

### Road Rule 176

- (1) A driver must not stop on a length of road to which a clearway sign applies, unless the driver is driving a public bus, public minibus or taxi and is dropping off, or picking up, passengers.
- (2) (2) If a clearway sign on a road indicates the days or times when it applies, the sign applies to the length of road beginning at the sign and ending at the nearer of the following—
  - (a) a clearway sign on the road that indicates different days or times;
  - (b) an end clearway sign on the road.
- (3) If a clearway sign on a road does not indicate the days or times when it applies, the sign applies to the length of road beginning at the sign and ending at the nearer of the following—
  - (a) a clearway sign on the road that indicates the days or times when it applies;
  - (b) an end clearway sign on the road.

### What this means to you

Clearways exist to improve traffic flow at the busiest times of the day. A clearway starts at the Clearway sign and ends at the End Clearway sign. You cannot stop or park your car between those signs **during the times specified** on the Clearway Sign.

### Internal Review of your Infringement

If you believe you have extenuating circumstances regarding the issuing of an infringement notice, you must write to us within 28 days of the issue date on the ticket to avoid incurring additional costs.

Please ensure that when explaining your situation you include any supporting evidence that you may have.

It is Council's standard practice to investigate all appeals, including verification of evidence and witness statements. All decisions are Final and will be notified in writing.

### Defences listed in the Road Rules

Rule 165 of the Road Rules allows for defences, when a driver stops to avoid a collision; when a driver's vehicle is broken down; where there is a medical or other type of emergency; when a driver stops in the interests of safety; or when a driver stops to comply with another law.

When using any of these defences the types of supporting evidence you should provide would include a full description of the situation including a sworn statement from any witnesses, a sketch or photograph of the scene, receipts from a towing company, mechanic or the RACV showing dates and times; or a doctor certificate, etc.

### Defences that will not be considered

Defences that council do not consider as extenuating circumstances include, drivers running late or held up in appointments; drivers not seeing signs displayed; driver running out of fuel; drivers forgetting to display their parking permit; being broken down without supporting information; and the inability to pay, however circumstances may be considered.

### The decision making process

**1. Appeal** - All Internal Reviews of parking infringements are considered by the Appeals committee, Darebin Traffic Services.

**2. Magistrates Court** - If an appellant is not happy with the decision, they may elect to have their case heard in the Magistrates Court where it will be considered by an independent arbitrator. All appellants have the option to elect for their case to be heard in the Magistrates Court at any time.