

Chelsea Daly

From: Rodney Blythe <Rodney.Blythe@roads.vic.gov.au>
Sent: Thursday, 12 September 2019 8:29 AM
To: Rodney Blythe
Cc: David Scott; Matt Dean
Subject: Remake of the Road Safety (General) Regulations 2009 to the Road Safety (General) Regulations 2019

To whom it may concern,

The Road Safety (General) Regulations 2009 are being remade on 24 September 2019 for commencement on 27 September 2019. The new regulations will be the Road Safety (General) Regulations 2019. The General Regulations are substantially the same with no change to Schedules 6 which deals with Parking Infringements. If you reference the General Regulations anywhere you will need to update the year to 2019. There is no change to the parking infringement numbers.

As part of the remake the a council should pass a new resolution for any penalties where they fix a penalty for parking infringements that is greater than the 0.2 prescribed in Schedule 6 – Parking Infringements but not more than 0.5 penalty units. If you just apply the fine as it is in Schedule 6 then you do not need to do this.

Section 87 Road Safety Act 1986

(4) Despite subsection (3)—

(a) a municipal council may, by resolution; or

(b) a relevant public authority may, with the approval of the Minister—

fix a penalty for a parking infringement in contravention of a regulation under this Act, that is a regulation in respect of which regulations under this Act prescribe a penalty, if the penalty to be fixed is not more than 0.5 penalty unit and is not more than the penalty prescribed by the regulations.

If different penalties are applied they should be published on the council website so that it is transparent to the community that a council applies a higher parking fine.

If you have any question please do not hesitate in contacting me.

Regards

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