

# Stopping in or near an intersection Traffic Infringement Information Sheet

## Road Rule 170

- (1) A driver must not stop in an intersection.
- (2) A driver must not stop on a road within 20 metres from the nearest point of an intersecting road at an intersection with traffic lights, unless the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Road Rules.
- (3) A driver must not stop on a road within 10 metres from the nearest point of an intersecting road at an intersection without traffic lights, unless the driver stops—
  - (a) at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Road Rules; or
  - (b) if the intersection is a T-intersection—along the continuous side of the continuing road at the intersection.

## What this means to you

Parking your vehicle too close to an intersection can endanger pedestrians and other drivers by blocking their view of the traffic, and by restricting other drivers' turning space.

Unless a sign says otherwise, you must park at least 20 metres from an intersection with traffic lights, and at least 10 metres from an intersection without traffic lights. These distances are taken from the kerb line.

## 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.