

ROAD TRAFFIC ENACTMENT, 1954

Road Traffic (Bandar Seri Begawan
Municipal Board) (Parking Places) Rules, 1972

In exercise of the powers conferred by Section 87 of the Road Traffic Enactment 1954, the Municipal Board, Bandar Seri Begawan, with the approval of the Licensing Authority, hereby make the following rules —

1. These Rules may be cited as the Road Traffic (Bandar Seri Begawan Municipal Board) (Parking Places) Rules 1972 and shall come into force on the 1st day of September, 1972.

Am. 120/77
100/79
29/83
31/83

2. (1) In these Rules except where the context otherwise requires —

“Board” means the Municipal Board Bandar
Seri Begawan;

“exemption pass” means ----- S 29/83

“exemption period” means -----

“Hour” includes part of an hour; Am. S 100/79

“Half an hour” includes part of an hour

Half “Hourly Parking” means a parking place described in column 3 of the Schedule hereto, wherein a motor vehicle is allowed to be parked on payment of the prescribed charge;

“length of road” means the entire length of the road as named in the Schedule hereto;

“lorry” means any goods vehicle with an overall length exceeding 14 feet;

“motor vehicle” means any vehicle with three or more wheels powered by motor and includes any goods vehicle with an

overall length not exceeding 14 feet but does not include any solo motor cycle or solo motor scooter;

“parking” includes waiting in a parking space;

“parking attendant” means any person appointed under paragraph 5 and includes a person authorised by or on behalf of the Board to supervise any of the parking places specified in the Schedule hereto and to collect parking charges; and to issue official receipts in acknowledgement of the payment of such parking charges;

“prescribed charge” means the charge prescribed in the Schedule hereto;

“reserved parking place” means - - - - - s 29/83

“road” means any public road and other road to which the public has access and shall include back-lanes, kerbs, sidewalks, sidetables, pavements, footways or passages, whether a thoroughfare or not and all channels, drains and ditches at the side or any road;

“season parking place” means a parking place, described in column 3 of the Schedule hereto, wherein any season parking ticket has been purchased; Am. s 120/77

“season parking ticket” means the official receipt issued by the Board showing the registration number of a motor vehicle and the amount of the prescribed charge for the parking of such vehicle in a specified season parking place for any period as may be stated therein;

“taxi” means a taxi cab or hire car which in the usual course of business plies for hire to and fro between destinations within the boundaries of the Town of Bandar Seri Begawan and destinations outside the said boundaries of Bandar Seri Begawan.

3. (1) The Board hereby provide that :—

Provision for
Parking places.

the road, length of road or place specified in column 1 of the Schedule shall be parking places for motor vehicles other than for taxis or lorries;

Am. s 120/77

and the provisions of the Rules shall apply thereto.

(2) No person shall park any vehicle in any place on any road or length of road on which or adjacent to or in close proximity to which there is a parking place except, in a parking place specified in column 1 of the Schedule hereto.

4. (1) A parking place may be divided into parking spaces and for the purpose of determining the parking spaces the Board shall cause each parking space to be indicated by painted lines and/or studs and/or signs and/or other indications.

Parking places.

(2) There shall be erected at every parking place a sign or notice board on which shall be affixed a notice stating the substance of these Rules.

5. The Board may appoint one or more parking attendants to be on duty at every parking place.

Parking
attendants.

6. Notwithstanding the provisions contained in the Schedules, hereto, and to the provisions of Note A referred to therein, stipulating the controlled hour —

Method of
parking.

(i) No person shall at any time whether during the controlled hours or not park

a motor vehicle in a parking space across any line demarcating such parking space or in such a manner or position that the said vehicle shall not be entirely within the area delineated as a parking space.

- (ii) Any person who at any time whether during the controlled hours or not parks a motor vehicle in a parking space shall subject to the provisions of sub-paragraph (i) supra park such vehicle so far as the lines demarking the parking space permit in such a manner as to cause the said vehicle to face the general direction of traffic and shall conform to and observe and obey all signs and signals exhibited in such parking place.
- (iii) Where any vehicle is parked at any time whether during the controlled hours or not in a parking space in contravention of sub-paragraph (i) and (ii) supra a parking attendant may alter or cause to be altered the position of the parked vehicle in order that its position when parked shall be in accordance with the provisions of sub-paragraphs (i) and (ii) supra; and the driver or person in charge or having control of such vehicle shall comply with such lawful instructions as a parking attendant or a police officer in uniform may issue in order that the provisions of these Rules and/or of the Road Traffic Enactment 1954 and the regulations made thereunder may be complied with.
- (iv) The provisions of this paragraph shall continue to apply whether during the controlled hours or not to places reserved as bus-stop parking places and or other reserved or prohibited areas.

7. Any person using a parking place during the times specified in the Schedule hereto shall obey all lawful directions given to him by any parking attendant on duty at such parking place and shall pay the prescribed charge as soon as the vehicle has been parked by handing over the money to the parking attendant on duty who shall issue an official receipt therefor on which shall be written the registration number of the motor vehicle, the amount paid, the date and the time for which the motor vehicle is authorised to be parked at such parking place. The parking attendant shall thereupon affix a duplicate copy of the official receipt to the windscreen or some other conspicuous part of the motor vehicle.

Payment of
prescribed
charge.

8. No person shall :

No parking
without receipt.

(1) park or cause or permit to be parked any motor vehicle in any parking place where there is a parking attendant on duty unless he has obtained the receipt of the parking attendant indicating that such payment has been made.

(2) continue to park or cause or permit to continue to be parked any motor vehicle in a parking space after the expiry of the period for which such motor vehicle is authorised to be parked in such parking space as stated in the official receipt issued by the parking attendant.

9. (1) Where a motor vehicle is parked in contravention of sub-paragraph (1) or (2) of paragraph 8 supra in relation to the prescribed charge in respect of the period during which any motor vehicle has been parked in a parking place without payment of the prescribed charge or in respect of any period beyond the period stated in the official receipt issued by the parking attendant it shall be the duty of the parking attendant to issue an advice note to be affixed to the windscreen or any other conspicuous part

Advice note.

Am. S 31/83

of the motor vehicle requesting the owner of the vehicle to pay the appropriate parking charge before expiration of 7 days from the date of the advice note failing which a surcharge will be imposed. Such advice note shall contain the following particulars:

- (a) the registration number of the vehicle;
- (b) the date of issue of the advice note;
- (c) the time of issue;
- (d) the charge payable;
- (e) the parking space number and the locality in which it is situated.

(2) If the motor vehicle for which an advice note has been issued remains parked after the expiry of ^{half} an-hour from the time of the issue of the previous advice note the parking attendant shall issue another advice note and shall continue to do so at the end of every ^{half an} hour thereafter, for so long as such motor vehicle remain parked in that parking space.

Am. 5 100/79

10. Any person who having acted in contravention of paragraph 8 or 9 and having failed to make payment in accordance with the provisions at paragraph 9 shall on being notified in writing of such contravention and non-payment by the Board pay to the Board within one week from the date of such notification and at the place specified therein :

Excess charge
and surcharge.

Am. 3 31/83

(1) an excess charge of \$2.00 for every ^{half an} hour or part thereof during which the motor vehicle has been parked in a parking place without payment of the prescribed charge; or

Am. 3 100/79

(2) a surcharge of \$2.00 for every ^{half an} hour or part thereof during which the motor vehicle has remained parked in the

parking place after the expiry of the authorised parking period.

Provided that such excess charge or surcharge shall not exceed ~~\$5.00~~ ^{\$10.00} on any one occasion and may be paid direct to the Chairman of the Board. And provided further that this paragraph shall not apply if the person acting in contravention of paragraph 8 or 9 pays not later than 7 days from the day on which such contravention has occurred to the parking attendant on duty or to the Chairman of the Board, the prescribed charge in respect of any period that the motor vehicle has remained parked beyond the period stated in the official receipts issued by the Parking Attendant.

Am. S 100/79

11. A person in charge of a motor vehicle which is parked in a parking space who fails to pay the excess charge or surcharge as required by paragraph 10 within the prescribed time shall thereafter be liable to pay an increased excess charge or surcharge of up to a sum of ~~ten~~ ^{twenty} dollars; and failure to pay such sum shall be an offence under these Rules.

Increase of excess charge and surcharge.

Am. S 31/83

Am. S 100/79

12. (1) No person having removed his motor vehicle from a parking space before the expiry of the authorised period for parking of such vehicle shall be entitled to park such vehicle in the same parking space a second time without further payment of the prescribed charge notwithstanding that the original authorised period has not yet expired.

Restriction against parking second time on original receipt.

(2) The ^vprovisions of sub-paragraph (1) shall not apply to the holder of a valid season parking ticket authorising the holder to park a motor vehicle in a season parking place.

13. No vehicle shall be drawn, driven or pushed within a parking place otherwise than in an orderly and careful manner and with due regard to the safety of other vehicles and persons within the parking place.

Safety of other vehicles.

14. No motor vehicle in a parking place shall be left unattended unless it is rendered immovable by the application of brakes or by some other sufficient means.

Unattended vehicles.

15. (1) The Board may suspend the use of a parking place or space whenever they consider such suspension to be reasonably necessary —

Suspension of use of parking places, spaces.

- (a) for the purpose of facilitating the movement of traffic or of promoting its safety; or
- (b) for the purpose of any building operation demolition or excavation adjacent to the parking space or the maintenance improvement or reconstruction of the parking space or the laying erection alteration or repair to in or adjacent to the parking space of any sewer or of any cable, pipe, main or apparatus for the supply of water or electricity or of any telegraphic line; or
- (c) for the convenience of occupiers of premises adjacent to the parking space on any occasion for the removal or delivery of furniture from or to any such premises; or
- (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed; or
- (e) for the convenience of the occupiers of premises adjacent to the parking space at the time of weddings or funerals or other special occasions; or

- (f) for such other reasons as the Board may think fit;

(2) On any suspension as aforesaid, a duly authorised representative of the Board shall affix an appropriate ^{notice} at or near the parking space in question; and it shall be unlawful for any person to park any motor vehicle in such parking place or space except in relation to the purpose for which the suspension was made.

16. These Rules shall not apply to —

Vehicles
exempted.

- (a) any ambulance or any fire engine or any vehicles in the service of the Army, Police or the Post Office;
- (b) any vehicle in the service of any authority authorised by or under any written law, or under any order having the force of any written law, to construct, erect or carry on electricity, water or other public utilities undertakings in so far as such vehicle is being used in the construction, erection or carrying on of the undertaking; ~~and~~
- (c) a vehicle which has been directed to a parking space by a police officer in uniform in the course of his duty; ~~and~~

(d) — — — — — S 100/79

17. (1) No person shall obstruct or cause to be obstructed any parking space.

Obstruction
and removal
thereof.

(2) A parking attendant or any person authorised in that behalf by the Board may remove any object which is the cause of any obstruction as aforesaid; and the owner or owners of such object may within twenty-one days of such removal reclaim from the Board possession of such object upon payment to the Board of the cost of the removal of the

said object and from the said parking space for the custody of the object.

(3) The Board may at any time, if the object aforesaid is of a perishable nature, and after twenty-one days in any other case, dispose of the object and shall refund the proceeds thereof if any to the owner less the cost mentioned in sub-paragraph (2) supra and any other cost incurred in connection with the disposal of the said object, and in the event that the owner of the object is not ascertainable, the proceeds mentioned may after 12 months of such disposal be credited to the revenue of the Board.

(4) The Board shall not be liable for any damage caused to any such object in the course of its removal and whilst it is in the custody of the Board.

18. (1) If for any reason a motor vehicle other than a motor vehicle parked in the parking space for which a season parking ticket has been issued has been left continuously in a parking place for more than two days the Board may cause the vehicle to be removed from the parking place to a place of safety and detained there until released by order of the Board.

Removal and
detention by
Board.

(2) The Board may detain such motor vehicle until the prescribed charges as are due for the period during which such vehicle was parked in the parking place to the time the vehicle is removed from the parking place and all reasonable expenses incurred in carrying out the provisions of this paragraph have been repaid to the Board.

(3) The Board shall not be liable for any damage to such motor vehicle or for any loss or damage to the fittings or contents of any such motor vehicle so removed and detained by the Board under the provisions of this paragraph.

19. When an object or a motor vehicle is removed or detained in pursuance of the provisions of paragraph 17 or 18 the Board shall with all reasonable despatch give notice in writing to the owner thereof, if the name and address of such owner be known, of the removal or detention of such object or motor vehicle.

Notification
of removal and
detention.

20. No person shall use any motor vehicle parked in a parking space for the purpose of carrying on any trade or business.

Prohibition of
trade or business.

21. No person shall repair a vehicle or permit a vehicle to be repaired in a parking place except in cases where repair is necessary to enable the vehicle to be moved from the parking place.

Prohibition
of repairs.

22. No person shall wash or clean or cause or permit to be washed or cleaned any vehicle in a parking place.

Prohibition of
washing or
cleaning.

23. No person other than a parking attendant or owner or driver or passenger of a motor vehicle parked in a parking place shall be or remain in such parking place.

Persons permitted,
in parking
place.

24. No person other than a person authorised by the Board shall remove or cause to be removed any receipt or advice note issued by a parking attendant and affixed to the windscreen or any other conspicuous part of a motor vehicle whilst such vehicle is parked in any parking place or space.

Removal of
receipt or
advice note
prohibited.

25. The Board shall provide a signboard or signboards at each parking place indicating whether it is a seasonal, or ^{hourly} parking place and may erect such signs and signals as may be considered necessary for the direction or regulation of the movement of motor vehicles within the parking place.

Provisions of
sign-board,

Am. 5 100/79

Am. 3 29/83

for reserved
parking place

26. In the case of an emergency, any person authorised in that behalf by the Board, or any police officer in uniform, may move or cause to be moved to any place he thinks fit any motor vehicle left in any parking space. **Emergency.**

27. Any person who contravenes any of the provisions of these Rules shall be guilty of an offence and shall, on conviction be liable to a fine not exceeding \$100.00 and in addition there shall be paid to the Board any excess charge or surcharge due and payable under the provisions of these Rules. **Penalties.**

28. In cases of contravention of or of failure to comply with any of the provisions of these Rules the registered owner of the vehicle shall be presumed to have contravened or failed to comply with such provisions if the person (not being the registered owner) who actually contravened or failed to comply with such provision or provisions is not known or cannot be ascertained or found. **Registered owners liability.**

29. The Board shall not be liable for any loss or damage to any vehicle or of the fittings or contents of any vehicles parked in any parking place. **Board not liable for loss or damages. Emergency.**

30. --- s 29/83

Am. s 120/77

Am. s 180/79

Am. s 29/83

SCHEDULE

(1) Locality	(2) Prescribed Parking Charge	(3) Type of Parking Place	(4) Controlled Hours
1. That part of Jalan Sultan from its junction with Jalan McArthur to its junction with Jalan Chevalier.	30 cents per hour	Hourly Parking	See Note A
2. The whole of Jalan Chevalier.	30 cents per hour	Hourly Parking	See Note A
3. Jalan Kianggeh from its junction with Jalan McArthur to its junction with Jalan Elizabeth II.	20 cents per hour	Hourly Parking	See Note A
4. The whole of Jalan Roberts.	20 cents per hour	Hourly Parking	See Note A
5. THE CAR PARK behind Boon Pang Theatre.	Season Parking Charge \$30.00 per month 20 cents per hour	Season Parking Hourly Parking	See Note A
6. The whole of Jalan Cator and the road surrounding the Market.	30 cents per hour	Hourly Parking	See Note A
7. The CAR PARK at the Bus/Taxi Stand.	20 cents per hour	Hourly Parking	See Note A
8. The whole of Jalan Pretty.	Season Parking Charge \$30.00 per month 20 cents per hour	Season Parking Hourly Parking	See Note A

NOTE A — Between the hours of 7.30 a.m. and 5.30 p.m. on any day other than Sunday.

SCHEDULE (Continued.)

	(1) Locality	(2) Prescribed Parking Charge	(3) Type of Parking Place	(4) Controlled Hours
9.	The CAR PARK next to the Civic Centre Building.	Season Parking Charge \$30.00 per month 20 cents per hour	Season Parking Hourly Parking	See Note A
10.	The whole of Jalan McArthur and the CAR PARK at the Customs House.	30 cents per hour	Hourly Parking	See Note A
11.	The CAR PARK at the passengers' Jetty.	20 cents per hour	Hourly Parking	See Note A
12	— 18 — — — S 100/79			
19	— 21 — — — S 29/83			

NOTE A — Between the hours of 7.30 a.m. and 5.30 p.m. on any day other than Sunday.