement of these Regulations, a person who was authorised by the Commissioner to be an analyst under regulation 118 of the Traffic Regulations as in force immediately before the commencement of these Regulations is to be taken to be authorised under regulation 60 of these Regulations to be an analyst.

96. Saving of proceedings under repealed regulations

Despite regulation 97, the Traffic Regulations as in force immediately before the commencement of these Regulations continue to apply in relation to an offence that was committed before the commencement of these Regulations.

97. Repeal

The Traffic Regulations (comprising Regulations 1988, No. 19; 1989, Nos. 7, 9 and 30; 1990, Nos. 19 and 33; 1991, Nos. 24 and 75; 1993, Nos. 6, 15, 45 and 49; 1994, Nos. 6, 7, 28 and 41; 1995, No. 24 and 1998, No. 19) are repealed.

Traffic Regulations

7.	<i>Bicycles</i>	
	Failure to have lamp alight	25
	Riding bicycle incorrectly	25
	Carrying excess persons on bicycle	25
	Riding within 2 m of rear of motor vehicle	25
	Failing to give way to pedestrian	25
	Riding in race or trial without permit	25
	Bicycle rider holding moving motor vehicle	25
	Riding bicycle without helmet	25
	Riding bicycle without helmet securely fastened	25
	Rider fails to ensure child or young person wears helmet	25
8.	<i>Lights</i>	
	Drive with faulty or unlit headlights/taillights	50
	Fail to dip headlights	50
	Other lights not operated as required	30
9.	<i>Motorcycle Helmets</i>	
	Ride without wearing helmet (passenger or driver)	100
	Ride without helmet securely fastened (passenger or driver)	80
	Carry a pillion or sidecar passenger not wearing helmet	80
	Wear helmet not approved or deteriorated	60
10.	<i>Incorrect Turns</i>	
	Make a turn contrary to Regulations (includes unsafe U-turn and fail to obey arrows)	60
	Fail to give way to pedestrian while turning	100
11.	<i>Crossing Lines</i>	
	Cross single unbroken line	80
	Cross double lines where not permitted	80
12.	<i>Signals</i>	
	Fail to signal turns, change lane, stop	60
	Fail to cancel signal	40

Traffic Regulations

	Fail to give way at intersection	100
	Fail to give way to emergency vehicle	100
	Drive wrong way on a one way street	100
19.	<i>Obstruct Traffic</i>	
	By entering blocked intersection	40
	By travelling unreasonably slowly	40
	By soliciting a lift or sale of goods	40
	By opening doors of or alighting from vehicle	40
20.	<i>Unsafe Loading</i>	
	Allow load to escape or fall from vehicle	80
	Drive vehicle with load incorrectly secured	60
21.	<i>Overtaking</i>	
	Overtake incorrectly (general)	70
	Overtake turning long vehicle when not safe	50
	Overtake slowing or stopped vehicle at pedestrian crossing	100
	Overtake slowing or stopped vehicle at children's crossing	120
22.	<i>Warning Signs</i>	
	Fail to display warning signs near disabled heavy vehicle	50
	Fail to display warning signs near fallen load	50
	Fail to carry warning signs on heavy/long vehicle	30
23.	<i>Driving Carelessly, etc.</i>	
	Drive while using hand held mobile phone	60
	Drive without due care and cause minor (non-injury) accident	150
	Drive in disorderly manner or cause undue noise	60
24.	<i>Unsafe Carriage of Passengers</i>	
	Drive while passengers in trailer without approval	100
	Ride in trailer without approval	100

Traffic Regulations

SCHEDULE 2

Regulation 61

NORTHERN TERRITORY OF AUSTRALIA

Traffic Regulations

FORM 1

CERTIFICATE ON PERFORMANCE OF BREATH ANALYSIS

I, *(operator name)*, a member of the Police Force who is authorised by the Commissioner to use a prescribed breath analysis instrument known as a Drager Alcotest 7110 for the purposes of the *Traffic Act*, certify that –

1. At the time of *am/pm* on the date of *I performed an analysis on a sample of breath supplied by (full name and address of person)*
(“the subject”),
whose occupation is *and who is* *years of age.*
2. Before performing the analysis I satisfied myself that the subject had not consumed any alcohol within the preceding 15 minutes.
3. Before carrying out the analysis I prepared the breath analysis instrument for use in the prescribed manner.
4. I provided an unused mouthpiece for use by the subject in giving the sample.
5. The result of the analysis shown on and recorded by the breath analysis instrument was *%.*
6. By application of regulation 58 of the Traffic Regulations, I assessed that the concentration of alcohol in the blood of the subject, expressed as milligrams per 100 mL of blood was *mg/100mL.*
7. Within 1 hour of performing the analysis I signed and delivered to the subject a statement as required by regulation 58(2).

Signed

At the time of *on the date of*

Traffic Regulations

7. I prepared the breath analysis instrument for use in the prescribed manner and satisfied myself that the instrument was in good working order.
8. I provided an unused mouthpiece for use by the subject in giving a sample of breath.
9. I said to the subject "This is a prescribed breath analysis instrument. I am authorised to use it for the purposes of the *Traffic Act*. It is in good working order and ready for use. I require you to submit to a breath analysis."
10. I then gave the subject directions as to how the subject was to provide a sample of breath sufficient for the performance of the breath analysis.
11. The subject then said "

and the subject

(describe the person's actions if relevant)

Signed

At the time of

on the date of

Traffic Regulations

*****Certificate to be used if part of blood sample is made available to the person from whom it is taken:***

And I further certify that –

- (1) at *(time when person gave blood sample)* I took a sample of the person's blood.
- (2) I then placed approximately half the sample in a container and sealed the container.
- (3) I then placed the remainder of the sample in another container and sealed that container.
- (4) I then placed one of the containers and this certificate for collection by a member of the Police Force in *(specify where placed container for collection by member of the Police Force)*
- (5) I then made the other container available to the person from whom the sample was taken by *(specify how made container available to person)*

Signed

Date

☐ *tick box if statement to which it relates applies*

***** cross out part of certificate that does not apply***

Back of Form 3

Sections 25 and 26 of the *Traffic Act* read as follows:

(Copy of sections 25 and 26 of the Traffic Act)

Traffic Regulations

(d) the person

(describe the person's actions if relevant)

Signed

At the time of _____ on the date of _____

[] *tick boxes applicable*

FORM 4

(back of form)

Sections 25 and 26 of the *Traffic Act* read as follows:

(Copy of sections 25 and 26 of the Traffic Act)

There may also be printed on the back of the form an indication of the circumstances in which the blood of a passenger or pedestrian will not be tested.

Traffic Regulations

SCHEDULE 3

Regulation 71

AUSTRALIAN ROAD RULES