

Road Rule 203

- (1) A driver must not stop in a parking area for people with disabilities unless—
 - (a) the driver's vehicle displays a current parking permit for people with disabilities; and
 - (b) the driver complies with the conditions of use of the permit.
- (2) A driver who stops in a parking area for people with disabilities or parks in accordance with rule 206 [*time extension for people with disabilities*] must, when requested by a police officer or authorised person—
 - (a) state his or her name and address; and
 - (b) produce his or her driver licence; and
 - (c) produce a current parking permit for people with disabilities or satisfy the police officer or authorised person that he or she, or a passenger of the vehicle, holds a current parking permit for people with disabilities.
- (3) If a driver fails to comply with a request under subrule (2), a police officer or authorised person may direct the driver to move the vehicle from the parking area for people with disabilities or the length of road or area where the vehicle is parked (as the case requires).
- (4) A driver who is given a direction by a police officer or authorised person under subrule (3) must obey the direction.

What this means to you

A parking space reserved for the disabled can **only** be used by someone with a current *blue-on-white* disabled parking permit, or by a driver who is parking the car so that the disabled permit holder can get in or out of the car.

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.