

**NORTHERN TERRITORY OF AUSTRALIA**

**TRAFFIC REGULATIONS 1999**

As in force at 31 July 2024

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 31 July 2024

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## TRAFFIC REGULATIONS 1999

### Regulations under the *Traffic Act 1987*

#### Part 1 Preliminary matters

##### 1 Citation

These Regulations may be cited as the *Traffic Regulations 1999*.

##### 2 Commencement

These Regulations come into operation on 1 December 1999.

##### 3 Interpretation

(1) In these Regulations:

**AFP** means the Australian Federal Police constituted by the *Australian Federal Police Act 1979* (Cth).

**Australian Standard** means a standard approved for publication on behalf of Standards Australia Limited ACN 087 326 690 or the Standards Association of Australia as constituted before 1 July 1999.

**bus** means a motor omnibus within the meaning of the *Commercial Passenger (Road) Transport Act 1991*.

**clearway** means a length of road to which a clearway sign referred to in rule 176 applies.

**commercial passenger vehicle** means a commercial passenger vehicle within the meaning of the *Commercial Passenger (Road) Transport Act 1991*.

**emergency vehicle** means a motor vehicle that is:

(a) the property of the Territory and in the control of the Police Force of the Northern Territory; or

- (b) the property of the Territory and in the control of the Northern Territory Fire and Rescue Service, within the meaning of the *Fire and Emergency Act 1996*; or
- (c) the property of the Territory and in the control of a member, under section 45 of the *Emergency Management Act 2013*, of the Northern Territory Emergency Service and being used for the purposes of that Act; or
- (ca) an ambulance; or
- (d) the property of, or being used for the purposes of, the AFP and in the control of the AFP; or
- (e) authorised as an emergency vehicle under subregulation (4).

**goods** includes animals.

**heavy vehicle** means a vehicle with a GVM greater than 4.5 t.

**member of the AFP** means a member of the Australian Federal Police, as defined in section 4(1) of the *Australian Federal Police Act 1979* (Cth).

**public place** means a place (other than a road) open to or used by the public or to which the public is permitted to have access whether on payment of a fee or otherwise, but does not include a track in an enclosed area used for motor vehicle or bicycle racing or speed trials.

**these Regulations** include the *Australian Road Rules* contained in Schedule 3 to these Regulations.

- (2) Unless the contrary intention appears, if a word or expression that is used in a regulation is defined for the purposes of the *Australian Road Rules*, the word or expression has the same meaning in the regulation as it has in the *Australian Road Rules*.
- (3) Unless the contrary intention appears, a reference in a regulation to a rule and a number is a reference to the rule of that number in the *Australian Road Rules*.
- (3A) A reference in the *Australian Road Rules* to another law of this jurisdiction includes these Regulations other than the *Australian Road Rules*.
- (4) The Registrar may in writing authorise a person, or a member of a class of persons, to use a vehicle or a type of vehicle as an emergency vehicle.



- (5) An authorisation under subregulation (4) may be issued on the conditions, if any, that the Registrar thinks fit and specifies in the authorisation.

## **Part 2 Traffic Rules that apply in Territory**

### **Division 1 Safety of persons in vehicles**

#### **7 Riding in load space**

- (1) Subject to this regulation:
- (a) a driver must not drive a vehicle with a person; or
  - (b) a person must not travel in or on a vehicle,  
in a space of the vehicle designed primarily to carry goods unless:
    - (e) all doors, hatches or other means of entering the space are securely closed; and
    - (f) all goods carried in the space are securely stored to prevent a person in the space being injured by the goods in the event of an accident or emergency.
- (2) If a police officer apprehends a person contravening subregulation (1), the officer may permit the person to continue in contravention of that subregulation and a person to whom permission is given under this subregulation is exempted from complying with subregulation (1) while driving or travelling in or on the vehicle in accordance with the conditions, if any, of the permission.
- (3) Subregulation (1) does not apply in relation to a person or vehicle, or a class of persons or vehicles, exempted by the Registrar.
- (4) In this regulation:
- enclosed**, in relation to a space, means enclosed at the time of manufacture of the vehicle.

### **Division 2 Persons to provide details**

#### **9 Persons to give particulars**

- (1) If an authorised person believes a driver has committed an offence against the Act or these Regulations, the authorised person may require the driver to provide his or her personal particulars.

- (2) If an authorised person believes a driver has committed an offence against the Act or these Regulations, the authorised person may require a person to provide:
  - (a) his or her personal particulars; and
  - (b) any information within the person's power that may identify the driver of the vehicle or assist in investigating the alleged offence.
- (3) If an authorised person believes a vehicle has been used in the commission of an offence against the Act or these Regulations, the authorised person may require the owner of the vehicle to provide any information within the owner's power that may identify the driver of the vehicle or assist in investigating the alleged offence.
- (4) A driver who is required to provide his or her personal particulars must comply with the requirement and must not give false or misleading information.
- (5) A person who is required to provide his or her personal particulars or information under subregulation (2) must comply with the requirement and must not give false or misleading information.
- (6) The owner of a vehicle who is required to provide information under subregulation (3) must comply with the requirement and must not give false or misleading information.
- (8) In this regulation:

**authorised person** means a police officer, an inspector, an officer or any other person who by or under an Act is authorised to require a person to produce a driver's licence or give his or her personal particulars.

**driver** includes a person who an authorised person reasonably believes may be the driver of a vehicle.

**personal particulars**, of a person, means the person's name and address, whether the person is the holder of a licence and, if so, whether the licence is provisional or a permit licence and includes providing a sample of the person's signature.

## 10 Driver to produce registration certificate

- (1) A driver of a motor vehicle must, when required to do so by a police officer or an inspector, produce for inspection by the officer or inspector the certificate of registration issued under the *Motor Vehicles Act 1949* (or a corresponding Act of another jurisdiction) for the vehicle he or she is driving.

- (2) A driver complies with subregulation (1) if the person produces the certificate at a police station or place nominated by the police officer or inspector within 5 days of the requirement being made.

### Division 3 Learners and provisional drivers

#### 11 Definitions

In this Division:

**L-plate** means a sign with sides not less than 150 mm in length bearing a black letter "L" clearly marked on a yellow background.

**learner** means a driver who is the holder of a learner licence granted under section 9 of the *Motor Vehicles Act 1949* that permits the person to drive the vehicle.

**licence holder** means a person who is over 18 years of age and is the holder of a licence (not being a learner licence under section 9, or a licence that is provisional under section 10A, of the *Motor Vehicles Act 1949*) to drive the type of vehicle.

**P-plate** means a sign with sides not less than 150 mm in length bearing a red letter "P" clearly marked on a white background.

**provisional driver** means a person who is the holder of a licence that under section 10A of the *Motor Vehicles Act 1949* is provisional but does not include:

- (a) a police officer; or
- (b) an ambulance officer; or
- (c) a member, within the meaning of the *Fire and Emergency Act 1996*, of the Northern Territory Fire and Rescue Service; or
- (d) a member, under section 45 of the *Emergency Management Act 2013*, of the Northern Territory Emergency Service; or
- (e) a member of the AFP;

when driving a vehicle in the course of the person's duties.

#### 12 Learners driving motor vehicles

- (1) In this regulation, **vehicle** does not include a motor cycle.

- (2) A licence holder must not travel in a vehicle that is driven by a learner unless the licence holder, or another licence holder, is occupying a front seat of the vehicle.
- (3) A licence holder who is occupying a front seat of a vehicle must not permit the vehicle to be driven by a learner unless there are L-plates displayed conspicuously so as to be clearly visible from both the front and the rear of the vehicle.
- (4) A learner must not drive a vehicle unless there are L-plates displayed conspicuously so as to be clearly visible from both the front and the rear of the vehicle.
- (5) A person must not occupy a front seat of a vehicle being driven by a learner unless the person is:
  - (a) a licence holder; or
  - (b) an approved person who is testing the learner's capability to drive the vehicle with safety to the public.
- (6) A learner must not drive a vehicle unless another person is occupying a front seat of the vehicle and the person is:
  - (a) a licence holder; or
  - (b) an approved person who is testing the learner's capability to drive the vehicle with safety to the public.
- (7) A learner must not drive a vehicle at a speed greater than 80 km/h unless permitted to do so by, and while under the direct supervision of, a person conducting a driving course approved by the Registrar.
- (8) A licence holder who is occupying a front seat of a vehicle must not permit a learner to drive the vehicle at a speed greater than 80 km/h unless the licence holder is conducting a driving course approved by the Registrar.
- (9) A learner must not drive a vehicle unless the vehicle is of a class that the learner is permitted by the learner licence to drive.
- (10) A licence holder who is occupying a front seat of a vehicle that is being driven by a learner driver is liable for an offence against these Regulations that is committed by the driver as if the licence holder was the driver of the vehicle.
- (11) It is a defence for a licence holder who is liable for an offence because of subregulation (10) if the licence holder proves that the licence holder took reasonable steps to prevent the learner from committing the offence.

### **13 Learners riding motor cycles**

- (1) A learner must not drive a motor cycle unless it is of a class that the learner is permitted by the learner licence to drive.
- (2) A learner must not drive a motor cycle unless there is an L-plate displayed conspicuously so as to be clearly visible from the rear of the motor cycle.
- (3) A learner must not drive a motor cycle at a speed greater than 80 km/h unless permitted to do so by, and while under the direct supervision of, a person conducting a driving course approved by the Registrar.

### **14 Provisional drivers driving motor vehicles**

- (1) In this regulation, **vehicle** does not include a motor cycle.
- (2) A provisional driver must not drive a vehicle unless there are P-plates displayed conspicuously so as to be clearly visible from both the front and the rear of the vehicle.
- (3) A provisional driver must not drive a vehicle at a speed greater than 100 km/h unless permitted to do so by, and while under the direct supervision of, a person conducting a driving course approved by the Registrar.

### **15 Provisional drivers riding motor cycles**

- (1) A provisional driver must not drive a motor cycle unless there is a P-plate displayed conspicuously so as to be clearly visible from the rear of the motor cycle.
- (2) A provisional driver must not drive a motor cycle at a speed greater than 100 km/h unless permitted to do so by, and while under the direct supervision of, a person conducting a driving course approved by the Registrar.
- (3) A person who has not held a licence to drive a motor cycle for a continuous period of 12 months must not drive a motor cycle with a person seated on a pillion seat.

### **15A Prohibition on mobile phone usage**

A learner or a provisional driver, while driving a motor vehicle, must not use a mobile phone, unless the vehicle is stationary and in a place other than a marked lane or line of traffic on a road.

Maximum penalty: 20 penalty units or imprisonment for 6 months.

*Note for regulation 15A*

*The prohibition under this regulation extends to any use of a mobile phone, including the use of hands-free devices.*

## **Division 4 Warning and signalling devices**

### **16 Flashing warning lights**

- (1) Subject to subregulation (2) and rules 221 and 222, a person must not, on a road, drive or stop a vehicle on which is mounted a lamp displaying intermittent flashes.
- (2) Subregulation (1) does not apply to:
  - (a) an emergency vehicle on which is mounted a lamp displaying intermittent red or blue or red and blue flashes;
  - (b) a vehicle used in the enforcement of the load or dimensional requirements of the *Motor Vehicles Act 1949* on which is mounted a lamp displaying intermittent magenta flashes; or
  - (c) a vehicle on which is mounted a lamp displaying intermittent yellow flashes if the vehicle is:
    - (i) a tow truck at the scene of an accident or engaged in attaching or manoeuvring to attach towing apparatus to a disabled vehicle;
    - (ii) a vehicle in respect of which an exemption under section 59 of the *Motor Vehicles Act 1949* is in force;
    - (iii) a vehicle escorting a vehicle referred to in subparagraph (ii);
    - (iv) a vehicle engaged at a site of work comprising:
      - (A) road construction or road maintenance;
      - (B) cleaning or litter collection on a road, footpath or reservation;

- (C) erection or maintenance of traffic control devices;
  - (D) installation or maintenance of public utilities; or
  - (E) the care and maintenance of trees, plants or grass on or beside a road or public place;
- (v) a vehicle used in the enforcement of the load or dimensional requirements of the *Motor Vehicles Act 1949*;
  - (vi) a vehicle taking part in a procession or parade for which a permit under these Regulations has been granted; or
  - (vii) a vehicle approved by the Registrar while being used in the manner and for the purpose approved by the Registrar.

#### **16A Prescribed lights for emergency vehicles**

For the purposes of the definition of **emergency vehicle** in section 3(1) of the Act, the prescribed lights are intermittent red or blue, or intermittent red and blue, flashing lights.

### **Division 5 Duties of driver**

#### **17 Driving unsafe motor vehicle**

A person must not drive a motor vehicle:

- (a) unless the vehicle is fitted with all the equipment that is required by or under the *Motor Vehicles Act 1949* and the equipment is in serviceable condition; or
- (b) if the vehicle (together with any equipment fitted, or any trailer attached, to the vehicle) is unsafe to drive.

#### **18 Careless walking and disorderly driving**

- (1) A person must not walk on a road or public place without due care or attention or without reasonable consideration for other persons using the road or public place.
- (2) A person must not drive a vehicle in a disorderly manner on a road or public place.

## **19 Duties of driver after crash**

- (1) If a crash results in injury or damage to a person or property, the driver of a vehicle involved in the crash must:
  - (a) stop for a sufficient time to allow any necessary enquiries to be made by or on behalf of the person injured or whose property has been damaged; and
  - (b) render assistance that he or she can at the scene of the crash.
- (2) In addition to subregulation (1), the driver must, as soon as practicable and not later than 24 hours after the crash, report the crash and provide the driver's name to:
  - (a) if the crash has resulted in injury to a person – a police officer at the nearest practicable police station; or
  - (b) in any other case – a police officer using a method approved by the Commissioner.
- (3) Subregulation (2) does not apply if a police officer has taken the particulars of the driver's name and address at the scene of the crash.
- (4) In this regulation:

***animal*** means a horse, cattle, buffalo, camel, sheep, pig or dog.

***property*** includes a vehicle or an animal.

## **Division 6 Animals**

### **20 Leading animals**

A driver of an animal drawn vehicle must not:

- (a) ride on the vehicle unless the animal is guided by proper reins;
- (b) be so far from, or so situated in relation to, the vehicle when it is in motion that the person cannot properly guide or control the animal;
- (c) leave the vehicle unattended unless one of the wheels is prevented from turning by a securely fastened chain or strap;  
or
- (d) ride on the shafts of the vehicle.



**21 Animals on clearways**

A person must not:

- (a) drive an animal drawn vehicle; or
- (b) ride, lead or be in control of an animal,

on a clearway during the hours when stopping in the clearway is prohibited.

**22 Animals on roads**

A person must not cause or permit animals to:

- (a) assemble;
- (b) stand; or
- (c) be drafted,

so as to obstruct vehicles or pedestrians on a road.

**23 Transporting of animals**

A person must not drive or tow a vehicle designed or constructed to carry animals in 2 decks, one above the other, with animals in the upper deck unless:

- (a) the lower deck; and
- (b) the upper deck or, where that deck is divided into pens, each pen on that deck into which an animal is loaded,

is fully loaded with animals.

**Division 7 Loads on vehicles**

**24 Securing of load – general**

A person must not drive, or permit a person to drive, a vehicle carrying a load that flaps, sways, extends or overhangs the sides or the front or back of the vehicle unless the load is carried in accordance with a law in force in the Territory prescribing the manner for carrying the load.

Maximum penalty: 20 penalty units.

## 24A Securing of loose bulk load

- (1) A person must not drive, or permit a person to drive, a vehicle with a GVM greater than 12 tonnes that is carrying a loose bulk load unless the load is covered by a load cover that is suitable for securing the load.

Maximum penalty: 20 penalty units.

- (2) However, the Director may, in writing, exempt a vehicle, or class of vehicles, from the application of subregulation (1).

*Example of a class of vehicles for subregulation (2)*

*All vehicles working on a particular major project.*

- (3) In this regulation:

**GVM**, of a rigid vehicle, does not include a trailer being towed by the vehicle.

**load cover** means a cover made from closed or open weaved material, and includes a tarpaulin.

**loose bulk load** means a load consisting primarily of:

- (a) sand; or
- (b) soil; or
- (ba) gravel, rocks or other quarried material that is likely to be dislodged by the action of rough roads or airflow across the vehicle; or
- (c) any other loose material that is likely to be dislodged by the action of rough roads or airflow across the vehicle.

**rigid**, see the *Motor Vehicles Act 1949*.

## 25 Enforcement

- (1) If a police officer, an officer or an officer of a competent authority has reason to believe that a vehicle is being driven in contravention of regulation 23, 24 or 24A, the officer may direct the driver to do one or more of the following:
- (a) to stop the vehicle;
  - (b) to remove or adjust the load being carried on the vehicle or cause it to be removed or adjusted;

- (c) to secure the load being carried on the vehicle or cause it to be secured;
  - (d) not to drive the vehicle until the load is secured to the satisfaction of the officer;
  - (e) to take the vehicle to a place specified by the officer and to remain at the place until the load is secured or adjusted to the satisfaction of the officer.
- (2) A person given a direction under subregulation (1) must comply with the direction.

## **Division 8 Other road rules**

### **26 Offence in relation to plate**

- (1) A person must not drive a vehicle or permit a vehicle to be driven that is required to be registered under the *Motor Vehicles Act 1949*:
- (a) if it does not have attached or affixed to it a number plate as required under that Act; or
  - (b) if it carries a plate otherwise than in compliance with that Act.
- (2) A person must not drive a vehicle or permit a vehicle to be driven that has attached or affixed to it a number plate that:
- (a) other than as required or permitted by another law of the Territory – has been altered or defaced or on which any writing, mark or colour is not clearly legible or visible; or
  - (b) was issued in respect of another vehicle; or
  - (c) contains an incorrect particular.
- (3) A person must not:
- (a) unlawfully print, manufacture or be in possession of a plate that resembles a number plate and that is calculated or likely to deceive;
  - (b) alter or deface a number plate other than as required or permitted by another law of the Territory; or
  - (c) buy or sell a plate that resembles a number plate and that is calculated or likely to deceive.

**27 Interfering with traffic infringement detection device**

- (1) A person must not unlawfully tamper with, interfere with or cause damage to a traffic infringement detection device.
- (2) A person must not unlawfully interfere with the operation of a traffic infringement detection device.
- (3) A person must not drive a vehicle that has in it or on it a device for preventing the effective operation of a traffic infringement detection device.
- (4) A person must not drive a vehicle that has in it or on it a device for detecting whether a traffic infringement detection device is in operation in the vicinity of the vehicle.
- (5) A person commits an offence against subregulation (3) or (4) whether or not the device in or on the vehicle is in use.
- (6) If a police officer believes on reasonable grounds that a person has, or a vehicle is fitted with, a device that is intended to be used in contravention of this regulation, the officer may seize the device for the purposes of tendering it in evidence in a prosecution of the person.
- (7) If a person is found guilty of an offence against this regulation, the court may order a device seized under subregulation (6), or a device used in the commission of the offence, to be forfeited to the Territory.

**28 Taxis not to stop on clearways**

A person must not stop a taxi on a clearway to pick up or drop off passengers during the hours that stopping is prohibited on the clearway.

**29 Permit to use special zones**

A competent authority may grant a permit to allow a vehicle to stop, or a person to stop a vehicle, in a zone or zones that would otherwise be a prohibited zone or zones for the vehicle to stop.

**30 Parking permit for people with disabilities**

A parking permit for people with disabilities includes a sign affixed to a vehicle displaying a symbolic representation of a person seated in a wheelchair, or a disabled person's permit, issued by a competent authority or a person or body authorised (whether in the Territory or another jurisdiction) to issue the sign or permit.

**31 Destructive substances on road**

- (1) A person who removes a damaged vehicle from a road or road-related area must remove or cause to be removed, as soon as practicable, any destructive or injurious substance or thing that has fallen or has been unloaded from the vehicle onto the road or road-related area.
- (2) If a person fails to comply with subregulation (1) or rule 293, a police officer or an officer of the competent authority may remove or cause to be removed the destructive or injurious substance or thing or load.
- (3) The cost of removing the substance, thing or load is a debt due and payable by the person:
  - (a) to the Territory – when removed by a police officer; or
  - (b) to the competent authority – when removed by an officer of the competent authority.

**32 Use of air cushioned vehicle**

A person must not drive an air cushioned vehicle or hovercraft on a road or public place without the written approval of the competent authority.

**33 Driving on certain beaches prohibited**

- (1) A person must not drive a motor vehicle on a prescribed beach below high water mark except:
  - (a) on a ramp or jetty;
  - (b) for the purpose of launching a boat or taking a boat out of the water; or
  - (c) with the written approval of the competent authority in respect of the beach.
- (2) For the purposes of subregulation (1), all beaches between Emery Point and Buffalo Creek are prescribed beaches.

**34 Person or thing obstructing road**

- (1) A person must not, without the permission of the competent authority given under subregulation (1A):
  - (a) display an advertisement, or cause an advertisement to be displayed, on a road; or

- (b) erect a structure, or cause a structure to be erected, on a road; or
- (c) enter and remain on a road to offer goods or services for sale; or
- (d) camp on a road.

Maximum penalty: 20 penalty units or imprisonment for 6 months.

(1A) The competent authority in respect of a road may give written permission for a person to:

- (a) display an advertisement, or cause an advertisement to be displayed, on the road; or
- (b) erect a structure, or cause a structure to be erected, on the road; or
- (c) enter and remain on the road to offer goods or services for sale; or
- (d) camp on the road.

(2) If an authorised person believes on reasonable grounds that a person has contravened, is contravening or is about to contravene subregulation (1), the authorised person may give the person a direction requiring the person to take an action specified in subregulation (2A).

(2A) A direction given under subregulation (2) may require the person to take either or both of the following actions:

- (a) to leave the road;
- (b) to remove any advertisement, structure or other thing from the road that the authorised person believes on reasonable grounds has been placed, or caused to be placed, on the road by the person in contravention of subregulation (1).

(2B) For subregulation (2A)(b), the authorised person must specify the period within which the advertisement, structure or other thing is required to be removed from the road in accordance with the direction.

- (3) A person given a direction under subregulation (2) must comply with the direction.

Maximum penalty: 20 penalty units or imprisonment for 6 months.

- (4) If a person fails to comply with a direction given under subregulation (2) to remove an advertisement, structure or other thing from a road, the competent authority in respect of the road may:

(a) remove the advertisement, structure or thing or have it removed; and

(b) dispose of the advertisement, structure or thing as the competent authority considers appropriate; and

(c) recover from the person:

(i) the costs incurred by the competent authority in removing the advertisement, structure or thing or in having it removed; and

(ii) any costs of disposal.

- (5) In this regulation:

**road** includes a road-related area.

### **35 Certain vehicles not to display turn sign**

A person must not drive:

(a) a vehicle; or

(b) a vehicle to which a trailer is attached;

that bears a sign referred to in rule 143 displaying the words "do not overtake turning vehicle" or a sign containing words having a similar effect, if the length of the vehicle, or the combined length of the vehicle and trailer, does not exceed 7.5 m.

### **36 Give way to buses sign**

- (1) A person must not affix a "give way to buses" sign as referred to in rule 77, or a sign containing words or symbols having a similar effect, to a vehicle unless:

(a) the sign is approved by the Registrar or is in the form depicted in Schedule 4 to the *Australian Road Rules*; and

- (b) the vehicle is one that is specified by the Registrar as approved to have the sign affixed.
- (2) A person must not drive a vehicle that has a "give way to buses" sign, or a sign to similar effect, affixed unless the sign is affixed to the vehicle in accordance with the Registrar's approval.

## **Division 9          Permits required for certain events on roads**

### **37          Races and speed trials**

- (1) This regulation does not apply in relation to any race or speed trial held in the following events:
  - (a) the event known as the World Solar Challenge;
  - (b) an event declared by the Minister under section 43A(1) of the Act to be an event to which that section applies.
- (2) A person must not organise or promote a race or speed trial on a road or public place unless:
  - (a) a permit for the race or speed trial has been granted under subregulation (7) and the person complies with the conditions of the permit; or
  - (b) bicycles are the only vehicles to take part in the race or speed trial.

Maximum penalty:      10 penalty units.

- (3) A person must not take part in a race or speed trial on a road or public place unless a permit for the race or speed trial has been granted under subregulation (7) and the person complies with the conditions of the permit.

Maximum penalty:      5 penalty units.

- (4) A person must not attend as a spectator at a race or speed trial on a road or public place unless a permit for the race or speed trial has been granted under subregulation (7).

Maximum penalty:      1 penalty unit.



- (5) A person may apply to the competent authority in respect of a road or public place for a permit to hold a race or speed trial on the road or public place.

*Note for subregulation (5)*

*An application for an exemption in relation to the race or speed trial may also be made to the Registrar under section 10B or 43B of the Act.*

- (6) The person who applies for a permit must:
- (a) give public notice of the application:
    - (i) at least 7 days before the date on which the race or speed trial is to be held; and
    - (ii) in the manner required by the competent authority; and
  - (b) obtain the written consent of the Commissioner for the holding of the race or speed trial.
- (7) The competent authority may grant a permit for a race or speed trial on an application under subregulation (5) if the competent authority is satisfied:
- (a) the person who applied for the permit has complied with subregulation (6); and
  - (b) any persons on, or within the vicinity of, the road or public place on which the race or speed trial is to be held would not be endangered or unduly inconvenienced by it.
- (8) The competent authority may grant a permit under subregulation (7) subject to any conditions relating to the holding of the race or speed trial that the competent authority considers appropriate and specifies in the permit.
- (9) Without limiting subregulation (8), the conditions of the permit may provide for the regulation of:
- (a) the organisation or promotion of the race or speed trial; and
  - (b) participation in the race or speed trial.

- (10) If the competent authority grants a permit for a race or speed trial under subregulation (7), the person who applied for the permit must:
- (a) attend the race or speed trial; and
  - (b) on request by a police officer:
    - (i) produce the permit; and
    - (ii) provide the officer with the person's name and address; and
  - (c) comply with the conditions of the permit.

Maximum penalty: 5 penalty units.

- (11) In addition to subregulation (10), the person who applied for the permit must notify the competent authority of any notifiable incident that occurs at the race or speed trial as soon as is reasonably practicable after becoming aware of the incident.

Maximum penalty: 20 penalty units.

- (12) For subregulation (11), a **notifiable incident** is an incident that occurs in the course of holding a race or speed trial which:
- (a) results in the death or injury of:
    - (i) a person taking part in the race or speed trial; or
    - (ii) a person attending as a spectator at the race or speed trial; or
    - (iii) any other person within the vicinity of the race or speed trial; or
  - (b) gives rise to a serious risk of death or injury of a person mentioned in paragraph (a); or
  - (c) results in the destruction or damage of:
    - (i) a vehicle taking part in the race or speed trial; or
    - (ii) any other vehicle or property within vicinity of the race or speed trial; or
  - (d) gives rise to a serious risk of destruction or damage of a vehicle or property mentioned in paragraph (c).

(13) In this regulation:

**race** means a race between vehicles.

**road** includes a road-related area.

**speed trial** means:

- (a) any attempt to establish or break a vehicle speed record of any description; or
- (b) any trial or test of any description of the speed of a vehicle; or
- (c) any competitive trial of any description designed to test:
  - (i) the skill of any driver of any vehicle; or
  - (ii) the reliability or mechanical condition of any vehicle.

### **37A Burn outs**

- (1) A person must not drive a motor vehicle on a road or public place in a manner that causes sustained loss of traction with the surface of the road or place by one or more wheels of the vehicle.

Penalty: 5 penalty units.

- (2) A person does not commit an offence against subregulation (1) if the person is driving the vehicle in accordance with:
- (a) an order under section 43A of the Act for an event declared by the Minister to be an event to which that section applies; or
  - (b) a permit granted for a race or speed trial under regulation 37(7).

### **37B Damaging surface of road or public place**

- (1) A person must not drive a motor vehicle in a way that damages the surface of a road or public place.

Penalty: 5 penalty units.

- (2) Without limiting subregulation (1), a person commits an offence against the subregulation if the person drives a vehicle in a way that causes ruts to form in the surface of a road or public place.

### **38 Parades, processions and public events**

- (1) This regulation does not apply in relation to:
- (a) a procession that is a funeral procession; or
  - (b) a race or speed trial as defined in regulation 37(13); or
  - (c) the following events:
    - (i) the event known as the World Solar Challenge;
    - (ii) an event declared by the Minister under section 43A(1) of the Act to be an event to which that section applies.
- (2) A person must not organise or promote a parade, procession or public event on, or within the vicinity of, a road that may disrupt traffic on the road unless:
- (a) a permit has been granted under subregulation (6) for the parade, procession or public event; and
  - (b) the person complies with the conditions of the permit.

Maximum penalty: 10 penalty units.

- (3) A person must not take part in a parade, procession or public event on, or within the vicinity of, a road that may disrupt traffic on the road unless:
- (a) a permit has been granted under subregulation (6) for the parade, procession or public event; and
  - (b) the person complies with the conditions of the permit.

Maximum penalty: 5 penalty units.

- (4) A person may apply to the competent authority in respect of a road for a permit to hold a parade, procession or public event on, or within the vicinity of, the road.

*Note for subregulation (4)*

*An application for an exemption in relation to the parade, procession or public event may also be made to the Registrar under section 10B or 43B of the Act.*

- (5) The person who applies for a permit must:
- (a) give public notice of the application:
    - (i) at least 7 days before the date on which the parade, procession or public event is to be held; and

- (ii) in the manner required by the competent authority; and
    - (b) obtain the written consent of the Commissioner for the holding of the parade, procession or public event.
  - (6) The competent authority may grant a permit for a parade, procession or public event on an application under subregulation (4) if the competent authority is satisfied:
    - (a) the person who applied for the permit has complied with subregulation (5); and
    - (b) any persons on, or within the vicinity of, the road affected by the parade, procession or public event would not be endangered or unduly inconvenienced by it.
  - (7) The competent authority may grant a permit under subregulation (6) subject to any conditions relating to the holding of the parade, procession or public event that the competent authority considers appropriate and specifies in the permit.
  - (8) Without limiting subregulation (7), the conditions of the permit may provide for the regulation of:
    - (a) the organisation or promotion of the parade, procession or public event; and
    - (b) participation in the parade, procession or public event.
  - (9) If the competent authority grants a permit for a parade, procession or public event under subregulation (6), the person who applied for the permit must:
    - (a) attend the parade, procession or public event; and
    - (b) on request by a police officer:
      - (i) produce the permit; and
      - (ii) provide the officer with the person's name and address; and
    - (c) comply with the conditions of the permit.
- Maximum penalty: 5 penalty units.
- (10) In this regulation:  
**road** includes a road-related area.

## **Part 3            Infringement notice schemes**

### **Division 1        Preliminary matters**

#### **39                Interpretation**

(1) In this Part:

**appropriate place** means a place specified in an infringement notice:

- (a) for paying a penalty; or
  - (b) for lodging a statutory declaration,
- as the context requires.

**infringement issuing officer** means:

- (a) an officer; or
- (b) a police officer; or
- (c) a person authorised under regulation 46A(1)(a).

**infringement notice** means a parking infringement notice or traffic infringement notice.

**new owner** has the same meaning as in section 5(1) of the *Motor Vehicles Act 1949*.

**notice of disposal** has the same meaning as in section 20 of the *Motor Vehicles Act 1949*.

**offence** means:

- (a) a parking infringement; or
- (b) an offence or alleged offence against a law of the Territory that is one of a kind specified in a short form in column 1 of Schedule 1 to these Regulations.

**offender** means:

- (a) a person who an infringement issuing officer believes on reasonable grounds has committed an offence; or
- (b) if an offence is detected by a traffic infringement detection device – the owner of the vehicle allegedly used to commit the offence.

**owner**, of a vehicle, includes:

- (a) the person shown as the registered owner or, if the vehicle registration has expired, the last registered owner under the *Motor Vehicles Act 1949* (or corresponding law in another jurisdiction) or in a national register; and
- (b) if the vehicle has a trader's plate within the meaning of section 34 of the *Motor Vehicles Act 1949* attached to it – the person licensed under that Act to use the plate.

**parking infringement** means a contravention of a provision of Part 12 of the *Australian Road Rules*.

**parking infringement notice** means a notice under Division 3.

**penalty** includes an amount payable in pursuance of a traffic infringement notice or parking infringement notice.

**place of business** means a place where the owner of a vehicle carries on business, including the business of government, and in the case of a corporation includes a registered address.

**place of residence**, in relation to a person, means the last known place of residence for the person.

**postal address**, in relation to a person, means the last known postal address for the person.

**traffic infringement notice** means a traffic infringement notice issued under Division 2.

- (2) For the purposes of the definition of **owner**, if more than one person is shown as the registered owner or last registered owner under paragraph (a) of the definition, the first person named is to be taken to be the registered owner or last registered owner as the case may be.

#### **40            Address for service of infringement notices**

A postal address, place of residence or place of business may be obtained from:

- (a) a licence – except for a place of business;
- (b) personal particulars given to an authorised person under regulation 9;
- (c) a register under the *Motor Vehicles Act 1949* (or a corresponding register in another jurisdiction);

- (d) a national register; or
- (e) any other information obtained by or known to an authorised person for the purposes of Part 2, Division 2 or a person serving an infringement notice.

## **Division 2            Traffic infringement scheme**

### **41            Service of traffic infringement notice**

- (1) If an infringement issuing officer believes on reasonable grounds that an offence has been committed, the officer may:
  - (a) serve a traffic infringement notice on the offender; or
  - (b) arrange for a traffic infringement notice to be served on the offender.
- (2) If the owner of a vehicle makes a statutory declaration in accordance with regulation 53 indicating that some other person was in control of the vehicle at the time the alleged offence occurred, an infringement issuing officer may:
  - (a) serve a traffic infringement notice on the person named in the statutory declaration; or
  - (b) arrange for a traffic infringement notice to be served on the person named in the statutory declaration.

### **42            Particulars to be shown on traffic infringement notice**

A traffic infringement notice is to clearly show:

- (a) the date, time and place of the offence;
- (b) the nature of the offence or offences and the penalty or penalties payable;
- (c) the place or places where a penalty may be paid;
- (d) the date of the traffic infringement notice and a statement that the penalty or penalties may be paid within 28 days after that date;
- (e) a summary of the provisions relating to the withdrawal of a traffic infringement notice;



- (f) a statement to the effect that, if the amount of the penalty shown on the notice is paid at an appropriate place within the time specified in the notice, no further action (other than allocation of demerit points for a demerit points offence) will be taken unless the traffic infringement notice is withdrawn in accordance with regulation 43; and
- (g) any other particulars and instructions that the Commissioner may approve.

#### **43            Withdrawal of infringement notice**

- (1) A traffic infringement notice may be withdrawn, at any time within 28 days after the notice is served, by addressing to the offender a notice of withdrawal.
- (1A) A traffic infringement notice may be withdrawn, by a person authorised under subregulation (3), at a later time if the person withdrawing the notice is satisfied that the person to whom the notice was issued was not the offender.
- (1B) If an infringement notice is withdrawn under subregulation (1A), a courtesy letter issued under the *Fines and Penalties (Recovery) Act 2001* may be withdrawn also, although the due date for payment specified in the letter may have passed.
- (2) A notice of withdrawal is to state that the traffic infringement notice is withdrawn and that any money paid by way of penalty under the notice will be refunded.
- (3) A notice of withdrawal may be issued by:
  - (a) the infringement issuing officer mentioned in regulation 41 who served, or arranged the service of, the traffic infringement notice; or
  - (b) a police officer authorised for the purpose, or a person authorised under regulation 46A(1)(b), by the Commissioner; or
  - (c) an officer authorised for the purpose by the Director.
- (5) If an infringement notice is withdrawn for the purpose of prosecuting the offender for the offence, the production of a certificate signed by the person who issued the notice of withdrawal stating any of the following matters is evidence of the matter:
  - (a) the person is authorised to issue notices of withdrawal;

- (b) on a specified date the person issued a notice of withdrawal of a specified traffic infringement notice.

#### **44            Penalty**

For this Division, the penalty for an offence described in columns 1 and 2 of Schedule 1 to these Regulations is the amount specified opposite in column 3.

#### **45            Payment of penalty within specified period**

- (1) If the total penalty shown on a traffic infringement notice is paid at an appropriate place within the period specified in the notice, the offender has expiated the offence and no further proceedings can be taken in relation to the offence (unless the notice is withdrawn in accordance with regulation 43).
- (1A) Subregulation (1) does not prevent the allocation of demerit points in relation to an appropriate offence, even though the offence is expiated.
- (2) If a penalty under this Division is paid by cheque, the offence is not expiated unless the cheque is honoured on first presentation.

#### **46            General**

- (1) An act or omission may constitute an offence against more than one regulation and incur a penalty for each offence.
- (2) An act or omission may constitute more than one offence against a regulation and incur a penalty for each offence.
- (3) For the purposes of subregulations (1) and (2), if one offence necessarily involves the commission of an offence that is lower in a hierarchy of offences and the penalty for the higher offence takes into account the hierarchy, an offender is not additionally liable for the penalty that would be incurred by committing the offence lower in the hierarchy.
- (4) If more than one traffic infringement notice is issued in respect of one offence, the offender may expiate the offence by paying the penalty shown on any one of the infringement notices served in relation to the offence.
- (5) An offender may be prosecuted for an offence:
  - (a) despite that no traffic infringement notice has been issued in relation to the offence; or

- (b) if a traffic infringement notice has been issued but later withdrawn in accordance with regulation 43,

and nothing in this Division limits the amount of a fine or other penalty that may be imposed by a court in relation to the offence.

#### **46A        Commissioner may authorise public sector employees**

- (1) The Commissioner may authorise a public sector employee who is employed in the Police Civil Employment Unit to do any of the following:
  - (a) serve or arrange the service of traffic infringement notices under regulation 41;
  - (b) issue notices of withdrawal under regulation 43.
- (2) In subregulation (1):

***Police Civil Employment Unit*** means the Agency of that name.

### **Division 3        Parking infringement scheme**

#### **47        Service of parking infringement notice**

- (1) If a police officer or an officer of a competent authority believes that a parking infringement has been committed in relation to a vehicle, the officer may serve or cause to be served a parking infringement notice:
  - (a) personally on:
    - (i) the person who appears to have committed the parking infringement;
    - (ii) a person who is or appears to be the driver of the vehicle; or
    - (iii) the owner of the vehicle;
  - (b) by placing or affixing the notice on the vehicle in a conspicuous position;
  - (c) by posting the notice to the owner of the vehicle at the owner's postal address, place of residence or place of business; or
  - (d) by leaving the notice at the owner's place of residence or business with a person apparently resident or employed there and apparently over 16 years of age.

- (2) If an owner of a vehicle makes a statutory declaration in accordance with regulation 53, an officer or a police officer may serve or cause to be served a parking infringement notice on a person named in the statutory declaration by:
- (a) personally handing it to the person;
  - (b) posting it to the person at the person's postal address or place of residence; or
  - (c) leaving it at the person's place of residence with a person apparently resident there and apparently over 16 years of age.

#### **48            Particulars to be shown on parking infringement notice**

A parking infringement notice is to clearly show:

- (a) the date, time and place of the alleged parking infringement;
- (b) the name and the address of the person on whom it is served unless the notice is served by placing or affixing on a vehicle, in which case it is sufficient if the notice is addressed to "the owner" of the vehicle without further description of the owner;
- (c) the nature of the parking infringement and the penalty payable;
- (d) a statement that if the penalty specified in the infringement notice is paid at an appropriate place within 14 days after the date of the notice no further action will be taken;
- (e) the place or places where the penalty may be paid; and
- (f) any other particulars that a competent authority considers necessary.

#### **49            Penalty**

Unless otherwise specified, the penalty for a parking infringement is as follows:

- (a) stopping or parking in a disabled person's parking bay – \$135;
- (b) stopping where prohibited – \$50;
- (c) other parking infringements – \$40.

**50            Payment of penalty**

- (1) If the penalty shown on the parking infringement notice is paid at an appropriate place within the period specified in the notice the infringement is expiated and no further proceedings can be taken in relation to the infringement.
- (2) If a penalty under this Division is paid by cheque, the offence is not expiated unless the cheque is honoured on first presentation.

**51            General**

- (1) If it is an offence to park or stop a vehicle for longer than the period indicated in a parking sign or otherwise prescribed under these Regulations, a person commits a separate offence for each period that is exceeded while the person's vehicle remains parked or stopped.
- (2) If more than one infringement notice is issued in respect of a parking infringement, the offender may expiate the offence by paying the penalty shown on any one of the infringement notices served in relation to the offence.
- (3) An offender may be prosecuted for a parking infringement despite that no infringement notice has been issued in relation to that offence and nothing in this Part limits the amount of a fine or other penalty that may be imposed by a court in relation to the offence.

**52            Officer of competent authority**

- (1) If a parking infringement (other than a contravention of rule 212 or 213) is committed in a municipality as defined in section 7 of the *Local Government Act 2019*, a reference in this Division to an officer of the competent authority includes a reference to an officer or employee of the council of the municipality (whether or not the place where the parking infringement was committed is under the care, control or management of the council).
- (2) An officer of a competent authority who is performing duties relating to the enforcement of these Regulations regarding the parking or stopping of vehicles may park or stop a vehicle at a place or for a time not otherwise permitted.

**Division 4            Liability of owner for infringements**

**53            Liability of owner**

- (1) Subject to this regulation, if an offence is committed and the name of the offender is not ascertained at the time of issuing the

infringement notice relating to the offence, the owner of the vehicle at the time the offence occurs is to be taken to have committed the offence whether or not the owner in fact committed the offence.

- (2) The owner of a vehicle is not to be taken to have committed an offence if:
- (a) the vehicle was, at the time of the alleged offence, stolen or unlawfully used without the owner's consent;
  - (b) the vehicle is registered under the *Motor Vehicles Act 1949* and at the time of the alleged offence:
    - (i) the owner had sold or disposed of the vehicle but the registration of the vehicle had not been transferred to the new owner; and
    - (ii) the owner had provided the Registrar with a notice of disposal in respect of the vehicle as required by section 20 of that Act; or
  - (c) within 14 days after the owner receives or is served with the first of an infringement notice, a courtesy letter under Part 2, Division 3 of the *Fines and Penalties (Recovery) Act 2001* or a summons in relation to the offence, the owner delivers to an appropriate place a statutory declaration made by the owner:
    - (i) stating that some other person was in control of the vehicle at the time the offence was committed and setting out the name and address of that other person and any other information known to the owner that may assist in identifying or locating that other person;
    - (ii) stating that the vehicle was sold before the offence was committed and setting out the date of the sale, the name and address of the person to whom it was sold and, if the sale was made through an agent, the name and address of the agent; or
    - (iii) stating that at the time when the offence was committed the vehicle had been stolen or was being used unlawfully without the owner's consent.
- (3) If the owner of the vehicle is a body corporate, a director, secretary or manager of the body corporate may make a statutory declaration for the purposes of subregulation (2).

- (4) If the owner of the vehicle is the Territory, the Commonwealth, a State or another Territory of the Commonwealth or a statutory corporation, a person authorised, or apparently authorised, for the purpose may make a statutory declaration for the purposes of subregulation (2).
- (5) A person named in a statutory declaration as being in control of a vehicle at the time of an offence cannot be found guilty of the offence unless a copy of the statutory declaration is affixed to the summons for the offence at the time the summons is served on the person.
- (6) A statutory declaration referred to in subregulation (2)(c):
  - (a) is admissible in evidence in a prosecution against the person in relation to the offence; and
  - (b) is evidence that the person was the driver of the vehicle at the time of the offence.
- (7) If a person is specified as the new owner of a vehicle in a notice of disposal referred to in subregulation (2)(b):
  - (a) the person is to be taken to be the owner of the vehicle at the time of the offence for the purposes of this regulation (other than subregulation (2)(b)); and
  - (b) this regulation applies as if a reference to the owner of the vehicle (other than in subregulation (2)(b)) were a reference to the person.
- (8) Subject to subregulation (9), nothing in this regulation affects the liability of an actual offender who is not the owner of the vehicle.
- (9) If a penalty has been imposed on a person in relation to an offence:
  - (a) another person cannot be charged with the same offence; and
  - (b) a further penalty cannot be imposed on or recovered from another person in relation to the same offence.
- (10) Subregulation (9) does not apply if the traffic infringement notice in relation to the offence is withdrawn in accordance with regulation 43.

**54 Evidence of ownership of motor vehicle**

In a prosecution for an offence, a certificate issued by a person authorised under an Act (including an Act of the Commonwealth or a State or another Territory of the Commonwealth) to issue the certificate stating:

- (a) that a specified person was the registered owner of a specified vehicle on a particular date;
- (b) that a specified person was recorded as the new owner of a specified vehicle from a particular date in a record of a notice of disposal in respect of the vehicle; or
- (c) if the specified vehicle is not registered at the time of issuing the certificate – that a specified person was the last registered owner of the vehicle as at a particular date,

is evidence of the matters set out in the certificate and a court is to assume that the certificate was duly issued.

**Part 3A Demerit points****54A Demerit points for certain offences**

The demerit points for a demerit points offence against the Act or these Regulations are as specified in Column 4 of the table in Schedule 1 to these Regulations opposite the offence described in short form in Column 1 of the table.

**Part 4 Driving with alcohol in breath or blood or drug in body****55 Application of section 25 of Act**

- (1) Section 25(3) of the Act does not apply to the driver of a vehicle of a type mentioned in section 25(1)(a) to (f) of the Act if the person is any of the following:
  - (a) a police officer;
  - (b) a member, as defined in the *Fire and Emergency Act 1996*, of the Northern Territory Fire and Rescue Service;
  - (c) a member, under section 45 of the *Emergency Management Act 2013*, of the Northern Territory Emergency Service;
  - (d) a member of the AFP;



and is driving the vehicle in the course of the person's duties as such a member or officer.

(2) Section 25(3) of the Act does not apply to the driver of a vehicle of a type mentioned in section 25(1)(a) to (f) of the Act if the person is driving the vehicle:

(a) to a place at which the vehicle is to be used in, or the occupants of the vehicle are to take part in; or

(b) at a place at which the vehicle is being used in, or the occupants of the vehicle are taking part in; or

(c) from a place at which the vehicle was used in, or the occupants of the vehicle took part in;

a fire management operation within the meaning of the *Motor Vehicles Act 1949* or an operation relating to the control of a bushfire at that place.

(3) Section 25(3) of the Act does not apply to the driver of a vehicle of a type mentioned in section 25(1)(d) of the Act if not more than 9 persons (including the driver) are travelling in the vehicle.

(4) Section 25(3) of the Act does not apply to the driver of a vehicle of a type mentioned in section 25(1)(f) of the Act if the space designed for carrying goods was enclosed at the time of the manufacture of the vehicle.

#### **55A Drugs prescribed for section 19A of Act**

(1) The drugs prescribed for section 19A(a) of the Act are specified in Part A of Schedule 1A to these Regulations.

(2) The drugs prescribed for section 19A(b) of the Act are specified in Part B of Schedule 1A to these Regulations.

#### **55B Licence suspension for up to 24 hours**

A police officer must not give a person a notice under section 29AAM of the Act if:

(a) a saliva test gave a positive indication of the presence of morphine (but no other prohibited drug); and

(b) the person denies having consumed morphine; and

- (c) the person's ability to properly control a motor vehicle was not apparently impaired.

*Note*

*A saliva test may give a false positive indication of the presence of morphine if the person had consumed codeine. A blood test or saliva analysis will confirm whether the substance was codeine or morphine, but in the absence of impairment, the person must initially be presumed to have consumed codeine only.*

## **56 Prescribed breath analysis instrument – section 29AAW**

- (1) Each of the following devices for the carrying out of a breath analysis is a prescribed breath analysis instrument:

- (a) a device that is of a type known as a Dräger Alcotest 7110;
- (b) a device that is of a type known as a Dräger Alcotest 9510.

- (2) In this regulation:

**Dräger Alcotest 7110** includes any device with the trade name "Dräger Alcotest", "Dräger Alcotest" or "Dräger Alcotest" and associated with the number "7110".

**Dräger Alcotest 9510** includes any device with the trade name "Dräger Alcotest", "Dräger Alcotest" or "Dräger Alcotest" and associated with the number "9510".

## **57 Breath analysis**

- (1) A person must not use a prescribed breath analysis instrument for the purposes of the Act unless the person has prepared it for use at that time.
- (2) To prepare a prescribed breath analysis instrument for use, a person must ensure that:
  - (a) the instrument is turned on; and
  - (b) the words "READY TO START" appear on the display panel of the instrument.
- (3) A person must not carry out a breath analysis of a sample of a person's breath for the purposes of the Act unless satisfied that the person whose breath is to be analysed has not consumed alcohol within the period of 15 minutes immediately preceding the giving of the sample.

**58 Conduct of breath analysis**

- (1) A person carrying out a breath analysis must provide an unused mouthpiece for use in providing each sample of a person's breath in each breath analysis.
- (2) Within one hour after completing a breath analysis of a sample of a person's breath, the person carrying out the analysis must sign and deliver to the person who provided the sample a statement showing:
  - (a) the result of the analysis; and
  - (b) the date and time when the analysis was performed.
- (3) A statement printed by a prescribed breath analysis machine may be used as a statement for the purposes of subregulation (2).

**59 Authorised operators**

- (1) The Commissioner may, by notice in the *Gazette*, authorise a police officer who is, in the opinion of the Commissioner:
  - (a) trained in the use of a prescribed breath analysis instrument; and
  - (b) capable of using that instrument correctly,to use that instrument for the purposes of the Act.
- (2) A person must not carry out a breath analysis for the purposes of the Act unless the person:
  - (a) is a police officer;
  - (b) uses a prescribed breath analysis instrument;
  - (c) is authorised by the Commissioner under subregulation (1) to use the instrument; and
  - (d) complies with these Regulations relating to the proper use of the instrument for the purposes of the Act.

**61 Forms**

For section 29AAU of the Act, a form of certificate set out in Schedule 2 to these Regulations may be used by the person and on the occasion indicated in the following table:

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 TABLE
 

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Form	When and by whom used
1.	May be used by a person authorised by the Commissioner to use a prescribed breath analysis instrument for the purposes of the Act after that person has performed a breath analysis using that instrument.
2.	May be used by a person authorised by the Commissioner to use a prescribed breath analysis instrument for the purposes of the Act after a person refuses or fails to: <ol style="list-style-type: none"> <li>(a) submit to a breath analysis as required by that authorised person; or</li> <li>(b) provide, in accordance with the directions of that authorised person given for the purpose of carrying out a breath analysis using that instrument, a sample of breath sufficient for the completion of the breath analysis.</li> </ol>
3.	May be used by a member of the staff of a hospital or health centre: <ol style="list-style-type: none"> <li>(a) when a sample of blood is taken from a person under section 29AAK of the Act; or</li> <li>(b) when a person refuses or fails to submit to the taking of a sample of blood; or</li> <li>(c) when no sample of blood is taken for a reason mentioned in section 29AAK(5) of the Act.</li> </ol>
5.	May be used by an authorised analyst, or a person employed by an organisation that is an authorised analyst, after completion of analysis of a blood sample for the testing for alcohol.
6.	May be used by an authorised analyst, or a person employed by an organisation that is an authorised analyst, after completion of analysis of a blood sample for the testing for drugs.

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## **Part 5                      Abandoned vehicles**

### **62                      Application of Part**

This Part applies despite that a vehicle is left unattended by a person other than the owner.

**63 Abandoned vehicles**

In this Part, **abandoned vehicle** means a vehicle that is:

- (a) registered under the *Motor Vehicles Act 1949* (or a corresponding Act of another jurisdiction) and is left:
  - (i) for more than 24 hours at a place where it is prohibited by these Regulations to be stopped or parked;
  - (ii) for more than 24 hours in a parking area where the time a vehicle may remain parked is limited; or
  - (iii) for more than 7 days in a parking area where the time a vehicle may remain parked is not limited; or
- (b) not registered under the *Motor Vehicles Act 1949* (or a corresponding Act of another jurisdiction) and is left on a road.

**64 Removal of parked vehicles**

- (1) If a vehicle is stopped or parked:
  - (a) at a place where it is prohibited by these Regulations to be left stopped or parked; or
  - (b) in a manner or position that causes danger, obstruction or inconvenience to drivers,

a police officer or an officer of the competent authority may move the vehicle or cause it to be moved.
- (2) The vehicle may be moved:
  - (a) to the nearest convenient place where parking is not prohibited or where the vehicle may be left without causing or being likely to cause a danger, obstruction or inconvenience; or
  - (b) to any other place (including a police station) for safe keeping that the officer thinks fit.
- (3) If the driver of the vehicle:
  - (a) does not comply with a request of the officer to move the vehicle; or
  - (b) cannot be found after reasonable inquiry of persons in the vicinity of the vehicle,

a police officer or an officer of the competent authority may enter the vehicle for the purpose of moving it.

- (4) A police officer or officer who enters a vehicle under subregulation (3) is not liable for any damage caused by the officer when entering or moving the vehicle.

## **65 Removal of abandoned vehicles**

- (1) An officer of a competent authority may move, or cause to be moved, an abandoned vehicle.
- (2) For the purposes of subregulation (1), if the driver or owner of an abandoned vehicle:
- (a) does not comply with a request of the officer to move the vehicle; or
  - (b) cannot be found after reasonable enquiry of persons in the vicinity of the vehicle,

the officer may enter the vehicle for the purpose of moving it or causing it to be moved.

- (3) An officer who enters an abandoned vehicle under subregulation (3) is not liable for any damage caused by when entering or moving the vehicle.
- (4) If a vehicle is moved under subregulation (1), the officer who moved the vehicle or caused it to be moved must, within 7 days after it is moved, serve or cause to be served a notice on the owner:
- (a) personally; or
  - (b) by post to the owner's postal address, place of residence or place of business.
- (5) The notice is to state:
- (a) that the vehicle has been moved and the address to which it has been moved;
  - (b) that the vehicle is to be collected within 14 days of the owner receiving the notice;
  - (c) the charges, if any, to be paid before the owner can take possession of the vehicle; and

- (d) that, if the owner fails to collect the vehicle, the vehicle will be sold and the costs of removing, storing and selling it will be deducted from the proceeds of the sale.
- (6) If the owner of a vehicle cannot be ascertained or found for the purposes of serving a notice under subregulation (5), the competent authority must cause notice of the removal of the vehicle or trailer to be published:
- (a) in an advertisement appearing for 2 successive weeks in a newspaper circulating in the Territory; or
  - (b) in any other manner that the competent authority determines appropriate,
- having regard to the likely or presumed whereabouts of the owner.

## **66 Cost of moving and storing vehicles**

If a vehicle is moved under regulation 64 or 65, the reasonable costs of removing the vehicle and, where applicable, storing the vehicle may be recovered from the owner before the owner may take possession of the vehicle.

## **67 Vehicles may be sold**

The competent authority may sell by public auction an abandoned vehicle if the owner of the vehicle has not taken possession of it and paid to the competent authority all reasonable costs incurred in:

- (a) moving the vehicle;
- (b) storing the vehicle (if applicable); and
- (c) serving or publishing the notice under regulation 65,

within 28 days after service or second publication of that notice.

## **68 Disposing of abandoned vehicle**

Despite regulation 67, if an abandoned vehicle:

- (a) is immobile and apparently cannot be repaired at a cost that does not exceed its value; or
- (b) in the opinion of the competent authority – has a value of less than \$1 000;

the competent authority may dispose of the vehicle in a manner that it determines appropriate.

**69 Proceeds of sale**

- (1) All money received from selling or disposing of a vehicle under this Part is to be applied in paying, in the following order:
  - (a) the costs incurred by the competent authority in selling or disposing of the vehicle;
  - (b) the costs of removing and storing the vehicle;
  - (c) the costs of serving or publishing the notice under regulation 65.
- (2) The residue of the money, if any, is to be paid, on demand, to the owner of the vehicle immediately before its sale or disposal.
- (3) If, after 6 months after a vehicle is sold or disposed of, any money from the sale or disposal remains in the possession of the competent authority and is unclaimed by the owner of the vehicle or any person claiming through the owner, the money becomes the property of the competent authority.
- (4) A sale or disposal of a vehicle under this Part is valid against all persons.

**70 Claim against owner**

- (1) The owner of a vehicle moved under regulation 65 is liable to a competent authority for the reasonable expenses incurred by the competent authority in removing, storing, selling or attempting to sell the vehicle or disposing of the vehicle.
- (2) The competent authority may recover, as a debt due and payable to it, any of those expenses incurred by it that are not satisfied from the proceeds of the sale or disposal.

**Part 6 Australian Road Rules**

**Division 1 Australian Road Rules are law in Territory**

**71 *Australian Road Rules***

- (1) The *Australian Road Rules* contained in Schedule 3 to these Regulations are made as regulations under the Act and are a law of the Territory.
- (2) A reference in an Act or instrument of a legislative or administrative character to the *Australian Road Rules* is a reference to the *Australian Road Rules* contained in Schedule 3.



## **Division 2            Modification etc. of certain provisions of Australian Road Rules**

### **72            Certain buses are public buses**

In the *Australian Road Rules*, a bus that is operating a licensed route service in an urban service area is a public bus.

### **73            Minibuses and minibus rank**

In the *Australian Road Rules*:

- (a) a minibus within the meaning of the *Commercial Passenger (Road) Transport Act 1991* is a public minibus (but not for the purposes of rule 176); and
- (b) a minibus rank within the meaning of the *Commercial Passenger (Road) Transport Act 1991* is a minibus zone, whether the sign identifying the area of road describes the area as a minibus rank or a minibus zone.

### **74            Oversize vehicles**

In the *Australian Road Rules*, a vehicle that, because of its dimensions, requires a permit or authorisation under the *Motor Vehicles Act 1949* to travel on a road, is an oversize vehicle.

### **75            Taxis**

In the *Australian Road Rules*, a taxi within the meaning of the *Commercial Passenger (Road) Transport Act 1991* is a taxi.

### **76            Registrar may set speed-limits for certain vehicles**

- (1) The Registrar may, by *Gazette* notice, specify a speed-limit for a vehicle or class of vehicles that is less than the speed-limit that would otherwise apply to the vehicle or class of vehicle under these Regulations.
- (2) Different speed-limits may be specified for different vehicles or classes of vehicles.
- (3) A speed-limit under subregulation (1) may vary according to whether the vehicle is being driven within a built-up area or not, or any other circumstance specified by the Registrar in the notice.
- (4) A speed-limit fixed under this regulation applies only when there is no lower speed-limit applying to the driver of the vehicle under another regulation or rule.

**77 Default speed-limit in built-up area**

- (1) The default speed-limit mentioned in rule 25(2) does not apply in the Territory.
- (2) Subject to subregulation (3), the default speed-limit applying to a driver for a length of road in a built-up area within the Territory is 60 kilometres per hour.
- (3) On application by a local government authority, the Minister may specify by *Gazette* notice that the default speed-limit applying to a driver for a length of road in a built-up area within the local government area is 50 kilometres per hour.

**77A Speed-limit outside built-up area**

- (1) For rule 25(3)(b), the default speed-limit applying to a driver of a vehicle outside a built-up area is 110 kilometres per hour.
- (2) However, a speed-limit of 130 kilometres per hour applies to a driver for a length of road in the Territory where that speed is indicated by speed-limit signs for that length of road.
- (3) The default speed-limit mentioned in subregulation (1), and the speed-limit mentioned in subregulation (2), do not apply to the driver of a vehicle if a lower speed-limit applies to the vehicle under regulation 76.

**78 Mechanical signalling device**

For the purposes of rules 49 and 54, a device approved by the Registrar under the *Motor Vehicles Act 1949* as a substitute for turn direction indicator lamps is a mechanical signalling device.

**78AAA Modification of rules 62, 64, 67, 69, 72, 73, 74, 128A and 353: giving way to cyclists**

In rules 62(1)(a) and (b)(ii), 64(b), 67(4), 69(3), 72(3)(b), (4)(b), (4A) and (5)(c), 73(2)(b), (3)(b), (4), (5)(b), (5A) and (6)(b), 74(1)(d)(i), 128A(2)(c) and 353(1) and (2), a reference to a pedestrian is taken to include a reference to a rider of a bicycle.

**78AA Giving way to buses**

Rule 77 applies in the Territory to a driver only if the speed-limit applying to the driver is not more than 70 kilometres per hour.

**78A Exemption for garbage truck drivers**

Rule 98(1) does not apply to the driver of a garbage or waste disposal truck if:

- (a) the driver is engaged in the collection of waste or garbage;
- (b) the driver is unable to comply with the subrule;
- (c) the garbage or waste disposal truck is displaying a flashing light; and
- (d) the driver is acting safely.

**79 Modification of rules 132, 137, 138, 146 and 147: overtaking bicycles**

Despite anything in rules 132, 137, 138, 146 or 147, a driver may overtake a bicycle if:

- (a) the driver has a clear view of any approaching traffic; and
- (b) the driver overtakes the bicycle in circumstances where it is safe to do so.

**80 Modification of rule 144: keeping a safe distance when overtaking**

For rule 144(a), if the vehicle is a bicycle, a sufficient distance is:

- (a) if the maximum speed limit is 60 kilometres per hour or less – at least 1 metre; or
- (b) otherwise – at least 1.5 metres.

**81 Modification of rule 151A: lane filtering**

A rider of a motor bike must not lane filter under rule 151A unless the rider holds a licence for that motor bike:

- (a) of a classification specified in Part B of the Table to regulation 4C of the *Motor Vehicles Regulations 1977*, other than:
  - (i) a learner licence; or
  - (ii) a licence that is provisional under section 10A of the *Motor Vehicles Act 1949*; or

- (b) of an equivalent interstate or international classification, other than an equivalent interstate or international learner licence or provisional licence.

**81A Goods vehicles in loading zones**

For the purposes of rule 179(1)(c), a vehicle designed primarily for the carriage of goods is permitted to stop in a loading zone.

**81C Meaning of *emergency worker* in *Australian Road Rules***

- (1) In the *Australian Road Rules*, the following persons are emergency workers:
  - (a) a police officer;
  - (b) a member, within the meaning of the *Fire and Emergency Act 1996*, of the Northern Territory Fire and Rescue Service;
  - (c) a member, under section 45 of the *Emergency Management Act 2013*, of the Northern Territory Emergency Service;
  - (d) an ambulance officer or a person assisting an ambulance officer;
  - (e) a member of the AFP;
  - (f) a person authorised as an emergency worker under section 10A(2) of the Act.

**81CA Meaning of *police officer* in *Australian Road Rules***

The following are police officers for the *Australian Road Rules*:

- (a) a police officer;
- (b) a member of the AFP.

**81D Making motor vehicle secure**

- (1) The driver of a motor vehicle in the Territory is exempted from the operation of rule 213(3) and (4) in circumstances where a child or children under 16 years old are left in the vehicle if:
  - (a) the driver reasonably considers it preferable not to comply with the rule; and
  - (b) it is safe to not comply with the rule.
- (2) Rule 213(5)(a) and (6) does not apply in the Territory.

## **82 Lights**

For rule 215(4), the lights that are to be fitted to a vehicle are the lights required under the *Motor Vehicles (Standards) Regulations 2003*.

## **83 Hazard and warning lights**

- (1) For the purposes of rule 221(f), the driver of a bus carrying children may use the vehicle's hazard warning lights when stopping the bus to drop off or pick up children.
- (2) For the purposes of rule 222, if the bus is a school bus that is required to be fitted with warning lights, the driver must use the warning lights when stopping the bus to drop off or pick up children.

## **84 Portable warning triangles**

In rules 226 and 227, an approved portable warning triangle is a sign:

- (a) that complies with Australian Standard AS 3790-1992 "Portable Warning Triangles for Motor Vehicles"; or
- (b) approved for the purpose by the Registrar.

## **84A Modification of rule 238(2): pedestrians travelling along a road**

Rule 238(2)(ab) does not apply in the Territory.

## **85 Bicycles on footpaths**

- (1) For the purposes of rule 250(1), if another law in force in the Territory purports to prohibit the riding of bicycles on footpaths, the law is ineffective unless "No Bicycles" signs are displayed to indicate the area of footpath where riding of bicycles is prohibited.
- (2) If another law in force in the Territory purports to prohibit the riding of bicycles in a public place (such as a pedestrian mall), the law is ineffective unless "No Bicycles" signs or "Road Access" signs are displayed to indicate the area where riding of bicycles is prohibited.

## **86 Modification of rule 256: helmets for cyclists**

- (1) For the purposes of rule 256, the requirement to wear an approved bicycle helmet does not apply to a person over 17 years of age if the person is riding or being carried on a bicycle:
  - (a) on a public place; or
  - (b) on a bicycle path or shared path; or

- (ba) on that part of a road that bisects a bicycle path or shared path; or
  - (bb) on a crossing; or
  - (bc) on a road adjacent to a bicycle path, shared path or public place for the purpose of travelling across the road by the shortest practical route in the circumstances; or
  - (c) in an area declared by the Minister, by notice in the *Gazette*, to be a bicycle helmet exemption area.
- (2) In this regulation, a bicycle path does not include a bicycle lane that is not separated from the part of the road used by motor vehicles by a physical structure or barrier in addition to or in substitution for the lane line.
- (3) In this regulation and rule 256, an approved bicycle helmet is a helmet that:
- (a) complies with Australian Standard AS/NZS 2063:2008 – Bicycle helmets; or
  - (b) is approved by the Registrar.

#### **86A Approved child safety items**

For the definitions in rule 266(7):

- (a) a booster seat is approved for the *Australian Road Rules* if it:
  - (i) complies with Australian Standard AS/NZS 1754:2004; or
  - (ii) is of a type approved by the Registrar; and
- (b) a child restraint is approved for the *Australian Road Rules* if it:
  - (i) complies with Australian Standard AS/NZS 1754:2004; or
  - (ii) is of a type approved by the Registrar; and
- (c) a child safety harness is approved for the *Australian Road Rules* if it:
  - (i) complies with Australian Standard AS/NZS 1754:2004; or
  - (ii) is of a type approved by the Registrar.

**86B Helmets for persons on motor cycles**

- (1) For rule 270(3), definition ***approved motor bike helmet***, a helmet for a person driving or riding on a motor cycle is also of an approved type if it is of a type approved by the Registrar.
- (2) Despite rule 270, the Registrar may, in writing, exempt a child or class of children from the requirement to wear an approved motor bike helmet when riding in a sidecar attached to a motor cycle if the Registrar is satisfied that there is not an approved motor bike helmet suitable for use by the child.
- (3) An exemption under subregulation (2) is subject to any conditions specified in the exemption.
- (4) A person must not drive or ride a motor cycle with a child who is the subject of an exemption under subregulation (2) in a sidecar attached to the motor cycle unless the conditions referred to in subregulation (3) are complied with.

**86C Modification of rules 299 and 300: when vehicle is not parked**

For rules 299 and 300, a vehicle is not parked if it is in a marked lane or line of traffic on a road.

**87 Exemptions for postal workers**

For rule 313, the driver of a postal vehicle is exempted from the provisions of the *Australian Road Rules* specified in rule 313(2).

**87AA Modification of meaning of GVM**

In the Territory:

- (a) GVM has the same meaning as in section 5(1) of the *Motor Vehicles Act 1949*; and
- (b) the definition, **GVM**, in the Dictionary to the *Australian Road Rules* does not apply.

**Part 7 Miscellaneous****87A Traffic control device**

- (1) For section 13(2) of the Act:
  - (a) a work site traffic control device must be in a form that:
    - (i) is a reasonable likeness of a diagram in the Standard of that kind of device; or

- 
- (ii) if there is no diagram in the Standard of that kind of device – complies substantially with a description of that kind of device in the Standard and, if the description includes a symbol for which there is a diagram in the Standard, the symbol on the device is a reasonable likeness of the diagram; and
  - (b) a traffic control device that is a traffic-related item under the *Australian Road Rules* must be in a form that complies substantially with the Rules as mentioned in rule 320; and
  - (c) any other type of traffic control device must be in a form that complies substantially with the Rules as mentioned in rule 316.
- (2) A person commits an offence if:
- (a) the person erects, establishes, places, displays, operates, uses, maintains, alters or removes a worksite traffic control device; and
  - (b) that conduct results in the worksite traffic control device not complying with the Standard of that kind of device.

Maximum penalty: 20 penalty units or imprisonment for 6 months.

- (3) An offence against subregulation (2) is an offence of strict liability.
- (4) Part IIAA of the Criminal Code applies to an offence against subregulation (1).

*Note for subregulation (4)*

*Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.*

- (5) In this regulation:

**Standard** means Australian Standard AS 1742.3:2019 – Manual of uniform traffic control devices, Part 3 Traffic control for works on roads.

**work site traffic control device** means a traffic control device that:

- (a) is a sign, delineation device or other kind of device; and
- (b) provides essential information to warn, instruct and guide road users around, through or past work sites.



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**88 Minimum penalty under section 34 of Act**

- (1) The minimum penalty prescribed in section 34(1) of the Act does not apply to an offence against that subsection if:
- (a) both:
    - (i) the vehicle is not a heavy vehicle or a commercial passenger vehicle; and
    - (ii) the offence occurs not more than 1 month after the registration of the vehicle (under this Act or a corresponding Act of another jurisdiction) last expired; or
  - (b) the vehicle to which the offence relates is a box trailer.
- (2) In subregulation (1), **box trailer** means a trailer:
- (a) the unladen mass of which does not exceed 500 kg; or
  - (b) the laden mass of which is not capable of exceeding, or is unlikely to exceed, 1 t.

**89 Certificate relating to test of traffic infringement detection devices**

If a person approved under section 44(3) of the Act tests a traffic infringement detection device in accordance with the notice approving the device under section 44(1) of the Act, at the conclusion of the test the person must issue and sign a certificate:

- (a) setting out the results of the test;
- (b) specifying the date on which the test was made; and
- (c) specifying that the traffic infringement detection device is a traffic infringement detection device within the meaning of the Act.

**90A Exemption for driver of vehicle used for police driver training**

A provision of these Regulations does not apply to a police officer driving a vehicle being used for police driver training if:

- (a) the police driver training is approved by the Commissioner of Police; and
- (b) the vehicle displays markings identifying it as a police vehicle; and
- (c) the driver is taking reasonable care; and

- 
- (d) in the circumstances it is reasonable that the provision should not apply.

## 91 Speed of vehicle

- (1) Nothing in these Regulations permits a person to drive a vehicle at a speed that:
  - (a) constitutes driving carelessly, recklessly or at a speed or in a manner that is dangerous to the public; or
  - (b) exceeds a maximum speed applicable to the vehicle under any other Act.
- (2) For subregulation (1)(a), matters to which a driver should have regard include, but are not limited to, the following:
  - (a) the driver's driving skills and experience;
  - (b) the specifications and condition of the vehicle being driven;
  - (c) the weather conditions;
  - (d) the condition of the road;
  - (e) the degree of visibility;
  - (f) the presence of children or other pedestrians near, or on, the road;
  - (g) the probability of animals straying near, or onto, the road.

*Note for regulation 91*

*This regulation applies in relation to a driver on any length of road in the Territory.*

## 91A Prescribed provisions for certain driving offences

For the definition of **prescribed driving offence** in section 29AB of the Act, an offence against each of the following is a prescribed provision:

- (a) regulation 37(3);
- (b) regulation 37A(1);
- (c) regulation 37B(1).

**92 Regulatory offences**

An offence against these Regulations is a regulatory offence other than the following:

- (a) regulation 9(4), (5) and (6);
- (b) regulation 26(3)(a) and (c);
- (c) regulation 87A(2).

**93 General penalties**

A person who contravenes a provision of these Regulations is liable, on a finding of guilt for an offence against the provision, to a penalty not exceeding 20 penalty units or imprisonment for 6 months.

**94 Licence to be surrendered to court if cancelled or suspended**

A person charged with an offence against the Act or these Regulations must immediately surrender his or her licence to the court if the licence is cancelled or suspended following the hearing of the charge.

**95 Saving of authorised operators and authorised analysts**

- (1) On the commencement of these Regulations, a person who was authorised by the Commissioner to operate a prescribed breath analysis instrument under regulation 117 of the *Traffic Regulations 1988* as in force immediately before the commencement of these Regulations is to be taken to be authorised under regulation 59 of these Regulations to use the prescribed breath analysis instrument.
- (2) On the commencement of these Regulations, a person who was authorised by the Commissioner to be an analyst under regulation 118 of the *Traffic Regulations 1988* as in force immediately before the commencement of these Regulations is to be taken to be authorised under regulation 60 of these Regulations to be an analyst.

**96 Saving of proceedings under repealed regulations**

Despite regulation 97, the *Traffic Regulations 1988* as in force immediately before the commencement of these Regulations continue to apply in relation to an offence that was committed before the commencement of these Regulations.

**97 Repeal**

The *Traffic Regulations 1988* (comprising Regulations No. 19, 1988; Nos. 7, 9 and 30, 1989; Nos. 19 and 33, 1990; Nos. 24 and 75, 1991; Nos. 6, 15, 45 and 49, 1993; Nos. 6, 7, 28 and 41, 1994; No. 24, 1995 and No. 19, 1998) are repealed.

**Part 8 Transitional matters for Transport Legislation Amendment Regulations 2024****98 Definitions**

In this Part:

***amending Regulations*** means the *Transport Legislation Amendment Regulations 2024*.

***commencement*** means the commencement of Part 3, Division 1 of the amending Regulations.

**99 Permissions and directions given before commencement**

- (1) The former regulation continues to apply after the commencement in relation to any direction that was given to a person by an authorised person under the former regulation before the commencement.
- (2) A permission that was given to a person by the competent authority for a road under the former regulation before the commencement:
  - (a) continues in effect after the commencement; and
  - (b) is taken to have been given under regulation 34(1A) as in force after the commencement.
- (3) In this regulation:

***former regulation*** means regulation 34, as in force immediately before the commencement.

**100 Applications, permits and exceptions relating to races and speed trials**

- (1) Subregulation (2) applies in relation to an application for a permit for a racing event (a ***pending application***) that:
  - (a) was made by a person under the former regulation before the commencement; and

- (b) had not yet been determined by the Director under the former regulation before the commencement.
- (2) The Director must continue to determine the pending application in accordance with the former regulation after the commencement, as if regulation **Error! Reference source not found.** of the amending Regulations had not commenced.
- (3) Despite the repeal of the former regulation, each of the following continues in effect after the commencement:
  - (a) a permit for a racing event that was granted by the Director under the former regulation before the commencement (an **existing permit**);
  - (b) an exemption for a person taking part in the racing event mentioned in paragraph (a) that was granted by the Director under the former regulation before the commencement.
- (4) The former regulation continues to apply in relation to the following racing events (an **authorised racing event**) after the commencement, as if regulation **Error! Reference source not found.** of the amending Regulations had not commenced:
  - (a) a racing event for which:
    - (i) a pending application was made; and
    - (ii) a permit is granted by the Director after the commencement in determining the pending application in accordance with subregulation (2);
  - (b) a racing event for which an existing permit continues in effect under subregulation (3).
- (5) Regulation 37A(2), as amended by the amending Regulations, applies to a person who drives a vehicle at an authorised racing event after the commencement as if the reference to a permit in that regulation included a reference to the permit mentioned in subregulation (4)(a) or (b).
- (6) In this regulation:

**former regulation** means regulation 37, as in force immediately before the commencement.

**racing event** means a race or speed trial as defined in the former regulation.

**101 Applications, permits and exceptions relating to parades, processions and other events**

- (1) Subregulation (2) applies in relation to an application for a permit for a public event (a ***pending application***) that:
  - (a) was made by a person under the former regulation before the commencement; and
  - (b) had not yet been determined by the competent authority under the former regulation before the commencement.
- (2) The competent authority must continue to determine the pending application in accordance with the former regulation after the commencement, as if regulation 18 of the amending Regulations had not commenced.
- (3) Despite the repeal of the former regulation, each of the following continues in effect after the commencement:
  - (a) a permit for a public event that was granted by the competent authority under the former regulation before the commencement (an ***existing permit***);
  - (b) an exemption for a person taking part in the public event mentioned in paragraph (a) that was granted by the competent authority under the former regulation before the commencement.
- (4) The former regulation continues to apply in relation to the following public events after the commencement, as if regulation 18 of the amending Regulations had not commenced:
  - (a) a public event for which:
    - (i) a pending application was made; and
    - (ii) a permit is granted by the competent authority after the commencement in determining the pending application in accordance with subregulation (2);
  - (b) a public event for which an existing permit continues in effect under subregulation (3).
- (5) In this regulation:

***former regulation*** means regulation 38, as in force immediately before the commencement.

***public event*** means a parade, procession or other event of a kind referred to in the former regulation.

## Schedule 1 Traffic infringement notice offences

regulations 39(1), definition **offence**, 44 and 54A

Column 1 Traffic Offence (general description)	Column 2 Offence Provision	Column 3 Penalty \$	Column 4 Demerit Points
<b>1. Exceed Speed Limit</b>			
By up to 15 km/h	ARR 20	150	1
Over 15 km/h up to 30 km/h	ARR 20	300	3
Over 30 km/h up to 45 km/h	ARR 20	600	4
Over 45 km/h	TA 30A, ARR 20	1 000	6
<b>2. Seat Belts</b>			
Driver fails to occupy required seat or wear seatbelt	ARR 264	500	3
Driver fails to ensure child or young person wears seat belt / restraint	ARR 266(1)	500	3
Adult passenger fails to wear seat belt	ARR 265(1)	500	
<b>3. Traffic Lights</b>			
Fail to obey red traffic light	ARR 56(1), 56(2), 59(1), 60, 66(1)	240	3
Fail to obey yellow traffic light	ARR 57(1), 57(2)	100	
<b>4. Traffic Control Devices</b>			
Fail to obey traffic control device	ARR 29, 39(1), 39(2), 40, 41, 57(1), 57(2) 61, 62, 64, 65, 67(1), 68(1), 69(1), 70, 71(1), 80(2), 80(3), 88(1), 88(2), 89(1), 89(2), 90, 91(1), 91(2), 92(1)(b), 92(2), 93(1), 94, 95(1), 96(1), 97(1), 98(1), 99(1), 99(2), 100, 103(1), 103(2),	80	



<b>Column 1</b> <b>Traffic Offence</b> <b>(general description)</b>	<b>Column 2</b> <b>Offence</b> <b>Provision</b>	<b>Column 3</b> <b>Penalty</b> <b>\$</b>	<b>Column 4</b> <b>Demerit</b> <b>Points</b>
	104(1), 104(2), 104(3), 105, 106(1), 106(2), 106(3), 108(1), 116, 130(2), 131, 153(1), 154A, 169, 187(4), 232(1), 252(1)		
Fail to obey traffic control device at level crossing	ARR 121, 122, 123 ARR 124	500  500	3
<b>5. L or P Plates</b>			
Drive without "L" or "P" plates when required	TR 12(4), 13(2), 14(2), 15(1)	100	2
<b>7. Bicycles</b>			
Fail to have lamp alight	ARR 259	25	
Ride bicycle incorrectly	ARR 245	25	
Carry excess persons on bicycle	ARR 246	25	
Ride within 2m of rear of motor vehicle	ARR 255	25	
Fail to give way to pedestrian	ARR 250(2)(b)	25	
Take part in race or speed trial on road or public place (in which bicycles are the only vehicles to take part in the race or speed trial) contrary to regulation 37(3)	TR 37(3)	25	
Bicycle rider holding moving vehicle	ARR 254(2)	25	
Ride bicycle without helmet	ARR 256(1)	25	
Ride bicycle without helmet securely fastened	ARR 256(1)	25	
Rider fails to ensure passenger wears helmet	ARR 256(2)	25	

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Traffic Offence (general description)</b>	<b>Offence Provision</b>	<b>Penalty \$</b>	<b>Demerit Points</b>
<b>8. Lights</b>			
Drive with faulty or unlit headlights / taillights	ARR 215(1)	50	
Fail to dip headlights	ARR 218(1)(a)	50	
Other lights not operated as required	ARR 215(1)(b), 216(1)	50	
<b>9. Motorcycle Helmets</b>			
Ride without wearing helmet (passenger or driver)	ARR 270(1), 270(2)	100	
Ride without helmet securely fastened (passenger or driver)	ARR 270(1)(a), 270(2)	80	
Carry pillion or sidecar passenger not wearing helmet	ARR 270(1)(b)	80	
Wear helmet not approved or deteriorated	TR 8, ARR 270(1)	60	
<b>10. Incorrect Turns</b>			
Make a turn contrary to Regulations (includes unsafe U-turn and fail to obey arrows)	ARR 27(1), 28(1), 29, 31(1), 32(1), 33(1), 34(1), 37, 38(1), 43 and 43A	60	
Fail to give way to pedestrian or bicycle rider while turning	ARR 62, 72(1), 73(1), 74(1), 75(1)	100	
<b>11. Crossing Lines</b>			
Cross single unbroken line	ARR 138, 147, 150	80	
Cross double lines where not permitted	ARR 132(2)	80	
<b>12. Signals</b>			
Fail to signal turns, change lanes, stop	ARR 46(1), 48(1)	60	
Fail to cancel signal	ARR 46(4), 48(4), 51	40	

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Traffic Offence (general description)</b>	<b>Offence Provision</b>	<b>Penalty \$</b>	<b>Demerit Points</b>
<b>13. Crossings</b>			
Fail to give way at pedestrian crossing	ARR 81(2)	100	
Fail to give way at children's crossing	ARR 80(2)	120	
<b>14. Keep Left</b>			
Fail to keep left	ARR 27(1), 129(1), 130(2), 131, 132(1), 132(2), 135(1)	50	
<b>15. Keep to Traffic Lanes</b>			
Fail to keep to left lane when not overtaking	ARR 130(2)	50	
Fail to drive in traffic lane	ARR 146(1)	50	
<b>16. Body Protruding from Vehicle</b>			
Drive while part of passenger's body protruding	ARR 268(4)	50	
Travel in motor vehicle with part of body protruding	ARR 268(3)	50	
Drive while passenger on step, boot, bonnet, roof or on tailgate / trayside of, or while standing in utility or other truck	ARR 268(4), 268(4A), 268(4B)	100	
Ride as passenger on step, boot, bonnet, roof or on tailgate / trayside of, or while standing in utility or other truck	ARR 268(1), 268(2)	100	
Drive while child or young person in open load space of vehicle	TR 7(1)(a), ARR 268(4A), 268(4B)	120	
Drive while passenger (other than child or young person) in open load space of vehicle	TR 7(1)(a), ARR 268(4A), 268(4B)	80	
Ride as adult passenger in open load space of vehicle	TR 7(1)(b), ARR 268(2)	100	

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Traffic Offence (general description)</b>	<b>Offence Provision</b>	<b>Penalty \$</b>	<b>Demerit Points</b>
<b>17. Number Plates</b>			
Number plate not clearly visible	TR 26(2)(a)	30	
Number plate missing	TR 26(1)(a)	40	
<b>18. Fail to Give Way</b>			
Fail to give way to right	ARR 72(1), 75(1)(c), 72(5)(b)	100	
Fail to give way at intersection	ARR 72(1), 73(1), 75(1)	100	
Fail to give way when entering road from road-related area or adjacent land	ARR 74(1)	100	
Fail to give way to bus	ARR 77(1)	100	
Fail give way to emergency vehicle	ARR 79(1)	100	
Drive wrong way in a one way street	ARR 98(1)	100	
<b>19. Obstruct Traffic</b>			
By entering blocked intersection	ARR 128	40	
By travelling abnormally slowly	ARR 125(1)	40	
By soliciting a lift or sale of goods	ARR 236(4), 236(5)	40	
By opening doors or alighting from vehicle	ARR 269(1), 269(3)	40	
<b>20. Unsafe Loading</b>			
Allow load to escape or fall from vehicle	ARR 292	80	
Drive with load insufficiently secured or restrained	TR 24, 24A(1), ARR 292, 292A(1)	60	

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Traffic Offence (general description)</b>	<b>Offence Provision</b>	<b>Penalty \$</b>	<b>Demerit Points</b>
<b>21. Overtaking</b>			
Overtake incorrectly (general)	ARR 93(1), 94, 129, 130(2), 140, 141(1), 142(1), 143(1), 144	70	
Overtake turning long vehicle when not safe	ARR 143(1), 143(2)	50	
Overtake slowing or stopped vehicle at pedestrian crossing	ARR 82	100	
Overtake slowing or stopped vehicle at children's crossing	ARR 82	120	
<b>22. Warning Signs</b>			
Fail to display warning signs near disabled heavy vehicle	ARR 227(2)	50	
Fail to display warning signs near fallen load	ARR 227(3)	50	
Fail to carry warning signs on heavy / long vehicle	ARR 226(1)	30	
<b>23. Driving Carelessly, etc.</b>			
Drive while using mobile phone (learner or provisional driver)	TR 15A	500	3
Drive while using hand held mobile phone	ARR 300	500	3
Drive while image on television or visual display unit screen visible to driver	ARR 299(1)(a)	500	3
Drive while image on television or visual display unit screen likely to distract another driver	ARR 299(1)(b)	500	3
Drive carelessly (no injury)	TA 30B(3)	150	
Drive in disorderly manner or cause undue noise or smoke	TR 18(2), ARR 291	60	
Take part in race or speed trial on road or public place (other than a race or speed trial in which bicycles are the only	TR 37(3)	220	3

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Traffic Offence (general description)</b>	<b>Offence Provision</b>	<b>Penalty \$</b>	<b>Demerit Points</b>
vehicles to take part) contrary to regulation 37(3)			
Drive vehicle causing sustained loss of traction contrary to regulation 37A(1)	TR 37A(1)	220	3
Drive vehicle causing damage to road or public place – contrary to regulation 37B(1)	TR 37B(1)	220	3
<b>24. Unsafe Carriage of Passengers</b>			
Drive while passengers in trailer without approval	ARR 298	100	
Ride in trailer without approval	TR 7(1)(b)	100	
<b>25. Unregistered / Uninsured</b>			
Drive unregistered / uninsured motor vehicle (where vehicle unregistered or uninsured for one month or less and is not a heavy vehicle or a commercial passenger vehicle)	TA 33(1)(a), 33(4)	300	
Drive unregistered / uninsured motor vehicle (where vehicle unregistered or uninsured for more than one month but less than 12 months and is not a heavy vehicle or a commercial passenger vehicle)	TA 33(1)(a), 33(4)	800	
Drive unregistered / uninsured motor vehicle (where vehicle unregistered or uninsured for 12 months or more and is not a heavy vehicle or a commercial passenger vehicle)	TA 33(1)(a), 33(4)	1500	
Drive unregistered / uninsured box trailer	TA 33(1), 34(1)	100	

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Traffic Offence (general description)</b>	<b>Offence Provision</b>	<b>Penalty \$</b>	<b>Demerit Points</b>
<i>26. General</i>			
Fail to obey direction of police officer	ARR 304(1)	80	
Leave ignition keys in unattended vehicle	ARR 213(4)	40	
Interfere with traffic control device without consent	TA 12(1)(b)	60	
Fail to remove wheel chocks from road	ARR 293	40	
Drive on prescribed beach	TR 33	40	
Drive with expired licence where licence has expired for 2 months or less	TA 32(1)	200	
Drive with expired licence where licence has expired for more than 2 months	TA 32(1)	500	
Drive vehicle on footpath	ARR 288(1)	50	
Drive unsafe motor vehicle	TR 17	60	
Carry passenger on motor cycle contrary to regulation 15(3)	TR 15(3)	80	
Stop long or heavy vehicle for longer than 1 hour or otherwise permitted	ARR 200(2)	60	
Stop vehicle on or near crest or curve on length of road	ARR 193(1)	60	
Fail to provide personal particulars when required	TR 9(4)	100	
Fail to provide personal particulars or information when required	TR 9(5)	100	
Fail to provide information when required	TR 9(6)	100	
Drive with alcohol in breath or blood contrary to section 23(1)	TA 23(1)	400	3

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Traffic Offence (general description)</b>	<b>Offence Provision</b>	<b>Penalty \$</b>	<b>Demerit Points</b>
Drive with alcohol in breath or blood contrary to section 25 or 26	TA 25(3), 26(1)(a), 26(1)(b)	400	3
Drive with prohibited drug in body contrary to section 28	TA 28(1)	400	
Fail to comply with direction by police officer about excessive noise	TA 29AU	200	
Traffic control device offence	TR 87A(2)	400 for individual 2 000 for body corporate	
Obstruct a road, or cause obstruction on a road, contrary to regulation 34(1)	TR 34(1)	250	
<b>27. Offences under Motor Vehicles Act 1949</b>			
Fail to change ownership papers within prescribed period	MVA 20(1)	30	
Fail to produce licence on request	MVA 113(1)	100	
Remove, alter or deface defect label	MVA 128A(12)	80	

*Note for table*

*ARR\* followed by a number is a reference to the rule of that number of the Australian Road Rules.*

*MVA\* followed by a number is a reference to the section of that number of the Motor Vehicles Act 1949.*

*TA\* followed by a number is a reference to the section of that number of the Traffic Act 1987.*

*TR\* followed by a number is a reference to the regulation of that number of the Traffic Regulations 1999.*



## **Schedule 1A Drugs prescribed for section 19A of Act**

regulation 55A

### Part A

The following drugs are prescribed for section 19A(a) of the Act:

Delta-9-tetrahydrocannabinol (THC)

Methylamphetamine

3,4-Methylenedioxymethamphetamine (MDMA)

Methylenedioxyamphetamine (MDA)

Monoacetylmorphine (heroin metabolite)

Benzoylmethylecgonine (cocaine)

Benzoylecgonine (cocaine metabolite)

### Part B

The following drugs are prescribed for section 19A(b) of the Act:

Morphine

Methadone

Amphetamine

## Schedule 2 Forms

regulation 61

### NORTHERN TERRITORY OF AUSTRALIA

*Traffic Regulations 1999*

#### FORM 1

#### CERTIFICATE ON PERFORMANCE OF BREATH ANALYSIS

I, *(operator name)*, a police officer authorised by the Commissioner to use a prescribed breath analysis instrument for the *Traffic Act 1987*, certify as follows:

1 At the time of \_\_\_\_\_ am/pm on the date of \_\_\_\_\_  
I carried out an analysis on a sample of breath supplied by  
*(full name and address of person)*

(the **subject**),

whose occupation is \_\_\_\_\_ and who is \_\_\_\_\_ years of age.

2 Before carrying out the analysis I satisfied myself that the subject had not consumed any alcohol within the preceding 15 minutes.

3 Before carrying out the analysis I prepared the breath analysis instrument for use in the manner prescribed by the *Traffic Regulations 1999*.

4 I provided an unused mouthpiece for use by the subject in giving the sample.

5 The result of the analysis shown on and recorded by the breath analysis instrument was *(strike out whichever not applicable)*:

- \_\_\_\_\_ grams of alcohol per 210 litres of exhaled breath (BrAC)
- \_\_\_\_\_ grams of alcohol per 100 ml of blood (BAC)
- \_\_\_\_\_ % BAC

6 Within one hour of carrying out the analysis I signed and delivered to the subject a statement as required by regulation 58(2).

Signed

At the time of            am/pm on the date of

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NORTHERN TERRITORY OF AUSTRALIA

TRAFFIC REGULATIONS 1999

FORM 2

**CERTIFICATE ON REFUSAL OR FAILURE TO SUBMIT TO OR PROVIDE  
A SAMPLE OF BREATH SUFFICIENT FOR COMPLETION OF BREATH  
ANALYSIS**

I, (operator name) , a police officer who is authorised by the Commissioner to use a prescribed breath analysis instrument for the purposes of the *Traffic Act 1987*, certify that:

1. At the time of am/pm on the date of I prepared to perform an analysis on a sample of breath to be supplied by (full name and address of person) (the subject), whose occupation is and who is years of age.
2. I asked if the subject was suffering from any illness and the subject responded " .
3. I asked if the subject was suffering from any disability and the subject responded " .
4. I asked if the subject was suffering from any injuries and the subject responded " .
5. I asked if the subject was taking any tablets, drugs, insulin or medicine and the subject responded " .
6. I satisfied myself that the subject had not consumed any alcohol within the immediately preceding 15 minutes.
7. I prepared the breath analysis instrument for use in the prescribed manner and satisfied myself that the instrument was in good working order.

8. I provided an unused mouthpiece for use by the subject in giving a sample of breath.
9. I said to the subject "This is a prescribed breath analysis instrument. I am authorised to use it for the purposes of the *Traffic Act 1987*. It is in good working order and ready for use. I require you to submit to a breath analysis."
10. I then gave the subject directions as to how the subject was to provide a sample of breath sufficient for the performance of the breath analysis.
11. The subject then said "  
and the subject

*(describe the person's actions if relevant)*

Signed

At the time of \_\_\_\_\_ on the date of \_\_\_\_\_

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**NORTHERN TERRITORY OF AUSTRALIA**

**TRAFFIC REGULATIONS 1999**

**FORM 3**

**BLOOD TEST FOR FORENSIC ANALYSIS**

*For completion by a medical practitioner, registered nurse, a member of staff of a hospital under direct supervision of a medical practitioner or registered nurse or, if at a health centre, a qualified person.*

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Name of person liable to give sample of blood: .....

*If identity of person unknown, enter Health Registration Number (HRN) .....*

Person's address (if known): .....

**PART 1 – REASON FOR TEST**

Please indicate with an "x" in the appropriate box:

A police officer required this person to give a sample of blood (s 29AAG).  
Blood to be tested for  Drugs  Alcohol  Drugs & Alcohol

or

This person entered this hospital/health centre for examination or treatment of injuries which may have been received in a crash. (s 29AAK)  
Blood to be tested for drugs and alcohol.

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**PART 2 – STATEMENT BY HEALTH PROFESSIONAL TO PERSON**

"You are required by law to give a sample of your blood for the purpose of analysis. Failure to do so is an offence under the *Traffic Act 1987* (s 29AAH). Do you consent to me taking a sample of your blood?"  
Person's answer:

Yes .....(record person's comment if any)

No – "What is the reason for your refusal?" .....

or

I did not make the statement to the person because the person was unconscious or otherwise apparently incapable of giving or refusing consent to the taking of a sample .....

*(Record factors which may affect the person's ability to understand the nature of the request, eg: shock, influence of alcohol/drugs, injury, loss of consciousness, mental state, language etc.)*

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**PART 3 – CERTIFICATE OF HEALTH PROFESSIONAL**

I, ....., a person who may take a sample of blood under the *Traffic Act 1987*, certify that:

I took a sample of blood from the person identified above at (*Name of Hospital/Health Centre*) ..... at ..... am/pm on (*date*)..... 20..... and I placed the sample of blood, in approximately equal portions, in  separate containers and secured the caps. I then sealed each container with an adhesive seal bearing the identification number . I placed  container(s) into the secured blood box and gave  to the person / left with the person's personal effects / placed in collection box (*delete as required*) with a copy of this completed and signed form. (*Approximately half may be made available to the person from whom the sample was taken – s 29AAK(7)*).

or

I did not take a sample of blood from the person because the person refused consent.

or

I was not required to take a sample because I believed on reasonable grounds that: (*s 29AAK(5) – indicate which one or more is applicable*)

- the concentration of alcohol in the person's blood is already known;
- the taking of the sample would be detrimental to the person's medical condition;
- the injuries of the person were not received in a motor vehicle accident or the motor vehicle accident happened more than 12 hours before the person entered the hospital or health centre;
- a period of more than 4 hours has elapsed since the person entered the hospital or health centre.

I declare that to the best of my knowledge, the information contained in this form is true and correct.

Signature of health professional: .....

Date: .....

Qualification: .....

**NOTE: A COPY OF THIS CERTIFICATE MUST BE GIVEN TO THE PERSON OR LEFT WITH THEIR PERSONAL EFFECTS**

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**IMPORTANT – FOR PATIENT’S INFORMATION**

If a sample of your blood has been taken, it has been divided into portions, in [ ] separate containers. The sample will be analysed for the purpose of analysis by an authorised analyst for the *Traffic Act 1987*. A container(s) containing approximately half of the sample and marked with the identification number specified in this notice has been made available to you in accordance with the *Traffic Act 1987*. If you wish to have your portion of the sample independently analysed it will be at your own expense.

**FAILURE TO COLLECT OR HAVE YOUR PORTION OF THE SAMPLE ANALYSED CANNOT BE USED AS A DEFENCE IN ANY PROCEEDINGS BROUGHT AGAINST YOU.**

---

**POLICE USE ONLY**

Police officer removing blood sample (Consisting of [ ] separate containers)

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*I/D Number*

/ /  
*Date*

\_\_\_\_\_  
*Time* am/pm

**WHITE COPY GIVEN TO PERSON OR LEFT WITH PERSON’S PERSONAL EFFECTS ONLY  
REMAINING COPIES TO BE PLACED IN SAMPLE BAG FOR TRANSMISSION TO FORENSIC SCIENCE CENTRE**



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**NORTHERN TERRITORY OF AUSTRALIA**

***Traffic Regulations 1999***

**FORM 5**

**CERTIFICATE ON COMPLETION OF ANALYSIS OF BLOOD SAMPLE  
(TEST FOR ALCOHOL)**

I, *(name)*

an authorised analyst,

or

a person employed by *(name of organisation)*  
an organisation that is an authorised analyst,

certify as follows:

- (a) on *(date)* a sealed container bearing the identification number *(enter number)*, accompanied by the certificate attached to this form, was received at *(place of analysis)* ;
- (b) the container contained a sample of blood;
- (c) an analysis of the sample was carried out and the analysis disclosed the presence in the blood of a concentration of \_\_\_\_\_ grams of alcohol per 100 ml of blood;
- (d) I examined the laboratory's records relating to the receipt, continuity of custody and storage of the container and testing of the sample (including the test process) that was done in the laboratory and I confirm the records indicate that all relevant quality assurance procedures were complied with.

Signed

Date

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**NORTHERN TERRITORY OF AUSTRALIA**

***Traffic Regulations 1999***

**FORM 6**

**CERTIFICATE ON COMPLETION OF ANALYSIS OF BLOOD  
SAMPLE (TEST FOR DRUG)**

I, *(name)*

an authorised analyst,

*or*

a person employed by *(name of organisation)*  
an organisation that is an authorised analyst,

certify as follows:

(a) on *(date)* a sealed container bearing the identification number  
*(enter number)*, accompanied by the certificate attached  
to this form, was received at *(place of analysis)* ;

(b) the container contained a sample of blood;

(c) an analysis of the sample was carried out and the analysis disclosed the  
presence in the blood of the following:

\*Delta-9-tetrahydrocannabinol (THC)

\*Methylamphetamine

\*3,4-Methylenedioxymethamphetamine (MDMA)

\*Methylenedioxyamphetamine (MDA)

\*Monoacetylmorphine (heroin metabolite)

\*Benzoylmethylecgonine (cocaine)

\*Benzoylecgonine (cocaine metabolite)

\*Morphine

\*Methadone

\*Amphetamine

*\*Delete items not detected/not tested for*

(d) I examined the laboratory's records relating to the receipt, continuity of  
custody and storage of the container and testing of the sample (including  
the test process) that was done in the laboratory and I confirm the  
records indicate that all relevant quality assurance procedures were  
complied with.

Signed

Date

## **Schedule 3 Australian Road Rules**

regulation 71

The *Australian Road Rules* are contained in a separate document.

See *Traffic Regulations 1999*, Schedule 3 – Australian Road Rules on the  
legislation website:

<https://legislation.nt.gov.au/LegislationPortal/Subordinate-Legislation/By-Title>

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**ENDNOTES**
**1 KEY**

Key to abbreviations

<b>amd = amended</b>	<b>od = order</b>
<b>app = appendix</b>	<b>om = omitted</b>
<b>bl = by-law</b>	<b>pt = Part</b>
<b>ch = Chapter</b>	<b>r = regulation/rule</b>
<b>cl = clause</b>	<b>rem = remainder</b>
<b>div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>f = forms</b>	<b>s = section</b>
<b>Gaz = Gazette</b>	<b>sch = Schedule</b>
<b>hdg = heading</b>	<b>sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SL = Subordinate Legislation</b>
<b>lt = long title</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

**2 LIST OF LEGISLATION*****Traffic Regulations (SL No. 37, 1999)***

Notified	1 December 1999
Commenced	1 December 1999 (r 2)

***Statute Law Revision Act 2001 (Act No. 3, 2001)***

Assent date	22 March 2001
Commenced	22 March 2001

***Amendment of Traffic Regulations (SL No. 32, 2001)***

Notified	11 July 2001
Commenced	11 July 2001

***Fines and Penalties (Recovery) (Consequential Amendments) Act 2001 (Act No. 60, 2001)***

Assent date	11 December 2001
Commenced	1 January 2002 (s 2, s 2 <i>Fines and Penalties (Recovery) Act 2001</i> (Act No. 59, 2001) and <i>Gaz G50</i> , 19 December 2001, p 3)

***Amendments of Traffic Regulations (SL No. 12, 2002)***

Notified	8 May 2002
Commenced	8 May 2002

***Amendments of Traffic Regulations (SL No. 26, 2002)***

Notified	7 August 2002
Commenced	7 August 2002

***Statute Law Revision Act 2003 (Act No. 12, 2003)***

Assent date	18 March 2003
Commenced	18 March 2003

**Amendments of Traffic Regulations (SL No. 19, 2004)**

Notified 30 June 2004  
 Commenced 1 July 2004 (r 2)

**Traffic Amendment Act 2004 (Act No. 30, 2004)**

Assent date 4 June 2004  
 Commenced 1 November 2004 (Gaz S34, 28 November 2004)

**Traffic Amendment (Loose Bulk Loads) Regulations 2006 (SL No. 46, 2006)**

Notified 20 December 2006  
 Commenced 20 December 2006

**Traffic Amendment Regulations 2006 (SL No. 47, 2006)**

Notified 20 December 2006  
 Commenced 1 January 2007 (r 2)

**Traffic Amendment Regulations 2007 (SL No. 8, 2007)**

Notified 14 March 2007  
 Commenced 14 March 2007

**Transport Legislation (Road Safety) Amendment Act 2007 (Act No. 10, 2007)**

Assent date 21 June 2007  
 Commenced 1 July 2007 (Gaz S16, 27 June 2007)

**Traffic Amendment Regulations (No. 2) 2007 (SL No. 15, 2007)**

Notified 27 June 2007  
 Commenced 1 July 2007 (r 2)

**Transport Legislation (Demerit Points) Amendment Act 2007 (Act No. 13, 2007)**

Assent date 28 August 2007  
 Commenced 1 September 2007 (s 2)

**Traffic Amendment Regulations (No. 3) 2007 (SL No. 33, 2007)**

Notified 16 October 2007  
 Commenced 16 October 2007

**Transport Legislation (Drug Driving) Amendment Act 2008 (Act No. 7, 2008)**

Assent date 11 March 2008  
 Commenced 1 July 2008 (Gaz G25, 25 June 2008, p 4)

**Traffic Amendment Regulations 2008 (SL No. 9, 2008)**

Notified 28 May 2008  
 Commenced 1 July 2008 (r 2, s 2 *Transport Legislation (Drug Driving) Amendment Act 2008* (Act No. 7, 2008) and (Gaz G25, 25 June 2008, p 4)

**Traffic Amendment Regulations (No. 2) 2008 (SL No. 19, 2008)**

Notified 20 August 2008  
 Commenced 20 August 2008

**Traffic Amendment (Seat Belt Penalties) Regulations 2008 (SL No. 32, 2008)**

Notified 26 November 2008  
 Commenced 26 November 2008

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***Transport Legislation Amendment (Alcohol Ignition Locks) Regulations 2009 (SL No. 9, 2009)***

Notified 9 April 2009  
 Commenced 9 April 2009 (r 2, s 2 *Transport Legislation (Alcohol Ignition Locks) Amendment Act 2008* (Act No. 38, 2008) and *Gaz S15*, 9 April 2009)

***Transport Legislation (Hoon Behaviour) Amendment Act 2009 (Act No. 7, 2009)***

Assent date 15 May 2009  
 Commenced 30 June 2009 (*Gaz G24*, 17 June 2009, p 5)

***Traffic Amendment Regulations 2009 (SL No. 30, 2009)***

Notified 2 September 2009  
 Commenced 2 September 2009

***Traffic Amendment (Parking Penalties) Regulations 2010 (SL No. 5, 2010)***

Notified 19 May 2010  
 Commenced 19 May 2010

***Traffic Amendment (Miscellaneous) Regulations 2011 (SL No. 22, 2011)***

Notified 18 May 2011  
 Commenced 18 May 2011

***Traffic and Other Legislation Amendment Act 2011 (Act No. 22, 2011)***

Assent date 22 August 2011  
 Commenced 1 September 2011 (*Gaz G35*, 31 August 2011, p 9)

***Statute Law Revision Act 2011 (Act No. 30, 2011)***

Assent date 31 August 2011  
 Commenced 21 September 2011 (*Gaz G38*, 21 September 2011, p 5)

***Traffic Amendment Regulations 2011 (SL No. 41, 2011)***

Notified 31 August 2011  
 Commenced 1 September 2011 (r 2, s 2 *Traffic and Other Legislation Amendment Act 2011* (Act No. 22, 2011) and *Gaz G35*, 31 August 2011, p 9)

***Traffic Amendment (Australian Road Rules) Regulations 2011 (SL No. 56, 2011)***

Notified 20 December 2011  
 Commenced pts 1 and 2: 1 February 2012; pt 3: 1 February 2013 (r 2)

***Traffic Amendment Regulations 2013 (SL No. 17, 2013)***

Notified 1 July 2013  
 Commenced 1 July 2013 (r 2)

***Traffic Amendment Regulations (No. 2) 2013 (SL No. 28, 2013)***

Notified 1 July 2013  
 Commenced 1 July 2013 (r 2)

***Emergency Management Act 2013 (Act No. 27, 2013)***

Assent date 8 November 2013  
 Commenced 27 November 2013 (*Gaz S63*, 27 November 2013)

***Traffic Amendment Regulations 2014 (SL No. 1, 2014)***

Notified 29 January 2014  
 Commenced 1 February 2014 (r 2)

**Statute Law Revision Act 2014 (Act No. 38, 2014)**

Assent date 13 November 2014  
Commenced 13 November 2014

**Traffic Amendment Regulations 2015 (SL No. 24, 2015)**

Notified 7 October 2015  
Commenced 7 October 2015

**Traffic and Other Legislation Amendment Act 2015 (Act No. 35, 2015)**

Assent date 17 December 2015  
Commenced 1 February 2016 (*Gaz G3*, 20 January 2016, p 10)

**Traffic Amendment Regulations 2016 (SL No. 5, 2016)**

Notified 16 March 2016  
Commenced 16 March 2016

**Statute Law Revision Act 2018 (Act No. 10, 2018)**

Assent date 23 May 2018  
Commenced 20 June 2018 (*Gaz S41*, 20 June 2018)

**Traffic Amendment Regulations 2018 (SL No. 30, 2018)**

Notified 19 December 2018  
Commenced 19 December 2018

**Transport Legislation Amendment Regulations 2019 (SL No. 11, 2019)**

Notified 1 July 2019  
Commenced 1 August 2019 (r 2)

**Transport Legislation Further Amendment Regulations 2019 (SL No. 20, 2019)**

Notified 31 July 2019  
Commenced 1 August 2019 (r 2)

**Transport Legislation Amendment Act 2019 (Act No. 35, 2019)**

Assent date 6 November 2019  
Commenced s 11: nc (Act rep by Act No. 23, 2020, before comm);  
rem: 11 December 2019 (*Gaz S70*, 11 December 2019)

**Local Government Act 2019 (Act No. 39, 2019)**

Assent date 13 December 2019  
Commenced pt 8.6: 1 July 2022; rem: 1 July 2021 (*Gaz S27*,  
30 June 2021)

**Amending Legislation**

**Statute Law Revision Act 2020 (Act No. 26, 2020)**

Assent date 19 November 2020  
Commenced 20 November 2020 (s 2)

**Local Government Amendment Act 2021 (Act No. 15, 2021)**

Assent date 25 May 2021  
Commenced 26 May 2021 (s 2)

**Transport Legislation Amendment Act 2020 (Act No. 23, 2020)**

Assent date	10 July 2020
Commenced	1 July 2021 (Gaz G23, 9 June 2021, p 1)

**Amending Legislation****Statute Law Revision Act 2020 (Act No. 26, 2020)**

Assent date	19 November 2020
Commenced	20 November 2020 (s 2)

**Traffic Amendment Regulations 2020 (SL No. 27, 2020)**

Notified	5 August 2020
Commenced	5 August 2020

**Transport Legislation Amendment Act 2022 (Act No. 1, 2022)**

Assent date	1 March 2022
Commenced	4 May 2022 (Gaz S20, 29 April 2022)

**Motor Vehicle Legislation Amendment Regulations 2022 (SL No. 24, 2022)**

Notified	20 December 2022
Commenced	1 February 2023

**Transport Legislation Amendment Regulations 2024 (SL No. 26, 2024)**

Date made	30 July 2024
Commenced	31 July 2024(r 2)

**3 GENERAL AMENDMENTS**

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1, 3, 10, 11, 16, 17, 24A, 26, 39, 40, 43, 52, 53, 55, 63, 73, 74, 75, 78, 81C, 82, 95, 96 and 97 and Sch 1 and 2.

**4 LIST OF AMENDMENTS**

pt 1 hdg	sub No. 27, 2020, r 12
r 3	amd No. 26, 2002, r 2; Act No. 12, 2003, s 19; No. 22, 2011, rr 3 and 9; Act No. 27, 2013, s 128; No. 11, 2019, r 23; No. 27, 2020, r 12
r 4	amd No. 19, 2004, r 10 rep No. 56, 2011, r 4
r 5	amd No. 47, 2006, r 4 rep No. 56, 2011, r 13
r 6	amd Act No. 3, 2001, s 9; No. 56, 2011, r 5 rep No. 56, 2011, r 13
r 7	amd No. 19, 2004, r 3; No. 56, 2011, r 6; No. 27, 2020, r 12
r 8	amd No. 56, 2011, r 7 rep No. 11, 2019, r 24
r 9	amd No. 26, 2002, r 3; No. 9, 2009, r 9; No. 27, 2020, r 12
r 10	amd No. 27, 2020, r 12
r 11	amd No. 26, 2002, r 4; Act No. 10, 2007, s 30; No. 22, 2011, r 4; Act No. 27, 2013, s 128; No. 27, 2020, r 12
r 12	amd Act No. 10, 2007, s 31; Act No. 35, 2019, s 36
r 13	amd Act No. 10, 2007, s 32



## ENDNOTES

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- r 15A ins Act No. 10, 2007, s 33  
amd No. 27, 2020, r 4
- r 16A ins No. 26, 2002, r 5
- r 18 amd No. 26, 2002, r 6; Act No. 1, 2022, s 68
- r 19 amd Act No. 35, 2019, s 37; No. 27, 2020, r 12
- r 24 sub No. 46, 2006, r 3; No. 11, 2019, r 25
- r 24A ins No. 46, 2006, r 3  
amd No. 24, 2015, r 3
- r 25 amd No. 46, 2006, r 4; No. 27, 2020, r 12
- r 26 amd No. 20, 2019, r 12; No. 24, 2022, r 6
- r 27 amd No. 27, 2020, r 12
- r 31 amd No. 24, 2015, r 4; No. 27, 2020, r 12
- r 34 rep No. 56, 2011, r 8  
ins No. 30, 2018, r 4  
amd No. 26, 2024, r 15
- r 35 amd No. 22, 2011, r 9
- r 37 amd Act No. 30, 2004, s 8; No. 27, 2020, r 12  
sub No. 26, 2024, r 16
- r 37A ins Act No. 30, 2004, s 9  
amd No. 24, 2015, r 5; No. 26, 2024, r 17
- r 37B ins Act No. 30, 2004, s 9
- r 38 amd No. 27, 2020, r 12  
sub No. 26, 2024, r 18
- pt 3
- div 1 hdg amd No. 27, 2020, r 12
- r 39 amd No. 22, 2011, r 9; No. 27, 2020, r 5
- r 40 amd Act No. 38, 2014, s 2
- r 41 amd No. 27, 2020, r 6
- r 42 amd Act No. 13, 2007, s 13
- r 43 amd Act No. 13, 2007, s 14; No. 27, 2020, r 7
- r 44 sub No. 32, 2008, r 3; No. 22, 2011, r 9
- r 45 amd Act No. 13, 2007, s 15
- r 46A ins No. 27, 2020, r 8
- r 47 amd No. 27, 2020, r 12
- r 49 amd No. 32, 2001  
sub No 5, 2010, r 3
- r 52 amd No. 26, 2002, r 7; Act No. 39, 2019, s 370
- r 53 amd Act No. 60, 2001, s 19; Act No. 38, 2014, s 2
- pt 3A hdg ins Act No. 13, 2007, s 16
- r 54A ins Act No. 13, 2007, s 16  
amd No. 22, 2011, r 9  
sub No. 33, 2007, r 3
- pt 4 hdg amd Act No. 7, 2008, s 9; No. 22, 2011, r 31; Act No. 35, 2015, s 30
- r 55 amd No. 26, 2002, r 8; No. 22, 2011, r 9  
sub Act No. 7, 2008, s 10  
amd Act No. 30, 2011, s 15; Act No. 27, 2013, s 128
- r 55A amd No. 22, 2011, r 9
- r 55A ins Act No. 7, 2008, s 10  
amd Act No. 35, 2015, s 31
- r 55B ins Act No. 7, 2008, s 10  
amd Act No. 35, 2015, s 32
- r 56 sub No. 8, 2007, r 3  
amd Act No. 7, 2008, s 11; No. 5, 2016, r 3
- r 58 amd Act No. 7, 2008, s 12; No. 22, 2011, r 32
- r 59 amd No. 27, 2020, r 12
- r 60 amd Act No. 7, 2008, s 13; No. 22, 2011, r 33  
rep Act No. 1, 2022, s 69

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r 61	amd Act No. 7, 2008, s 14; No. 30, 2009, r 3; No. 22, 2011, r 9; No. 22, 2011, r 34
r 64	amd No. 27, 2020, r 12
r 68	amd No. 24, 2015, r 6
r 71	amd No. 22, 2011, r 9
r 75	amd No. 22, 2011, r 9
r 76	sub No. 47, 2006, r 5
r 77	amd No. 19, 2004, r 4 sub No. 47, 2006, r 5
r 77A	ins No. 47, 2006, r 5 amd No. 1, 2014, r 4; No. 11, 2019, r 26
r 78AAA	ins No. 26, 2024, r 19
r 78AA	ins No. 19, 2008, r 3
r 78A	ins No. 19, 2004, r 5
r 79	sub No. 11, 2019, r 27
r 80	rep No. 56, 2011, r 8 ins No. 11, 2019, r 27
r 81	rep No. 19, 2004, r 6 ins No. 11, 2019, r 27
r 81	ins No. 26, 2002, r 9
rr 81A – 81B	ins No. 26, 2002, r 9 rep Act No. 1, 2022, s 69
r 81C	ins No. 26, 2002, r 9 amd No. 22, 2011, r 9; Act No. 27, 2013, s 128; No. 27, 2020, r 12; Act No. 1, 2022, s 70
r 81CA	ins No. 22, 2011, r 5 amd No. 27, 2020, r 12
r 81D	ins No. 19, 2004, r 7 amd No. 11, 2019, r 28
r 82	sub Act No. 23, 2020, 65
r 84	amd No. 19, 2004, r 10
r 84A	ins No. 11, 2019, r 29
r 86	amd No. 19, 2004, r 10; No. 56, 2011, r 9; No. 26, 2024, r 20
r 86A	ins No. 56, 2011, r 10 sub No. 56, 2011, r 14
r 86B	ins No. 56, 2011, r 10 sub No. 11, 2019, r 30
r 86C	ins No. 27, 2020, r 9
r 87	sub No. 11, 2019, r 30
r 87AA	ins Act No. 23, 2020, s 66 as amd by Act No. 26, 2020, s 3
r 87A	ins No. 27, 2020, r 10 amd Act No. 1, 2022, s 71
r 88	amd No. 12, 2002, r 1; No. 19, 2004, r 8; No. 17, 2013, r 4; No. 1, 2019, r 31
r 89	amd No. 32, 2008, r 4
r 90	amd No. 22, 2011, r 6 rep Act No. 1, 2022, s 72
r 90A	ins No. 22, 2011, r 7 amd No. 27, 2020, r 12
r 91	amd No. 1, 2014, r 5; No. 24, 2015, r 7; No. 11, 2019, r 32
r 91A	ins Act No. 30, 2004, s 10 amd No. 26, 2024, r 21
r 92	sub Act No. 1, 2022, s 73
pt 8 hdg	ins No. 26, 2024, r 22
rr 98 – 101	ins No. 26, 2024, r 22

## ENDNOTES

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- sch 1           amd No. 12, 2002, r 2; No. 26, 2002, r 10; No. 19, 2004, r 9; Act No. 30, 2004, s 11; No. 46, 2006, r 5; No. 47, 2006, r 6; Act No. 10, 2007, s 34; No. 15, 2007, r 4  
                  sub Act No. 13, 2007, s 17  
                  amd Act No. 7, 2008, s 15; No. 19, 2008, r 4; No. 32, 2008, r 5; No. 9, 2009, r 10; Act No. 7, 2009, s 11; No. 56, 2011, r 11; No. 28, 2013, r 4; No. 1, 2014, r 6; No. 24, 2015, r 8; Act No. 35, 2015, s 33; No. 5, 2016, r 4; No. 30, 2018, r 5; No. 11, 2019, r 34; No. 20, 2019, r 13; No. 27, 2020, r 11; Act No. 1, 2022, s 74; No. 26, 2024, r 23
- sch 1A           ins Act No. 7, 2008, s 16  
                  sub No. 30, 2009, r 4  
                  amd Act No. 35, 2015, s 34
- sch 2           amd Act No. 7, 2008, s 17; No. 9, 2008, r 4; No. 30, 2009, r 5; No. 22, 2011, r 8; No. 41, 2011, r 4; No. 5, 2016, r 5; No. 27, 2020, r 12
- sch 3           amd No. 19, 2004, rr 13 – 55  
                  sub No. 56, 2011, r 12  
                  amd No. 56, 2011, r 15; Act No. 10, 2018, s 6; No. 11, 2019, rr 35 – 117; No. 27, 2020, rr 14 – 35; No. 26, 2024, rr 25 – 34