

Road Rule 168

- (1) The driver of a vehicle must not stop on a length of road or in an area to which a *no parking sign* applies, unless the driver —
 - (a) is dropping off, or picking up, passengers or goods; and
 - (b) does not leave the vehicle unattended; and
 - (c) completes the dropping off, or picking up, of the passengers or goods, and drives on, as soon as possible and, in any case, within the required time after stopping.
- (2) For this rule, a driver leaves a vehicle **unattended** if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.
- (3) In this rule — **required time** means —
 - (a) 2 minutes; or
 - (b) if information on or with the sign indicates another time—the indicated time.



What this means to you

You can stop in a No Parking area for up to two minutes provided you are setting down or picking up a passenger or loading or unloading goods and the driver stays within 3 metres of the vehicle.

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.