

MOTOR TRAFFIC (AMENDMENT) ACT.

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. 89, 1970.

An Act relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith. [Assented to, 9th December, 1970.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Citation
and com-
mencement.

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970".

(2)

Motor Traffic (Amendment).

(2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Motor Traffic Act, 1909, is amended—

Amendment
of Act No.
5, 1909.

- (a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word "ten" and by inserting in lieu thereof the word "five";
- (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

Sec. 8c.
(Limitation
of time for
which
drivers of
certain
vehicles
may remain
continuously
on duty.)

or

- (iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

- (b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";
- (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

- (iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(c)

Motor Traffic (Amendment).

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(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

(a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

(i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

(ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded as time spent in driving.

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