



# Parking, the law and you

Your guide to  
parking laws  
in Victoria

# Your guide to parking laws in Victoria

Parking laws make our roads safer. This guide explains common parking laws in Victoria and what you can do if you receive a fine. Keep the guide in your car for easy reference.

**Find out more at...**

[www.victorialawfoundation.org.au](http://www.victorialawfoundation.org.au)

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# Parking your car

This section explains some common parking laws and how to read parking signs so you can park correctly and avoid a fine.

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## Parking laws – the basics

There are some rules that you need to obey every time you stop or park.

- ✓ Obey relevant parking signs (see page 11).
- ✓ Park within marked bays (if marked).
- ✓ Don't obstruct traffic or pedestrians.
- ✓ Allow adequate space for cars to pass – if there is a continuous dividing line, there must be at least three metres between the side of your car and the line.

### Parallel parking

- ✓ Keep your car's left wheels close to the kerb.
- ✓ Always park facing the same way as the direction of the traffic on your side of the road.
- ✓ If there are no marked parking bays, leave at least one metre between you and any car in front or behind you.

### Angle parking

In some places you will need to park at an angle (the signs or the markings will tell you this).

- ✓ Park at the angle indicated by the marked bays or by the parking sign.
- ✓ If there are no markings or no parking sign showing the angle, then park at 45 degrees.
- ✓ Park with the rear of your car to the road (unless the sign says otherwise).

### Parking in the centre of the road

- ✓ If signs allow parking in the centre of the road, drive in and out forwards (unless the sign says otherwise).



**Remember,  
always  
read the  
parking  
signs**

## Where can't I stop or park?

Generally parking signs will tell you whether you can stop or park in a particular location. However, here are some common situations where, even if there are no signs, you can't stop and/or park.

### Double parking

- ✗ Don't double-park (this means parking parallel next to another parked car).

### Road markings

- ✗ Don't park where a road marking says 'Keep clear.'
- ✗ Don't park in a bus lane, tram lane or truck lane.
- ✗ Don't park next to a continuous yellow line on the edge of the road.

### Bridges and tunnels

- ✗ Don't park on a bridge, causeway or ramp, or in a tunnel, that's narrower than the rest of the road. This is dangerous for passing cars.

### Obstructions

- ✗ Don't park near something that's obstructing traffic, such as a work site or something that's fallen off a vehicle onto the road.

## Specific locations

- ✗ Don't park with any part of your vehicle in a place you are not allowed to park. For example, even if only the front of your car is in a 'No stopping' area, you are breaking the law.
- ✗ Don't park within 20 metres before a tram stop, unless a sign says you can.
- ✗ Don't park on a bike path, footpath, shared footpath or dividing strip.
- ✗ Don't park on a nature strip next to a road in a built-up area like a suburb or town.
- ✗ Don't park in a slip lane (see image opposite page), unless there are marked parking bays or signs permitting parking, or stop on a painted island.
- ✗ Don't park within 20 metres of an intersection with traffic lights unless signs permit parking.
- ✗ Don't park on a freeway (except in an emergency stopping lane during an emergency).
- ✗ Don't park across a lane or private driveway (you can stop here for up to two minutes if you're dropping off or picking up passengers and don't leave your car).
- ✗ Don't park on the wrong side of the road.
- ✗ Don't park on the curve of a road or a hilltop outside suburbs or towns, unless your car is visible for 100 metres from behind.



Slip lane

## Specific exceptions for bicycles, motorbikes and scooters

### Bicycles

Unless a sign says otherwise, you can park your bicycle anywhere as long as it's safe and not in anyone's way.

### Motorbikes and scooters

Unless a sign says otherwise, you can park your motorbike or scooter on the footpath or the nature strip as long as it's not obstructing pedestrians and drivers. It can also be parked at an angle in parallel parking areas.





## **Keeping the city moving**

Kosmo is a parking enforcement officer with the City of Melbourne. He enjoys his work keeping the city moving.

“ When we walk around the city, we get all kinds of questions from people. We get a lot of questions about parking rules, and we’re always happy to explain them or the signs.

Parking laws are all about giving everyone a fair chance to park in the city.

If we see someone breaking a parking rule, we prefer to explain the problem and ask them to move their car. Our main aim is to keep the city moving.

People often don’t realise that many parking laws are there to keep people safe. For example, “No stopping” signs are really important – they are usually in places where it’d be dangerous to park.

My advice to people tempted to try to get away with parking in the wrong place or overstaying their time limit is to think of others.



## How much space should I leave when I park?

For safety reasons, you can't stop close to the following road features and signs, unless a sign specifically says you can. The table below shows how many metres you need to leave before and after some common road features.

Sign or road feature	Metres before	Metres after
Australia Post mailbox	3	3
Bike crossing with lights	10	3
Bus stop	20	10
Children's crossing	20	10
Fire hydrant	1	1
Intersection with traffic lights	20	20
Intersection without traffic lights	10	10
Level crossing	20	20
Pedestrian crossing (not at intersection)	20	10
Safety zone	10	10
Tram stop	20	—





2P

8<sup>30</sup>AM - 6<sup>PM</sup>

MON-FRI

8<sup>30</sup>AM - 12<sup>30</sup>PM

SAT



# Parking signs

## Common parking signs

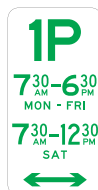
Common parking signs tell you where you can and can't park. Read parking signs carefully and pay attention to time restrictions.

### Time limits

The P stands for parking, and the large number tells you how long you can park here. The times below tell you when this sign applies. Your time starts when you park the car, not when you leave it.

This sign says you can park for one hour (1P), between 7:30 am and 6:30 pm Monday to Friday, and between 7:30 am and 12:30 pm Saturday. You may be able to park for longer outside of that, but check for other signs (such as a clearway sign – see below).

Once you've reached one hour, you can't just buy another ticket or feed the meter. You must move your car off the length of road or out of the area that the sign applies to.



### No parking

You can stop here for up to two minutes (or the time limit shown on the sign) to pick up or drop off passengers or goods. You must stay within three metres of your car. Note: Disabled permit holders may park here for five minutes.



### No stopping

You can't stop here, even briefly. The same applies if there's a continuous yellow line on the edge of the road.



### Clearways

You can't stop on a clearway during times on the sign unless you're driving a public bus, a minibus or a taxi dropping off or picking up passengers.



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## Tow-away zones

If you park here during the times on the sign, your car will be towed away. You may have to pay a fine, and you'll have to pay extra (such as the cost of towing and storing your car) to get your car back.



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## Special zones

There are some zones where you may not be able to park or where you need to display a permit from your local council. Make sure you read the sign carefully from top to bottom to get all the information you need.

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### Permit zones

This sign means that you need to display a special permit to park here. Local residents can apply to the council for a special resident's permit and usually pay an annual fee. Your permit only lets you park in a particular area; you can't park in other permit zones.



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### Safety zones

Safety zones around tram stops allow passengers to get on and off safely. You can't stop within 10 metres before or after a safety zone sign, unless a sign says you can.



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### Special vehicles

This sign means only public buses can stop here. There are other signs that say the same for taxis and trucks.



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### Works zones

This sign means you can't stop here during the times on the sign unless you're driving a vehicle used in construction work in the works zone.



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## Disabled parking

You may only park here if you have a blue and white parking permit for people with disabilities. Councils issue two types of parking permits: blue and white and green and white. Both permit holders may park in ordinary parking spaces for twice as long. But if you park in an area requiring payment you must pay for the first period of parking.



All permits must be displayed at the left side or centre of your front windscreen, with your permit number and expiry date visible from the outside. Also, be prepared to give your name and address, and show your driver licence to the police or a parking inspector if requested.

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## Mail zones

This sign means that only on-duty postal officers can stop here.



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## Loading zones

You can't stop or park unless you are driving:

- a bus, taxi or other commercial passenger vehicle
- a truck
- a courier or delivery vehicle displaying the required sign
- a vehicle designed for carrying loads which has special registration.



Even if you are driving one of these vehicles, you can only stop while you are dropping off or picking up passengers or goods. For details, search for 'loading zones' on the VicRoads website ([www.vicroads.vic.gov.au](http://www.vicroads.vic.gov.au)).

# Parking fines

This section answers frequently asked questions about parking fines (also sometimes called infringement notices) and tells you what to do if you get one.

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## Issuing parking fines – the basics

### **Who is allowed to issue a parking fine?**

Only authorised people can issue parking fines. These include police officers, some council officers and some VicRoads officers.

If you are issued with a parking fine and want to know if the person is authorised, ask to view their identity card. The card should show the person's photo, signature and the signature of the authorising officer.

### **Can a private company issue a parking fine?**

Private companies operate some car parks, often ones attached to shopping centres. A parking 'fine' from a private company is not the same as a fine from a council or the police.

If you receive a notice from a private company that looks like a 'fine', you should read the factsheet from the Consumer Action Law Centre before paying it or contacting the company. Go to [www.consumeraction.org.au/private-car-parking-fines/](http://www.consumeraction.org.au/private-car-parking-fines/).

### **How much are parking fines?**

The amount of a parking fine will depend on a number of factors. Fine amounts vary depending on the council and how the law has been broken. The parking fine notice will show exactly how much you owe.

Parking fine amounts change each year. For information on current penalties go to <http://www.justice.vic.gov.au/home/justice+system/fines+and+penalties/penalties+and+values/> or call Civic Compliance Victoria on 03 9200 8111.



**Remember,  
never  
ignore  
a parking  
fine**



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## **When might I not have to pay a parking fine?**

In certain circumstances, a parking fine may have been issued incorrectly. If you can prove this, you may not be required to pay the fine. However, you can't just ignore it – you need to write to the body that issued the fine and explain why you don't think you need to pay it.

### **If the ticket machine or meter was broken**

You may not have to pay the fine if the ticket machine or meter was broken. However, even if a ticket machine or meter is broken, you still have to obey the signs. So if you're parked in a restricted time area (e.g., with a 1P or 2P sign), you must move your car when the time is up. If you stay longer than the sign allows, you can be issued with a parking fine.

### **If you weren't driving the car**

If the car is registered in your name, you'll receive the fine, which you'll have to pay unless you nominate the person who was driving at the time. To nominate the driver, contact the council or issuing body.

### **If you parked illegally for reasons beyond your control**

You might have parked illegally for reasons beyond your control. Your fine may be withdrawn if you can show you stopped:

- to avoid a collision
- because your car or someone else's broke down
- to deal with a medical emergency
- because it would be unsafe not to stop
- to comply with another road rule.

## **Exceptional and special circumstances**

If the reasons above don't apply to your situation, you may be able to show that there were 'exceptional' circumstances. It is up to the council to decide whether your situation counts as 'exceptional' or not. You will need to show that the circumstances were serious, beyond your control and you have good written evidence. Running late for an appointment is not an 'exceptional' circumstance.

If you have a mental or intellectual illness, disability or disorder, or you are seriously addicted to drugs or alcohol, you may also apply to have the fine cancelled. These reasons are considered 'special circumstances.' You will need to show that, because of your condition, you couldn't understand that your behaviour was against the law or you couldn't control your conduct.

If you are homeless, special circumstances may also apply. You will need to show that, because you were homeless, you couldn't control your conduct.

It's a good idea to get legal help if any of these circumstances apply to you. Contact Victoria Legal Aid or your nearest community legal centre. See page 22 for contact details.



### **How can I prove that I shouldn't have to pay?**

If you receive a parking fine and you believe it was issued incorrectly, or that you have a valid reason not to comply, you'll need to prove why you shouldn't have to pay.

When you receive the ticket, it is good idea to record as much information as possible to prove that the ticket was issued incorrectly. The type of information you might collect includes: your location, the parking meter number where you were parked, a photograph of your car parked there and the sign showing the parking restrictions.

More detailed information on what to do if you think that you may have been issued a ticket incorrectly can be found on page 20.

# What happens if I ignore a fine?

When you receive a parking fine you have 28 days to pay or contact the council or issuing body. For information on who to contact if you need help challenging a fine, see page 22.



Stage		What happens	Options
1 Parking fine issued			
28 days to respond	\$	You have been issued with a fine and need to decide whether to pay it or challenge it.	<ul style="list-style-type: none"><li>• Pay the fine.</li><li>• Challenge the fine – see page 20.</li></ul>
2 Penalty reminder notice issued			
28 days to respond	\$\$	<p>If you did not pay the fine or respond to it within the first 28 days, you will be issued with a penalty reminder notice.</p> <p>The amount of your fine will increase.</p>	<ul style="list-style-type: none"><li>• Pay the fine and any extra costs.</li><li>• Ask for more time to pay – see page 20.</li><li>• Challenge the fine – see page 20.</li></ul>
3 Enforcement order issued by the Infringements Court			
28 days to respond	\$\$\$	<p>If you did not pay or challenge the fine after receiving the penalty reminder notice, you will receive an enforcement order issued by the Infringements Court.</p> <p>The amount you need to pay will increase again.</p>	<ul style="list-style-type: none"><li>• Pay the fine and any extra costs.</li><li>• Apply for more time to pay (a payment order) – see page 20.</li><li>• Apply to have the enforcement order cancelled – see page 21.</li></ul>
4 Infringement warrant issued by the Infringements Court			
7 days to respond	\$\$\$\$ or property seized	If you did not pay or successfully have the enforcement order cancelled, you will be issued with an infringement warrant. You will have seven days to respond or the sheriff can seize your personal property (including your car), or your licence or registration could be suspended. If the sale of your property does not cover the outstanding fine, you could be arrested.	<ul style="list-style-type: none"><li>• Pay the fine and any extra costs.</li><li>• Apply for more time to pay (a payment order) – see page 20.</li><li>• Apply for the enforcement order to be cancelled – see page 21.</li></ul>

You can find more information about fines and the Infringements Court at: [www.fines.vic.gov.au](http://www.fines.vic.gov.au).

However if you are facing arrest or your belongings are being taken away, you need to get legal help immediately.

## More detail on your options

### **Challenge a parking fine**

#### **– stages 1 and 2 only**

If you think you have been issued with a parking fine incorrectly, you may want to challenge it.

In order to challenge a parking fine, you will need to show why you think you shouldn't have to pay it. You will need to show that you fall under one of the categories on pages 16–17.

To challenge a parking fine, contact the council or issuing body to find out how to do this – some councils have a form that you need to complete and others will accept a letter. Details on how to contact the issuing body will be included on the parking fine notice. Alternatively, you may apply in writing to the body that issued the fine to have the matter heard in the Magistrates' Court.

### **Apply for more time to pay**

#### **– council (stages 1 and 2)**

If you are having difficulty paying your fine, you should contact the council that issued the fine to discuss your situation. Do this before the due date to prevent further charges. You may need to provide details of your financial situation.

#### **– Infringements Court (stages 3 and 4)**

If you have received an enforcement order or infringement warrant and you need more time to pay, you can apply for a payment order. You will need to complete the application available at [www.fines.vic.gov.au](http://www.fines.vic.gov.au).

## **Apply to have the enforcement order or the warrant cancelled**

### **– stages 3 and 4**

If you are at the stage that an enforcement order or warrant has been issued and you still believe that you shouldn't have to pay the fine, you can apply to the Infringements Court to have the enforcement order or the warrant cancelled.

If the court cancels the enforcement order or the warrant – often called 'revocation' – that doesn't mean the infringement itself is cancelled. It just means that they have sent it back to the council. The council will decide whether to cancel the infringement notice, or send the matter to the Magistrates' Court.

To apply to have an enforcement order or infringement warrant cancelled, you will need to submit an 'Application for Revocation' form. For more information, and to download the form, go to <http://online.fines.vic.gov.au/fines/content.aspx?page=44>. For your application you will need to supply supporting information.

If you have had an enforcement order or warrant issued against you, it is a good idea to get legal advice. See page 22 for contact details.



### **Applying for extra time to pay your fine**

If you are having trouble paying, contact the council that issued the ticket before the due date. You can apply for extra time to pay or to pay by instalments. These options may apply if you have a:

- Centrelink pensioner concession card
- Veterans' Affairs concession card or gold card
- Centrelink health care card.

If you don't have one of these cards, you may still qualify for alternative payment options. You'll need to provide details about your financial circumstances.

# Getting more help

Parking fines can be complicated. Contact any of these organisations if you need help.

If you are facing arrest or your belongings are being taken away because of unpaid fines, you need to get help quickly.

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## Legal services

### Victoria Legal Aid

Victoria Legal Aid helps people with their legal problems, focusing on helping people on low incomes and those experiencing disadvantage. You can call the Legal Help phone service for free information, legal advice or other help over the phone. You can speak to someone in English or in your own language.

 1300 792 387

 [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

### Community legal centres

Community legal centres provide legal information, initial advice and, in some cases, ongoing help. The Federation of Community Legal Centres can help you find the best centre for your situation.

 03 9652 1500

 [www.communitylaw.org.au](http://www.communitylaw.org.au)

### Private lawyers

Hiring a private lawyer can be the best option in some circumstances. A good place to start is the Law Institute of Victoria. It provides referrals to lawyers across Victoria. Law firms included in the referral service provide a free 30-minute inquiry interview.

 03 9607 9550

 [www.findyourlawyer.com.au](http://www.findyourlawyer.com.au)





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## Government agencies

### Local Government Victoria

If you don't know which local council to speak to about your parking fine, Local Government Victoria can help.

 <https://knowyourcouncil.vic.gov.au>

### Civic Compliance Victoria

For helpful information about an enforcement order or a warrant, contact Civic Compliance Victoria.

 03 9200 8222

 [www.fines.vic.gov.au](http://www.fines.vic.gov.au)

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## Resources


### Everyday-Law

Everyday-Law is a free legal information website produced by Victoria Law Foundation. It has easy-to-understand resources on common legal topics and an online directory of free or low-cost legal services. Go to Everyday-Law to get the legal information and help you need.

 [www.everyday-law.org.au](http://www.everyday-law.org.au)

### Translating and Interpreting Service (TIS)

 131 450

 <https://www.tisnational.gov.au>



**"We were looking for better ways to educate the Bass Coast community about their responsibilities regarding animals. Victoria Law Foundation had an existing range of brochures that meant we didn't need to produce our own."**

**Kaye Hall**

Team Leader,  
Community Safety Rangers,  
Bass Coast Shire Council



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Accurate at May 2016

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