

TRAFFIC ORDINANCE 1949-1959.*

An Ordinance relating to the Regulation of Traffic.

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Traffic Ordinance 1949-1959*.*

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.†

3. The *Lights on Vehicles Ordinance 1925*, is repealed.

4. This Ordinance is divided into Parts, as follows:—

Part I.—Preliminary (Sections 1-5).

Part II.—General Provisions as to Traffic (Sections 6-33).

Part III.—Rules of the Road (Sections 34-37).

Part IV.—Lights (Sections 38-44).

Part V.—Miscellaneous (Sections 45-57).

5. In this Ordinance, unless the contrary intention appears—

“alternative headlamp” means a lamp which is lighted in the place of a headlamp by a dipping device;

* The *Traffic Ordinance 1949-1959* comprises the *Traffic Ordinance 1949* as amended. Particulars of the Principal Ordinance and of the amending Ordinances are set out in the following table:—

Ordinance.	Number and Year.	Date of Assent by Administrator.	Date of Commencement.
<i>Traffic Ordinance 1949</i> ..	No. 8, 1949	8th November, 1949 ..	9th September, 1953
<i>Traffic Ordinance 1952</i> ..	No. 14, 1952	23rd January, 1952 ..	9th September, 1953
<i>Traffic Ordinance 1954</i> ..	No. 12, 1954	8th December, 1954 ..	10th March, 1955
<i>Traffic Ordinance 1956</i> ..	No. 27, 1956	28th June, 1956 ..	24th October, 1957
<i>Traffic Ordinance 1957</i> ..	No. 36, 1957	15th November, 1957 ..	14th May, 1958
<i>Traffic Ordinance 1958</i> ..	No. 5, 1958	12th May, 1958 ..	(See Note below)
<i>Traffic Ordinance 1959</i> ..	No. 15, 1959	26th June, 1959 ..	26th June, 1959

Note.—Section 2 of the *Traffic Ordinance 1958* reads as follows:—

“2.—(1.) Subject to this section, this Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

(2.) Where the Administrator, by notice in the *Gazette*, fixes a date as the date on which a section of this Ordinance, specified in the notice, shall come into operation, that section shall come into operation on the date so fixed.

(3.) Where the Administrator has, by notice in the *Gazette*, fixed a date as the date on which this Ordinance or a section of this Ordinance shall come into operation, he may, by notice in the *Gazette* before the date so fixed, postpone the date on which this Ordinance, that section or a section of this Ordinance specified in the last mentioned notice shall come into operation to a date specified in the last mentioned notice.”

By notice in *Northern Territory Government Gazette* No. 41 of 23rd September, 1959, p. 128, the Acting Administrator fixed “the first day of November, 1959, to be the date on which the *Traffic Ordinance 1958*, comes into operation.”

† The date fixed was 9th September, 1953—see table above.

Short title and citation.
Short title amended:
No. 17, 1938,
s. 4.

Commencement.

Repeal.

Parts.

Definitions.
Amended by
N. 27, 1956,
s. 3; and
N. 5, 1958,
s. 3.

“ approved ” means approved by an inspector;

“ articulated vehicle ” means a combination of—

(a) a motor vehicle, not including a trailer; and

(b) a conveyance on wheels, without motive power—

(i) which is constructed or adapted for being drawn by a motor vehicle;

(ii) which is attached by means of a turn-table and king-pin to a motor vehicle; and

(iii) a substantial portion of the weight of which rests upon, or is supported by, the motor vehicle;

“ bicycle ” includes tricycle and any contrivance of a similar nature;

“ clearance lamp ” means a lamp which, when lighted, provides an indication of the width of a motor vehicle, together with its load and equipment, to a person looking at the motor vehicle from the front or the rear of the motor vehicle;

“ dipping device ” means a device by which the driver of a motor vehicle, whilst retaining his normal driving position—

(a) can cause the main beam of light projected—

(i) by each of the headlamps of the motor vehicle if it has two headlamps; or

(ii) by the headlamp of the motor vehicle if it has one headlamp,

to be dipped; or

(b) can extinguish—

(i) each of the headlamps of the motor vehicle if it has two headlamps; or

(ii) the headlamp of the motor vehicle if it has one headlamp,

and simultaneously light in the place of the headlamps or headlamp so extinguished two alternative headlamps or one alternative headlamp, as the case may be;

“ driver ” means any person driving a motor vehicle or a vehicle and includes any person riding a bicycle, and “ drive ” includes “ ride ”;

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- “footpath” means any place upon a public street set apart or made for the use of foot passengers and, where the footpath is not clearly defined, includes the portion of the public street on the left of the carriage-way of the public street;
- “height”, in relation to a lamp or illuminating device attached to a motor vehicle or trailer, means the distance between the centre of the lamp or illuminating device and the ground when the motor vehicle or trailer is standing without a load on level ground;
- “inspector” means an inspector appointed in pursuance of the *Motor Vehicles Ordinance 1949*;
- “licence” means a licence granted under the *Motor Vehicles Ordinance 1949* to drive a motor vehicle;
- “licensed” means licensed under the *Motor Vehicles Ordinance 1949* to drive a motor vehicle;
- “motor vehicle” means any motor car, motor carriage, motor cycle, motor lorry, motor omnibus, motor tractor, or other vehicle propelled wholly or partly by any volatile spirit or by steam, gas, oil or electricity, or by any means other than human or animal power, and includes a trailer at any time attached to a motor vehicle, but does not include any vehicle used on a railway;
- “officer” means an officer appointed in pursuance of the *Motor Vehicles Ordinance 1949*;
- “pole type trailer” means a trailer which is attached to a motor vehicle by means of a pole or an attachment fitted to a pole and is ordinarily used for transporting loads consisting of things capable of supporting themselves as beams between supporting connexions;
- “public street” means any street, road, lane, thoroughfare, footpath or place open to, or used by, the public and includes a road on land leased under the *Special Purposes Leases Ordinance 1953-1954* for use as a road;
- “semi-trailer” means the conveyance on wheels, without motive power, which forms the rear portion of an articulated vehicle;
- “side marker lamp” means a lamp which, when lighted, is visible from the side of the motor vehicle to which the lamp is attached;
- “the Registrar” means the Registrar of Motor Vehicles;

“ trailer ” means any vehicle without motive power constructed or adapted for being drawn by a motor vehicle;

“ vehicle ” means a vehicle of any description drawn by an animal.

PART II.—GENERAL PROVISIONS AS TO TRAFFIC.

6. A person shall not walk upon a public street, or drive or ride any motor vehicle, vehicle, bicycle or animal upon a public street, without due care or attention or without reasonable consideration for other persons using the street.

Careless driving or riding.

7.—(1.) A person shall not, upon a public street, drive or ride a motor vehicle, vehicle, bicycle or animal negligently or recklessly or at a speed or in a manner dangerous to the public.

Dangerous driving or riding.

(2.) In considering whether an offence has been committed under this section, the court shall have regard to all the circumstances of the case, including the nature, condition and use of the public street upon which the offence is alleged to have been committed, and the amount of traffic which was, or might reasonably have been expected to have been, upon that public street at the time.

(3.) Where a person is convicted of an offence against this section of driving a motor vehicle upon a public street recklessly or at a speed or in a manner dangerous to the public, he shall, in addition to any penalty imposed by the court—

- (a) cease, on and from the date of his conviction, to be licensed or to be deemed to be licensed to drive a motor vehicle;
- (b) deliver his licence to the Registrar for cancellation; and
- (c) unless and until the court which convicted him orders to the contrary, be disqualified from being granted a licence to drive a motor vehicle.

8 —(1.) A person shall not drive, or attempt to drive, a motor vehicle while he is under the influence of intoxicating liquor.

Driver of motor vehicle intoxicated.

Penalty: One hundred pounds or imprisonment for six months.

(1A.) A person who is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of a motor vehicle shall not—

Inserted by No. 14, 1952, s. 3.

- (a) drive a motor vehicle; or
- (b) occupy the driver's seat of a motor vehicle and attempt to put that motor vehicle in motion.

Penalty: Where the offence is a first offence, imprisonment for six months and disqualification from being granted a licence to drive a motor vehicle for such period as the Court thinks fit, but in no case less than one year; in any other case, imprisonment for one year and disqualification from being granted a licence to drive a motor vehicle for such period as the Court thinks fit, but in no case less than two years.

Inserted by
No. 14, 1952,
s. 3.

(1B.) For the purposes of sub-section (1A.) of this section, a person shall be deemed to be incapable of exercising effective control of a motor vehicle if at the relevant time, owing to the influence of intoxicating liquor or a drug, the use of a mental or physical faculty of that person was lost or appreciably impaired, but this sub-section shall not be deemed to restrict the meaning of the words "incapable of exercising effective control".

Inserted by
No. 14, 1952,
s. 3.

(1C.) Proceedings for an offence against this section shall be taken in a court of summary jurisdiction.

(2.) The motor vehicle may be driven or conveyed by a member of the Police Force or an officer, to, and detained at, any Police Station pending the hearing of the charge against the person.

(3.) On the conviction of any person under this section, he shall cease to be licensed or to be deemed to be licensed to drive a motor vehicle and his licence to drive a motor vehicle shall be cancelled as on and from the date of his conviction and he shall be disqualified from being granted a licence to drive a motor vehicle unless and until the court which convicted him orders to the contrary.

(4.) Any person who is arrested for an offence under this section shall be entitled, upon request made by him or on his behalf, to be examined by a legally qualified medical practitioner, and, where any such request is made, the arresting officer shall afford all reasonable facilities for the holding of the examination.

Driver of
a vehicle, &c.,
intoxicated.

9.—(1.) A person shall not, upon a public street, drive or ride any vehicle, bicycle or animal, or attempt to drive or ride any vehicle, bicycle or animal, while he is under the influence of intoxicating liquor.

(2.) A person who is arrested for an offence under this section shall be entitled, upon request made by him or on his behalf, to be examined by a legally qualified medical practitioner, and, where any such request is made, the officer making the arrest shall afford all reasonable facilities for the holding of the examination.

10 A person shall not, without lawful authority (proof whereof shall lie upon him)—

Motor vehicles, &c., not to be driven or ridden on footpath.

(a) drive, ride or wheel a motor vehicle, vehicle or bicycle; or

(b) drive, ride or lead an animal,

on or along a footpath, except over that portion of the footpath forming part of the entrance-drive leading from the carriage-way of a public street into any premises:

Provided that, in the event of the carriage-way of a public street being impassable for any reason, a bicycle may be wheeled along the footpath except where the traffic of passengers on the footpath is likely to be obstructed by the passage of the bicycle.

11.—(1.) A person shall not, upon a public street, without the consent of the owner—

Motor vehicles, &c., not to be used, &c., without owner's consent.

(a) drive or ride in or on any motor vehicle, vehicle, bicycle or animal;

(b) use or cause himself to be drawn by any motor vehicle, vehicle, bicycle or animal; or

(c) interfere or tamper with any motor vehicle, vehicle, bicycle or animal.

(2.) The last preceding sub-section shall not apply to any member of the Police Force or to any inspector or officer acting in the execution of his duty under this Ordinance.

12.—(1.) Each member of the Police Force, each inspector and each officer thereto authorized by the Administrator shall do all things in his power to ensure that this Ordinance is duly observed.

Duties and powers of police, &c.

(2.) For the purposes of the last preceding sub-section the member, inspector or officer may drive, use, ride upon or cause himself to be carried or drawn by any motor vehicle, vehicle, bicycle or animal to the driver of which he has given any direction or order under section thirty-seven of this Ordinance and shall not be liable for the payment of any fare ordinarily chargeable for such use, hire or carriage.

13. A person shall not, upon a public street, ride a bicycle which has not affixed thereto on some convenient part—

Bicycles to be fitted with brakes, bells, &c.

(a) an efficient approved brake; and

(b) a bell or other efficient appliance for giving warning of its approach.

14. A person shall not, upon a public street, ride a bicycle—

Control of bicycles.

(a) without having at least one hand upon the handlebar in such a position as to have adequate control of the steering of the bicycle; or

(b) without having his feet on the pedals thereof.

Carriage of more than one person on a bicycle.

15. If, upon a public street, more than one person is carried on a bicycle which is not constructed or adapted for the carriage of more than one person, each of those persons shall be guilty of an offence.

Permitting cyclists to attach themselves to vehicles.

16. The driver of any motor vehicle or vehicle who knowingly permits any person riding a bicycle to be attached to the motor vehicle or vehicle while it is in motion on any public street shall be guilty of an offence.

Persons riding bicycles not to attach themselves to their vehicles.

17. A person riding a bicycle shall not, upon any public street, hold on to any motor vehicle or vehicle or to any other bicycle whilst the motor vehicle, vehicle or other bicycle is in motion.

Bicycles not to pace behind motor vehicles.

18. A person shall not ride a bicycle upon any public street for more than three hundred yards behind any motor vehicle and within six feet from that vehicle.

Driving or riding abreast.

19.—(1.) Subject to the two next succeeding sections, if two or more vehicles are driven abreast of each other in the same direction upon any public street, the driver of each of those vehicles shall be guilty of an offence:

Provided that this sub-section shall not apply in any case—

(a) where two bicycles and no more are ridden abreast;
or

(b) where a vehicle is driven abreast of another vehicle for the purpose of passing that other vehicle.

(2.) A vehicle shall be deemed to be abreast of another vehicle if any part of the vehicle is by the side of any part of that other vehicle.

(3.) For the purposes of this section, "vehicle" includes motor vehicle and bicycle.

Motor vehicle reliability trials and speed tests.

20.—(1.) Where application is made to the Registrar by any person for permission to conduct motor vehicle reliability trials or speed tests upon any public street and the applicant gives notice of his application by advertisement in a local newspaper at least two clear days before the day in respect of which the permit is desired, and the Registrar is satisfied that permission can be granted without danger to the public, the Registrar may, subject to any directions of the Administrator, issue a permit exempting the persons taking part in the trials or tests from the provisions of this Ordinance or the Regulations in relation to driving abreast, the affixing of silencers to the exhaust pipes of motor vehicles, rules of the road and speed limits during those trials or tests.

(2.) The Registrar shall in any such permit specify the time and place at which the trials or tests are to be conducted and may also state any conditions to be observed in relation to the trials or tests.

(3.) An application for a permit under this section shall be accompanied by a fee of One shilling.

(4.) Any person who fails to comply with any condition contained in any permit under this section shall be guilty of an offence.

21.—(1.) Where application is made to the Registrar by any person for permission to conduct any bicycle races or trials upon any public street, and the applicant gives notice of his application by advertisement in a local newspaper at least two clear days before the day in respect of which the permit is desired, and the Registrar is satisfied that permission can be granted without danger to the public, the Registrar may, subject to any directions of the Administrator, issue a permit exempting the persons taking part in the races or trials from the provisions of this Ordinance or the Regulations in relation to riding abreast, rules of the road and speed limits during those races or trials.

Bicycle races
and trials.

(2.) The Registrar shall in any such permit specify the time and place at which the races or trials are to be conducted and may also state any conditions to be observed in relation to the races or trials.

(3.) An application for a permit under this section shall be accompanied by a fee of One shilling.

(4.) Any person who fails to comply with any condition contained in any permit under this section shall be guilty of an offence.

22.—(1.) If three or more horses are ridden abreast upon a public street, the rider of each horse shall be guilty of an offence:

Three or more
horses not to be
ridden abreast.

Provided that this section shall not apply where the horses are ridden by members of the Police Force on duty or by members of the Defence Force of the Commonwealth whilst wearing a uniform of that Force.

(2.) A horse shall be deemed to be abreast of another horse if any part of that horse is by the side of any part of the other horse or of a horse which is abreast of the other horse.

23.—(1.) Subject to the next succeeding sub-section, a person shall not, upon a public street, drive or cause or permit to be driven a motor vehicle or vehicle the total width of which and the load thereon exceeds eight feet in width measured between its extreme projecting points.

Width of
motor vehicle
or vehicle.

Amended by
N. 5, 1958,
s. 4.

(2.) In any case where the Registrar is satisfied that it is reasonable to permit a motor vehicle or vehicle to be driven upon any public street, although the width of that motor vehicle or vehicle or any part of the load thereon, measured between its extreme projecting points, exceeds eight feet, he may, upon application therefor by any person and upon payment of a fee of One shilling, grant to the applicant a permit for the motor vehicle or vehicle to be driven upon such public streets during such times or in such circumstances as the Registrar specifies in the permit.

Projecting
loads.

24. A person shall not drive, or cause or permit to be driven, upon any public street, any motor vehicle or vehicle—

- (a) upon which the load is not safely and securely fastened; or
- (b) loaded with timber which is not so fastened as to prevent flapping or swaying; or
- (c) having thereon a load extending beyond or overhanging any portion of the motor vehicle or vehicle which is not so loaded that the load is parallel to the sides of the vehicle; or
- (d) between sunrise and sunset having a load extending more than three feet behind any portion of the motor vehicle or vehicle unless there is attached to the rear of the load a red flag not less than nine inches long and six inches wide.

Control of
vehicles drawn
by animals.

25. The driver of any vehicle drawn by an animal shall not while the vehicle is upon any public street—

- (a) ride upon the vehicle unless—
 - (i) the animal is capable of being driven with reins and proper reins are attached to the animal; or
 - (ii) the animal is led by some other person;
- (b) be at such a distance from, or in such a situation with respect to, the vehicle when it is in motion that he cannot properly guide and control the animal;
- (c) be away from the vehicle unless one of the wheels is securely fastened by a chain or strap so as to effectually prevent the rotation thereof;
- (d) ride upon the shafts of the vehicle; or
- (e) act as driver of or be in sole charge of any other vehicle except where there is only one such other vehicle drawn by an animal and that animal is guided by a rein attached to its bit and the rein is held by the driver.

26. A person shall not, upon a public street—

Traffic not to be obstructed or endangered.

- (a) negligently or wilfully obstruct, hinder or prevent the free passage of any person, motor vehicle, vehicle, bicycle or animal;
- (b) wilfully stop any motor vehicle, vehicle, bicycle or animal which he is riding or driving—
 - (i) between the footpath and the near side of any motor vehicle or vehicle stopped for the purpose of taking up or setting down passengers or goods;
 - (ii) opposite to the entrance of any other public street or across any passage, thoroughfare or foot crossing; or
 - (iii) upon the intersection of that public street and any other public street;
- (c) leave any motor vehicle, vehicle, bicycle or animal unattended in such a position as to obstruct traffic or unreasonably cause inconvenience to any person.
- (d) race any motor vehicle, vehicle, bicycle or animal with any other motor vehicle, vehicle, bicycle or animal except in pursuance of a permit granted under this Ordinance.
- (e) leave any motor vehicle without having taken due precaution against the motor vehicle being started in his absence;
- (f) cause any motor vehicle or vehicle to travel backwards for a greater distance or time than is requisite for safety or reasonable convenience; or
- (g) cause or permit an undue amount of smoke to be projected from any part of any motor vehicle.

27. A person shall not, in any public street in the vicinity of any saleyards, inconvenience passers-by or obstruct traffic by causing or permitting any animals—

Animals in the vicinity of saleyards.

- (a) to assemble and remain standing; or
- (b) to be drafted into separate mobs or flocks.

28.—(1.) A person shall not, without the written permission of the Administrator, organize a procession or parade of any kind upon a public street.

Processions and parades.

(2.) A person shall not join or take part in any procession or parade for which the permission of the the* Administrator has not been obtained, if the procession or parade causes any obstruction to traffic upon a public street.

Speed of vehicles, &c., in certain circumstances. Amended by No. 27, 1956, s. 4.

29. A person shall not, upon a public street, drive or ride a motor vehicle, vehicle or bicycle—

(a) at a greater speed than ten miles per hour—

* * * * *

(ii) while he has not a clear view of the traffic in the direction in which he is travelling; or

(b) past any motor omnibus, for the time being stopped for the purpose of taking up or setting down passengers, to the danger of those passengers.

Trailers, &c. Amended by N. 5, 1956, s. 5.

30. A person shall not, upon a public street, drive a motor vehicle—

(a) having any trailer or trailers attached thereto unless—

(i) the registered number of each trailer is upon the rear of that trailer in a position satisfactory to the Registrar; and

* * * * *

(iii) each trailer does not exceed eight feet in width measured between its extreme projecting points;

(b) not having an efficient horn or other means of alarm attached thereto in a convenient position;

(c) not having brakes, as prescribed in the Fourth Schedule to the *Motor Vehicles Ordinance 1949*, affixed thereto;

(d) not being (together with all its equipment and any trailer attached thereto) in such a condition as not to cause or be likely to cause injury or damage to, or endanger the safety of, any person on the motor vehicle, or any person, animal, property or thing; or

(e) which exceeds eight feet in width measured between its extreme projecting points.

Restriction of pillion riding.

31.—(1.) No more than one person in addition to the driver shall be carried on any motor cycle nor shall any such one person be so carried otherwise than sitting astride the cycle and in a proper seat securely fastened to the cycle behind the driver's seat.

(2.) A driver shall not permit or suffer any person to be carried on his motor cycle in contravention of this section.

Towing of vehicles. Sub-section (1.) amended by N. 5, 1958, s. 6.

32.—(1.) A person shall not, upon a public street, drive any motor vehicle having any other vehicle, not being a trailer, attached thereto for the purpose of being towed, unless the

vehicle being towed is in a fit condition to be towed without risk of injury to any person or property and unless the following provisions are complied with:—

- (a) the space between the vehicle being towed and the towing vehicle shall not exceed twelve feet;
- (b) where the vehicle being towed is a motor vehicle, a competent person shall be in charge of that vehicle for the purpose of controlling it, so far as the condition of its brakes and mechanism permits, unless the vehicle is in actual contact with the towing vehicle;
- (c) where the vehicle being towed is not a motor vehicle, that vehicle shall be in actual contact with the towing vehicle;
- (d) where the vehicles are attached by means of a tow rope, chain or wire, a white flag or cloth shall be displayed on the tow rope, chain or wire, midway between the vehicles; and
- (e) where the towing takes place between sunset and sunrise, a lighted lamp, showing a bright white light, shall be attached to the front of the towed vehicle in such manner as to render clearly visible the flag or cloth displayed in accordance with paragraph (d) of this section, and to the centre or to the off side of the centre of that portion of the towed vehicle which faces any following vehicle a lighted lamp shall be attached showing a clear red light visible under normal atmospheric conditions at a distance of six hundred feet to any person approaching the vehicle from the rear:

Provided that where the vehicle being towed is in actual contact with the towing vehicle it shall not be necessary for the white flag or cloth to be displayed or a lighted lamp to be attached to the front of the towed vehicle.

(2.) In this section, "vehicle" means any means of conveyance that runs on wheels.

Added by
No. 5, 1958,
s. 6.

33. A person shall not, upon a public street—

- (a) drive any motor vehicle not having an efficient silencer affixed to the exhaust pipe of the vehicle and used in such a manner that the exhaust is projected through the silencer;
- (b) drive any motor vehicle which causes undue noise by—
 - (i) being in a state of disrepair;
 - (ii) the manner in which the vehicle is loaded;

Noise.

- (iii) the construction, condition or adjustment of the machinery of the vehicle; or
 - (iv) the construction, condition or adjustment of the silencer; or
- (c) make or permit to be made any unnecessary noise with the horn or other means of alarm affixed to a motor vehicle or make or permit to be made any such noise, other than as a warning of danger.

PART III.—RULES OF THE ROAD.

General rules
of the road.
Sub-section (1.)
amended by
N. 36, 1957,
s. 3; and
No. 5, 1958,
s. 7.

34.—(1.) A person driving or riding any motor vehicle, vehicle, bicycle or animal upon a public street shall—

- (a) subject to this section—
 - (i) when the motor vehicle, vehicle, bicycle or animal is proceeding at a rate faster than six miles per hour, drive or ride the motor vehicle, vehicle, bicycle or animal at a reasonable distance from the footpath on his left side; or
 - (ii) when the motor vehicle, vehicle, bicycle or animal is proceeding at a rate not faster than six miles per hour, drive or ride the motor vehicle, vehicle, bicycle or animal as near as practicable to the footpath on his left side;
- (b) when meeting another motor vehicle, vehicle, bicycle or animal proceeding in the opposite direction, pass with it on his right side;
- (c) when overtaking a motor vehicle, vehicle, bicycle or animal—
 - (i) if the motor vehicle, vehicle, bicycle or animal he is overtaking is making, or appears to be about to make, a right hand turn, pass with it on his right side; or
 - (ii) in any other case, pass with the motor vehicle, vehicle, bicycle or animal he is overtaking on his left side and refrain from re-crossing to the left side of the public street until his motor vehicle, vehicle, bicycle or animal is clear of the motor vehicle, vehicle, bicycle or animal which he has overtaken;

(d) before stopping—

- (i) indicate his intention to do so by raising his right hand with his fingers extended and pointing upwards in such a manner that his right hand shall be clearly visible to any person immediately following; and
- (ii) except where he is about to stop immediately before turning the motor vehicle, vehicle, bicycle or animal to his right from one public street into another at an intersection or junction, bring the motor vehicle, vehicle, bicycle or animal close to the footpath on his left side and parallel to that footpath;

(e) when he is about to cause the motor vehicle, vehicle, bicycle or animal to turn or diverge towards his right (otherwise than by reason only of following the course of the public street upon which he is driving), and, if practicable, but subject to the last preceding paragraph, at least one hundred feet from the point at which he intends to cause it to turn or diverge, give a clear signal of his intention to do so by extending his right arm and hand with the palm turned to the front and holding them rigid in a horizontal position straight out on the offside of the motor vehicle, vehicle, bicycle or animal, and continue to give that signal for as long as is necessary to give other users of the road a clear indication of his intention;

(ea) when he is about to cause the motor vehicle, vehicle, bicycle or animal to turn to his right from one public street into another at an intersection or junction—

- (i) except where the street he is about to leave is a one-way traffic street, drive or ride so that when the motor vehicle, vehicle, bicycle or animal reaches the intersection or junction it will be as near as practicable to, but will be on his left of, the middle line of the carriage-way of that street; or
- (ii) where the street he is about to leave is a one-way traffic street, drive or ride so that when the motor vehicle, vehicle,

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- bicycle or animal reaches the intersection or junction it will be as near as practicable to the side of the carriage-way of that street on his right hand side;
- (*eb*) after entering an intersection or junction of one public street with another for the purpose of causing the motor vehicle, vehicle, bicycle or animal to turn to his right from one of those streets into the other—
- (i) drive or ride the motor vehicle, vehicle, bicycle or animal parallel with the side of the carriage-way he is leaving that is on his left hand side until it is as near as practicable to the far side of the carriage-way he is entering;
 - (ii) if there is a traffic dome at or near the intersection or junction, drive or ride the motor vehicle, vehicle, bicycle or animal so as to keep the traffic dome on his right hand side;
 - (iii) if there is upon or near any portion of the intersection or junction any motor vehicle, vehicle, bicycle or animal approaching from the opposite direction with which his motor vehicle, vehicle, bicycle or animal, if it so turned might collide, cause his motor vehicle, vehicle, bicycle or animal to stand until it may turn with safety; and
 - (iv) take adequate precautions to avoid danger of his motor vehicle, vehicle, bicycle or animal colliding with any pedestrian who may be upon any portion of the intersection or junction.
- (*f*) exercise due care, by slowing down, or, if necessary, by stopping, the motor vehicle, vehicle, bicycle or animal so as not to splash mud upon any person—
- (i) in or upon or entering or leaving a stationary motor vehicle or vehicle; or
 - (ii) waiting at the stopping place of a motor omnibus; and
- (*g*) at the request of, or signal by, any person leading, driving, riding or in charge of a restive animal, stop his motor vehicle, vehicle, bicycle or animal as near as practicable to the footpath and parallel thereto, and remain stationary as long as is reasonably necessary.

(2.) The driver of a motor vehicle shall not, unless the regulations so prescribe, be required to observe the provisions of paragraph (d) or (e) of the last preceding sub-section with respect to the giving of signals in any case where there is affixed to the motor vehicle—

- (a) in such a position at the rear thereof as to be visible to any person immediately following, a lamp or other prescribed apparatus; or
- (b) at the right hand side thereof a mechanical arm or signal or other prescribed apparatus,

which—

- (c) when operated, clearly indicates to any person following that the driver is about to stop or turn to his right; and
- (d) is effectively operated by the driver before stopping or turning to his right,

as the circumstances require.

34A. A person who—

- (a) is driving a motor vehicle, being a motor ambulance, in the course of or in connexion with the carriage of a patient; or
- (b) in the course of his duties as a member of a fire brigade, is driving a motor vehicle to a place in answer to a call for the services of a fire brigade,

shall, whenever necessary, give audible and sufficient warning of the approach of position of that motor vehicle by sounding a special warning instrument attached to the vehicle.

Ambulances
and fire
brigades to
sound warning.
Inserted by
No. 12, 1954,
s. 3.

35.—(1.) A person driving a vehicle when approaching any intersection or junction of two or more public streets at which the traffic is not controlled by a member of the Police Force or an officer, and which any other vehicle is approaching so that if both vehicles continued on their course there would be a possibility of a collision, shall, if the other vehicle is approaching from his right, give way to the other vehicle and allow it to pass him, and, if necessary for that purpose, stop his vehicle, and shall not increase the speed of his vehicle when approaching any such intersection or junction under those circumstances.

Right-of-way
at intersection.

(2.) For the purposes of this section "vehicle" includes motor vehicle, bicycle and animal.

36.—(1.) The Administrator or a person thereto authorized by him may cause notices, signs or devices to be exhibited in or near a public street for the purpose of prohibiting or regulating the movement of traffic or indicating the route to be followed by traffic in the street, or for the purpose of excluding persons,

Traffic signs.

motor vehicles, vehicles, bicycles or animals from any public street during any public procession or public function or ceremony or while the public street is being repaired or altered, or is impassable or unsafe for traffic.

(2.) A person driving or riding or in charge of any motor vehicle, vehicle, bicycle or animal or walking on any public street shall not, unless so directed by a member of the Police Force or an officer, fail to conform to the indication given by any such notice, sign or device.

Traffic
directions by
police, &c.

37.—(1.) For the purpose of regulating the traffic in a public street and preventing any obstruction thereof, a member of the Police Force, a person thereto authorized in writing by the Administrator or an officer may—

- (a) by holding up his hand or giving any other appropriate signal, or in any other manner, order or direct a person to stop so long, or proceed in such a manner and direction, as that member, authorized person or officer thinks fit;
- (b) by holding up his hand or giving any other appropriate signal or in any other manner, order or direct a person in charge of a motor vehicle, vehicle, bicycle or animal to stop the motor vehicle, vehicle, bicycle or animal so long, or to drive or ride or otherwise take the motor vehicle, vehicle, bicycle or animal in such a manner and direction, as that member, authorized person or officer thinks fit;
- (c) order or direct a person to leave a public street from which the person is excluded in pursuance of the last preceding section, and expel from the street a person who, when so ordered or directed, does not leave the street; or
- (d) direct a person in charge of a motor vehicle, vehicle, bicycle or animal to remove the motor vehicle, vehicle, bicycle or animal from any portion of a public street.

(2.) A person shall not refuse or fail to comply with a direction or order given in pursuance of the last preceding sub-section.

PART IV.—LIGHTS.

38. A person shall not, at any time between the hours of sunset and sunrise or at any other time when there is insufficient daylight to render a person dressed in dark clothing discernible at a distance of three hundred feet, drive a motor vehicle upon a public street unless—

- (a) the motor vehicle is equipped with lamps and illuminating devices in accordance with this Part;

Lights, &c.,
on motor
vehicles.

Substituted by
No. 5, 1958,
s. 8.

- (b) the lamps are lighted; and
- (c) the illuminating devices are lighted or are otherwise in operation in accordance with this Part.

39. A motor vehicle, other than a motor cycle or a three-wheeled motor vehicle which is steered by means of handle-bars or a tiller and does not exceed five feet in width, shall, subject to section forty-one E of this Ordinance, be equipped with two headlamps—

Headlamps on motor vehicles other than motor cycles, &c. Substituted by No. 5, 1958, s. 8.

- (a) of approximately equal candle-power;
- (b) attached to the motor vehicle on opposite sides of the motor vehicle, equidistant from the longitudinal axis of the motor vehicle and at the same height;
- (c) the centres of which are not less than two feet apart;
- (d) which, when lighted, illuminate and render easily discernible, under normal atmospheric conditions, at a distance of one hundred and sixty feet, a person dressed in dark clothing straight ahead of the motor vehicle; and
- (e) which are in accordance with such provisions of sections forty-one C, forty-one D and forty-one E of this Ordinance as are applicable to those headlamps.

40. Subject to the next succeeding section, a motor cycle shall be equipped with a headlamp which—

Headlamps on motor cycles.

- (a) when lighted, illuminates and renders easily discernible, under normal atmospheric conditions, at a distance of one hundred and sixty feet, a person dressed in dark clothing straight ahead of the motor cycle; and
- (b) is in accordance with such of the provisions of sections forty-one C, forty-one D and forty-one E of this Ordinance as are applicable to that headlamp.

Substituted by No. 5, 1958, s. 8.

41. Where a motor cycle has an engine of a capacity not exceeding two hundred cubic centimetres and a lighting system so designed and constructed that it is impracticable for the headlamp to be in accordance with paragraph (a) of the last preceding section—

Headlamps on certain low-powered motor cycles. Substituted by No. 5, 1958, s. 8.

- (a) in the case of a motor cycle which has an engine of a capacity not exceeding one hundred cubic centimetres and is being driven at a speed not exceeding twenty-five miles per hour, the motor cycle shall be equipped with a headlamp which,

when lighted, illuminates and renders easily discernible under normal atmospheric conditions, at a distance of forty feet, a person dressed in dark clothing straight ahead of the motor cycle;
or

- (b) in the case of a motor cycle which has an engine capacity exceeding one hundred cubic centimetres and is being driven at a speed not exceeding thirty miles per hour, the motor cycle shall be equipped with a headlamp which, when lighted, illuminates and renders easily discernible under normal atmospheric conditions at a distance of eighty feet, a person dressed in dark clothing straight ahead of the motor cycle.

41A. A side-car attached to a motor cycle shall be equipped with a lamp which—

- (a) when lighted shows a clear white light visible under normal atmospheric conditions at a distance of six hundred feet from the front of the motor cycle;
- (b) is of a power not exceeding seven watts; and
- (c) is attached so that no part of—
- (i) the motor cycle or its equipment or load;
 - or
 - (ii) any trailer, or the equipment or load of any trailer, drawn by the motor cycle, extends outwards for more than twelve inches from the centre of the lamp.

Front lamps on side-cars.
Inserted by
N. 5, 1958,
s. 8.

Front lamps on three-wheeled motor vehicles.
Inserted by
No. 5, 1958,
s. 8.

41B.—(1.) In this section “three-wheeled motor vehicle” means a three-wheeled motor vehicle other than a motor cycle.

(2.) Where a three-wheeled motor vehicle is steered by means of handle-bars or a tiller and the width of the motor vehicle and its equipment does not exceed three feet six inches, the provisions of sections forty and forty-one of this Ordinance apply to the motor vehicle as if it were a motor cycle.

(3.) Where a three-wheeled motor vehicle is steered by means of handle-bars or a tiller and the width of the motor vehicle and its equipment exceeds three feet six inches but does not exceed five feet—

- (a) where the motor vehicle is equipped with one headlamp—
- (i) the headlamp shall be in accordance with the provisions of sections forty and forty-one of this Ordinance as if the motor vehicle were a motor cycle;

- (ii) the motor vehicle shall be equipped on each side with a lamp which, when lighted, shows a clear white light visible under normal atmospheric conditions at a distance of six hundred feet from the front of the motor vehicle; and
 - (iii) each of the lamps specified in the last preceding sub-paragraph shall be of a power not exceeding seven watts and shall be attached so that no part of the motor vehicle or its equipment or load on the side to which the lamp is attached projects more than six inches laterally from the centre of the lamp; or
- (b) in any other case, subject to the next succeeding sub-section, the motor vehicle shall be equipped with two headlamps which are in accordance with the provisions of section thirty-nine of this Ordinance.

(4.) Where a three-wheeled motor vehicle to which paragraph (b) of the last preceding sub-section applies has an engine of a capacity not exceeding two hundred cubic centimetres, the motor vehicle shall be equipped with two headlamps which—

- (a) are in accordance with the provisions of section thirty-nine of this Ordinance, other than the provisions of paragraph (d) of that section; and
- (b) when lighted, illuminate and render easily discernible under normal atmospheric conditions when the headlamps are projected downwards a person dressed in dark clothing straight ahead of the motor vehicle at a distance of—
 - (i) forty feet, where the motor vehicle has an engine of a capacity not exceeding one hundred cubic centimetres; or
 - (ii) eighty feet, where the motor vehicle has an engine of a capacity exceeding one hundred cubic centimetres.

(5.) Where—

- (a) a three-wheeled motor vehicle is steered by any means other than handle-bars or a tiller; or
- (b) the width of a three-wheeled motor vehicle and its equipment exceeds five feet,

the headlamp of the motor vehicle shall be in accordance with the provisions of section thirty-nine of this Ordinance.

Headlamp
requirements
for all
motor vehicles.

Inserted by
N. 5, 1958,
s. 8.

41c. A headlamp attached to a motor vehicle—

- (a) shall be so fitted to the motor vehicle that—
 - (i) the height of the headlamp is not more than four feet; and
 - (ii) in the case of any motor vehicle first registered after the commencement of the *Traffic Ordinance 1958*, the height of the headlamp is not less than two feet;
- (b) shall show a white light only;
- (c) shall project its main beam of light straight ahead of the motor vehicle;
- (d) shall, if attached to a motor vehicle which has an engine of a capacity exceeding two hundred cubic centimetres and was manufactured after the year one thousand nine hundred and thirty-four—
 - (i) be equipped with a dipping device by means of which the beam of light projected from the headlamp may be deflected downwards, or both downwards and to the left, to such an extent that the top of the high-intensity portion of the light at a distance of twenty-five feet in front of the motor vehicle is not higher than the level of the centre of the headlamp and at a distance of seventy-five feet in front of the motor vehicle is not more than three feet six inches above the level on which the motor vehicle stands; or
 - (ii) be equipped with a device which, when operated, simultaneously extinguishes the headlamp and lights a lamp which is in accordance with paragraphs (a), (b), (c), and (e) of this section; and
- (e) shall, when in the dipped position, illuminate and render easily discernible, under normal atmospheric conditions, at a distance of eighty feet, a person dressed in dark clothing straight ahead of the motor vehicle.

Alternative
headlamps.
Inserted by
No. 5, 1958,
s. 8.

41d.—(1.) An alternative headlamp attached to a motor vehicle shall—

- (a) be in accordance with paragraph (a) of section forty-one c of this Ordinance; and
- (b) project a beam of light which is in accordance with paragraphs (a) and (b) of the next succeeding section.

(2.) Where a motor vehicle is equipped with two alternative headlamps, the alternative headlamps shall be—

- (a) of approximately equal candle power; and
- (b) attached—
 - (i) on opposite sides of the motor vehicle;
 - (ii) equidistant from the longitudinal axis of the motor vehicle;
 - (iii) at the same height; and
 - (iv) not less than two feet apart.

41E. A headlamp which is neither equipped nor required under this Ordinance to be equipped with a dipping device or a device specified in sub-paragraph (ii) of paragraph (d) of section forty-one c of this Ordinance shall project a beam of light which—

Headlamps
without
dipping
devices.
Inserted by
No. 5, 1958,
s. 8.

- (a) is deflected downwards so that the top of the high-intensity portion of the light at a distance of twenty-five feet in front of the motor vehicle to which the headlamp is attached is not higher than the level of the centre of the headlamp and at a distance of seventy-five feet in front of that motor vehicle is not more than three feet six inches above the level on which the vehicle stands; and
- (b) illuminates and renders easily discernible under normal atmospheric conditions at a distance of eighty feet a person dressed in dark clothing straight ahead of that motor vehicle.

41F. A person driving, at any time specified in section thirty-eight of this Ordinance, a motor vehicle equipped with a dipping device or a device specified in sub-paragraph (ii) of paragraph (d) of section forty-one c of this Ordinance—

Dipping of
headlamps.
Inserted by
No. 5, 1958,
s. 8.

- (a) shall, as soon as his motor vehicle enters a length of public street which has been declared by the Administrator by notice in the *Gazette* to be a built up area or where there is provision for the lighting of that length of public street by means of street lighting, cause the main beam of light projected by each headlamp of the motor vehicle to be dipped and remain dipped while the motor vehicle is travelling along that length of public street; and

Traffic Ordinance
1949-1959.

(b) shall, while his motor vehicle is travelling along any other length of public street, cause the main beam of light projected by each headlamp of the motor vehicle to be dipped—

(i) when his motor vehicle is at a distance of not less than six hundred feet from any other motor vehicle approaching from the opposite direction; or

(ii) immediately the beam of light from a headlamp of any other motor vehicle approaching from the opposite direction is dipped,

whichever is the sooner, and shall cause the first mentioned beam to remain dipped until that other motor vehicle has passed.

41G. A motor vehicle or trailer, not being a motor cycle, shall be equipped with a rear lamp which—

(a) is of a power not exceeding seven watts;

(b) is attached to the rear of the motor vehicle—

(i) in the centre; or

(ii) to the right-hand or off side of the centre, of the rear of the vehicle and so that the height of the lamp is not more than three feet six inches;

(c) when lighted, shows a clear red light to the rear, visible under normal atmospheric conditions at a distance of six hundred feet; and

(d) is in accordance with section forty-one J of this Ordinance.

41H. A motor cycle shall be equipped with a rear lamp which—

(a) is of a power not exceeding seven watts;

(b) is attached to the rear of the motor cycle so that the height of the lamp is not more than three feet;

(c) when lighted, shows a clear red light visible under normal atmospheric conditions at a distance of six hundred feet; and

(d) is in accordance with the next succeeding section.

41J. A rear lamp of a motor vehicle or trailer shall be so constructed and fitted that it is alight when any headlamp, alternative headlamp or foglamp with which the motor vehicle is equipped is alight.

Rear lamps on motor vehicles other than motor cycles.

Inserted by No. 5, 1958, s. 8.

Rear lamps on motor cycles.

Inserted by No. 5, 1958,

Rear lamp to be on when headlamp, &c., is on.

Inserted by No. 5, 1958, s. 8.

41K.—(1.) A motor vehicle or trailer shall be equipped with—

- (a) a rear lamp in accordance with sections forty-one G and forty-one H of this Ordinance; or
- (b) a separate lamp,

capable of illuminating by a white light, so as to be easily discernible under normal atmospheric conditions at a distance of sixty feet, each letter, symbol and figure upon the number plate carried upon the rear of the motor vehicle or trailer.

(2.) If the motor vehicle or trailer is equipped with a separate lamp to illuminate the number plate carried upon the rear of the motor vehicle or trailer, the separate lamp shall be so constructed and fitted that it is alight when any headlamp, alternative headlamp or foglamp with which the motor vehicle or trailer is equipped is alight.

41L. Where a trailer is drawn by a motor cycle, not being a motor cycle to which a side-car is attached, and the trailer, together with its equipment and load, has a width equal to or greater than three feet six inches, there shall be attached to each side of the front of the trailer a lamp, of a power not exceeding seven watts, which—

- (a) when lighted, shows a clear white light visible under normal atmospheric conditions at a distance of six hundred feet from the front of the motor cycle; and
- (b) is attached so that no part of the trailer or its equipment or load on the side to which the lamp is attached projects more than six inches laterally from the centre of the lamp.

41M.—(1.) Two reflectors shall be attached to each motor vehicle or trailer, not being a motor cycle without a side-car, so that the reflectors are—

- (a) at the rear of the motor vehicle or trailer;
- (b) at the same height; and
- (c) equidistant from the longitudinal axis of the motor vehicle or trailer.

(2.) A reflector shall be attached to each motor cycle without a side-car.

(3.) A reflecting lens attached to a rear lamp of a motor vehicle or trailer shall be deemed to be a reflector if the rear lamp is in accordance with sections forty-one G and forty-one H of this Ordinance and there is no other reflector attached to the rear of the motor vehicle or trailer.

Illumination of rear number plates.

Inserted by No. 5, 1958, s. 8.

Front lights on trailer drawn by motor cycle.

Inserted by No. 5, 1958, s. 8.

Reflectors.

Inserted by No. 5, 1958, s. 8.

(4.) A reflector attached to a motor vehicle or trailer shall be capable of projecting a red reflection of light from the lamp of any following motor vehicle or vehicle.

(5.) A reflector attached to a motor vehicle or trailer shall be so attached that—

(a) the centre of the reflector is not higher than—

(i) in the case of a motor vehicle or trailer constructed solely or principally for the carriage of goods and so designed or constructed that it would be impracticable to attach the reflector so that its centre is not higher than three feet six inches from the ground without subjecting the reflector to the possibility of being damaged in the course of the normal operation of the motor vehicle or trailer—five feet from the ground; or

(ii) in any other case—three feet six inches from the ground; and

(b) no part of the motor vehicle or trailer or the equipment or load of either on the side to which the reflector is attached projects—

(i) in the case of a motor vehicle or trailer the width of which, together with its equipment and load is seven feet or more—nine inches or more laterally from the centre of the reflector; or

(ii) in any other case—sixteen inches or more laterally from the centre of the reflector.

(6.) A reflector attached to a motor vehicle or trailer shall be—

(a) capable of giving a reflection of light clearly visible to a person with reasonably good vision sitting in or on a motor vehicle to which is attached a headlamp which—

(i) is in accordance with this Ordinance;

(ii) is placed at a distance not exceeding three hundred feet from the reflector; and

(iii) is projected directly on to the reflector;

(b) attached in a vertical position and at right angles to the longitudinal axis of the motor vehicle or trailer; and

(c) unobscured and in a clean condition.

41N. A person shall not drive a motor vehicle or cause or permit a motor vehicle to stand upon a public street unless each lamp attached to the motor vehicle is so constructed and adjusted

to diffuse the light of the lamp or to direct that light that as far as practicable any glare from that light is prevented from adversely affecting the vision of a person approaching or being approached by the motor vehicle.

41P.—(1.) A motor vehicle, not being a motor cycle, shall be equipped in accordance with this section with at least one stop lamp and not more than two stop lamps if the motor vehicle is registered for the first time in the Northern Territory not less than three months after the date on which this section comes into operation.

Stop lamps.
Inserted by
No. 5, 1958,
s. 8.

(2.) After this section has been in operation for twelve months—

(a) a motor vehicle, manufactured after the first day of January, one thousand nine hundred and thirty-four and not being a motor cycle;

(b) a trailer;

(c) a motor cycle which has an engine of a capacity exceeding two hundred cubic centimetres; or

(d) a motor cycle to which a side-car is attached, shall, subject to sub-section (4.) of this section, be equipped with at least one stop lamp and not more than two stop lamps in accordance with this section.

(3.) A stop lamp with which a motor vehicle or trailer is equipped shall—

(a) be attached to the rear of the motor vehicle or trailer;

(b) when lighted, display a clear red or amber light, with or without the word "stop", to the rear of the motor vehicle or trailer and be visible at a distance of one hundred feet by day and by night, under normal atmospheric conditions;

(c) be so attached to the motor vehicle or trailer that the centre of the lamp is not higher than five feet from the level on which the motor vehicle or trailer stands and the lamp, or where two lamps are attached to the motor vehicle or trailer, one of the lamps, is in the centre or to the right hand or off side of the motor vehicle or trailer; and

(d) be lighted when—

(i) the service or foot brake is applied; or

(ii) in the case of a trailer, a device other than the service or foot brake is applied for actuating independently the brakes attached to the semi-trailer portion of an articulated vehicle or to the trailer.

(4.) Sub-section (2.) of this section does not apply to a trailer—

(a) if the trailer—

(i) has an unladen weight not exceeding five hundredweight and is a concrete mixer, an air compressor, a plant or equipment trailer or a general purpose load-carrying trailer; and

(ii) is of such dimensions and construction that, together with its equipment and load, it does not obscure each stop lamp of the motor vehicle to which it is attached; or

(b) if, with the written consent of the Registrar, the trailer is used only between sunrise and sunset and on short journeys to or from or in the vicinity of a wharf, an industrial installation or an area specified in writing by the Registrar.

41Q.—(1.) A motor vehicle which, together with its load and equipment, is seven feet or more in width, but not including an articulated vehicle, shall be equipped with—

(a) two clearance lamps, one on each side, on the front of the widest portion of the motor vehicle; and

(b) two clearance lamps on the rear of the motor vehicle.

(2.) A motor vehicle to which the last preceding sub-section applies and which, together with its load and equipment, is more than twenty-four feet in length shall be equipped with—

(a) two side marker lamps, attached one on each side of the motor vehicle at the rear; or

(b) two clearance lamps in accordance with the last preceding sub-section, so constructed and attached that the light from each of them is visible at a point at right angles to the longitudinal axis of the motor vehicle on the side of the motor vehicle to which the clearance lamp is attached.

(3.) An articulated motor vehicle shall be equipped—

(a) with—

(i) two clearance lamps, one on each side, on the front of the widest portion of the hauling unit;

(ii) two clearance lamps, one on each side, on the front of the semi-trailer; and

(iii) two clearance lamps, one on each side, on the rear of the semi-trailer; and

(b) with two side marker lamps on each side of the semi-trailer, one near the front and one near the rear of the semi-trailer.

Clearance lamps, side marker lamps and reflectors on large motor vehicles and trailers.

Inserted by N. 5, 1958, s. 8.

(4.) An articulated motor vehicle of which the semi-trailer, together with its load and equipment, is more than twenty-four feet in length, shall be equipped with—

- (a) two clearance lamps, one on each side of the semi-trailer midway between the front and rear clearance lamps on the semi-trailer; and
- (b) two side marker lamps, one on each side of the semi-trailer midway between the front and rear side marker lamps.

(5.) If a trailer, not being a pole type trailer, is, together with its load and equipment, seven feet or more in width or projects more than six inches laterally on either side beyond the motor vehicle to which it is attached, the trailer shall be equipped—

- (a) with—
 - (i) two clearance lamps, one on each side, on the front of the trailer; and
 - (ii) two clearance lamps, one on each side, on the rear of the trailer; and
- (b) with two side marker lamps on each side of the trailer, one near the front and one near the rear of the trailer.

(6.) A trailer to which the last preceding sub-section applies and which, together with its equipment, is more than twenty-four feet in length, shall be equipped with—

- (a) two clearance lamps, one on each side of the trailer midway between the front and rear clearance lamps of the trailer; and
- (b) two side marker lamps, one on each side of the trailer midway between the front and rear side marker lamps.

(7.) A pole type trailer shall be equipped with—

- (a) two clearance lamps showing amber light to the front, one on each side of the bolster or, where the trailer is fitted with two bolsters, of the foremost bolster;
- (b) two clearance lamps showing red light to the rear, one on each side of the bolster or, where the trailer is fitted with two bolsters, of the rearmost bolster;
- (c) two side marker lamps, one on each side of the bolster or combination of two bolsters;
- (d) red reflectors, attached along the entire length of the right-hand face and the entire length of the left-hand face of the pole of the trailer and spaced at intervals of not more than four feet; and
- (e) four white reflectors, two on each side of the forward facing portion of the foremost bolster.

(8.) A pole type trailer fitted with two bolsters shall be deemed to be equipped in accordance with paragraphs (a) and (b) of the last preceding sub-section if the trailer is equipped with two clearance lamps, one on each side of the rearmost bolster, and each clearance lamp shows amber light to the front and red light to the rear.

(9.) A motor vehicle fitted with one or more bolsters and designed to draw a pole type trailer shall be equipped with—

- (a) two clearance lamps, one on each side, on the front of the widest portion of the motor vehicle;
- (b) two clearance lamps showing amber light to the front, one on each side of the bolster or, where the motor vehicle is fitted with two bolsters, of the foremost bolster;
- (c) two clearance lamps showing red light to the rear, one on each side of the bolster or, where the motor vehicle is fitted with two bolsters, of the rearmost bolster;
- (d) two side marker lamps, one on each side of the bolster or combination of two bolsters; and
- (e) two white reflectors, one on each side of the forward facing portion of the foremost bolster.

(10.) A motor vehicle fitted with two bolsters shall be deemed to be equipped in accordance with paragraphs (b) and (c) of the last preceding sub-section if the motor vehicle is equipped with two clearance lamps, one on each side of the rearmost bolster, and each clearance lamp shows amber light to the front and red light to the rear.

41R.—(1.) A clearance lamp shall—

- (a) if attached on or near the front of a motor vehicle or trailer, display an amber colour to the front;
- (b) if attached on or near the rear of a motor vehicle or trailer, display a red colour to the rear; or
- (c) if attached midway between the front and rear clearance lamps, display an amber colour to the front and a red colour to the rear,

of the motor vehicle or trailer.

(2.) A side marker lamp—

(a) shall—

- (i) if attached near the front of a motor vehicle or trailer, display an amber colour;
- (ii) if attached near the rear of a motor vehicle or trailer, display a red colour; or
- (iii) if attached midway between the front and rear of a motor vehicle or trailer, display an amber colour; and

Colours of
clearance
lamps, side
marker lamps
and reflectors.

Inserted by
No. 5, 1958,
s. 8.

- (b) may, if attached to a motor vehicle or trailer in combination with a clearance lamp in accordance with sub-section (4.) of the next succeeding section, display both an amber colour and a red colour to the side of the motor vehicle or trailer.
- (3.) Subject to the last preceding section—
- (a) a reflector facing to the front of a motor vehicle or trailer shall reflect a white or amber colour; and
- (b) a reflector facing to the rear or to the side of a motor vehicle or trailer shall reflect a red colour.

41s.—(1.) Each clearance lamp and each side marker lamp attached to a motor vehicle or trailer shall be so attached that—

- (a) no part of the motor vehicle or trailer or any load or equipment of either of them on the side to which the lamp is attached projects more than six inches laterally from the centre of the lamp;
- (b) in the case of a lamp attached to a semi-trailer or trailer, the lamp is, as far as is practicable, at the same height as any other clearance lamp or side marker lamp attached to that semi-trailer or trailer;
- (c) in the case of a rear clearance lamp or rear side marker lamp attached to a motor vehicle or trailer, not being a pole type trailer, the lamp is not more than twelve inches from the rearmost point of the side of the motor vehicle or trailer to which the lamp is attached;
- (d) in the case of a front clearance lamp or front side marker lamp attached to a trailer, not being a pole type trailer, the lamp is not more than twelve inches from the foremost point of the side of the trailer to which the lamp is attached; and
- (e) in the case of a rear clearance lamp or rear side marker lamp, the height of the lamp is not less than two feet and not more than five feet.

(2.) A clearance lamp attached on or near the front of a motor vehicle, not being a motor cycle or a three wheeled vehicle steered by means of handle bars or a tiller, shall be so attached that the centre of the clearance lamp is not less than two feet six inches above the centre of the headlamp of the motor vehicle.

(3.) A provision in this Part that a motor vehicle or trailer shall be equipped with a clearance lamp which displays an amber colour to the front and a red colour to the rear shall be deemed to be satisfied if the motor vehicle or trailer is equipped with two

Attachment
of clearance
lamps, side
marker lamps
and reflectors.
Inserted by
No. 5, 1958,
s. 8.

separate clearance lamps for which they are substituted and arranged so that one of them displays an amber colour to the front and the other displays a red colour to the rear.

(4.) A clearance lamp may be attached to a motor vehicle or trailer in combination with a side marker lamp if the light displayed by the combination is in accordance with the provisions of this Part as to the light to be displayed by the clearance lamp and the light to be displayed by the side marker lamp.

(5.) A reflector attached to the bolster of a motor vehicle or trailer shall be attached so that—

- (a) the centre of the reflector is not more than five feet above the ground; and
- (b) no part of the motor vehicle or trailer or any load or equipment on either of them on the side to which the reflector is attached projects more than nine inches laterally from the centre of the reflector.

41T. A clearance lamp or side marker lamp—

- (a) shall be of a power not exceeding seven watts; and
- (b) when lighted shall be visible under normal atmospheric conditions at a distance of six hundred feet from the lamp.

41U.—(1.) Except for the purpose of taking up or setting down persons or complying with this Ordinance or a regulation made under this Ordinance, a person shall not cause or permit a motor vehicle or trailer to stand upon a public street between the hours of sunset and sunrise or at any other time when there is insufficient daylight to render a person dressed in dark clothing discernible at a distance of three hundred feet unless—

- (a) no lamp is alight which has a power exceeding seven watts and is attached to the motor vehicle or trailer so that when lighted the lamp shows light to the front;
- (b) a rear lamp with which the motor vehicle or trailer is required under section forty-one G, forty-one H or forty-one J of this Ordinance to be equipped is alight; and
- (c) a clearance lamp required under this Part to be attached to the motor vehicle or trailer on or near the front or on or near the rear of the motor vehicle or trailer is alight.

(2.) Paragraphs (b) and (c) of the last preceding subsection do not apply if the motor vehicle or trailer is under or near a lighted public street lamp or other outside lamp so illuminating the public street as to render the motor vehicle or trailer clearly visible.

Visibility of
clearance
lamps and side
marker lamps.
Inserted by
No. 5, 1958,
s. 8.

Lighting of
motor vehicles
when parked.
Inserted by
No. 5, 1958,
s. 8.

41v. A person shall not drive or cause or permit to stand upon a public street a motor vehicle or trailer to which is attached a lamp or device capable of projecting or reflecting light unless the lamp or device is prescribed by this Ordinance or has been approved in writing by the Registrar.

Only prescribed lights permitted.
Inserted by No. 5, 1958, s. 8.

41w. A person shall not, without the permission of the Registrar, at any time drive or cause or permit to stand upon a public street a motor vehicle or trailer which is not equipped with lamps and reflectors in accordance with the provisions of this Ordinance which prescribe the lamps and reflectors with which that motor vehicle or trailer shall be equipped.

Lamps and reflectors to be provided at all times.
Inserted by No. 5, 1958, s. 8.

42. A person shall not drive, permit or cause to be on a public street a motor vehicle or vehicle which, between sunset and sunrise, has thereon a load extending more than three feet behind that motor vehicle or vehicle unless there is attached to the rear of the load a lighted lamp in such a manner and position as to show a white light clearly visible to a person approaching that motor vehicle or vehicle from the rear or passing it from the front.

Lights on projecting loads.

43.—(1.) Subject to this section, a person shall not drive, permit or cause to be on a public street, between sunset and sunrise, a vehicle unless there is attached to the front of that vehicle, on the off side, a lighted lamp in such a manner and position as to show a white light clearly visible from the front of the vehicle and a red light clearly visible from the rear of the vehicle.

Lights on vehicles.

(2.) The last preceding sub-section shall not apply if the vehicle is stationary and is under or near a lighted public street lamp or other outside lamp so illuminating the street as to render the vehicle clearly visible.

44. A person shall not ride upon a public street, or cause or permit to be upon a public street, at any time between sunset and sunrise, a bicycle which has not—

Lights on bicycles.

- (a) a lighted lamp attached thereto in such a manner and position as to show a bright white light clearly visible to any person approaching the bicycle from the front; and
- (b) a lighted lamp attached thereto in such a manner and position as to show a bright red light clearly visible to any person approaching the bicycle from the rear, or a red reflector attached thereto in such a manner or position as to reflect the lights of a vehicle approaching the bicycle from the rear.

PART V.—MISCELLANEOUS.

Driver to stop in case of accident.

45.—(1.) Where injury or damage is caused to any person or property (including any motor vehicle, vehicle, bicycle or animal) by reason of an accident in which a motor vehicle, vehicle, bicycle or animal is concerned, the driver or rider of the motor vehicle, vehicle, bicycle or animal shall—

- (a) stop his motor vehicle, vehicle, bicycle or animal for a time sufficient to allow any necessary inquiries to be made by or on behalf of the person injured or whose property has been damaged;
- (b) if so required by—
 - (i) the person who has been injured or whose property has been damaged;
 - (ii) a member of the Police Force, or an inspector or officer; or
 - (iii) a person who witnessed the accident and who is acting or purports to be acting on behalf of an injured person, state his name and place of abode, and also the name and place of abode of the owner of the motor vehicle, vehicle, bicycle or animal; and
- (c) report the accident and, at the same time, state his name and place of abode, to a member of the Police Force as soon as practicable and, in any case, within twenty-four hours after the occurrence of the accident.

(2.) For the purposes of this section, “ animal ” means any horse, cattle, sheep, pig or dog.

Driver to stop vehicle, &c., when required by an inspector or a member of Police Force.

46. A person driving or riding any motor vehicle, vehicle, bicycle or animal shall not fail, when called upon to do so by a member of the Police Force, or by an inspector or officer in the execution of his duty under this Ordinance, to stop the motor vehicle, vehicle, bicycle or animal.

Name and place of abode to be stated.

47. A person shall not, when required by a member of the Police Force, or by an inspector or officer in the execution of his duty under this Ordinance, to state his name or place of abode, refuse to do so or state a false name or place of abode.

Driver or owner of vehicle, &c., to furnish information when required.

48.—(1.) Where an offence is alleged to have been committed against this Ordinance in respect of any motor vehicle, vehicle, bicycle or animal, a member of the Police Force or an inspector or officer may require the owner or driver, or any agent or employee of the owner, of the motor vehicle, vehicle, bicycle or animal, or any passenger in the motor vehicle or vehicle, to give any information which it is in his power to give

and which may lead to the identification of the person who was driving or riding the motor vehicle, vehicle, bicycle or animal when the offence is alleged to have been committed.

(2.) A person shall not, upon being so required, refuse or fail to give any such information.

49. A member of the Police Force may arrest without warrant any person whom he reasonably believes or suspects to have committed an offence against section thirty-six, thirty-seven or forty-seven of this Ordinance, and may keep that person in custody until that person can be admitted to bail or taken before a court to be dealt with according to law.

Power to
arrest without
warrant.

50.—(1.) Any information or complaint for an offence against this Ordinance may be laid or made by any person.

Laying of
information.

(2.) If any such information or complaint is laid or made by a person other than the Registrar or an inspector or officer thereto authorized by the Administrator or a member of the Police Force, and the proceedings are dismissed or withdrawn, the Court may, if it thinks fit, order that person to pay to the defendant, in addition to any costs, such compensation as it thinks reasonable.

51. A person shall not be liable to be convicted of an offence against this Ordinance if he proves, to the satisfaction of the court hearing the case, that the offence could not have been avoided by any reasonable efforts on his part.

Offence due
to accident.

52.—(1.) The provisions of sub-section (1.) of section seven of this Ordinance with relation to the driving of a motor vehicle at a speed dangerous to the public, the provisions of paragraphs (a), (b), (c), and (e) of section twenty-six, the provisions of sub-paragraph (ii) of paragraph (a) and of paragraph (b) of section twenty-nine, paragraphs (d), (e), (f) and (g) of sub-section (1.) of section thirty-four, section thirty-five, sub-section (2.) of section thirty-six, paragraph (a) of sub-section (1.) of section forty-five and sub-section (2.) of section fifty-six of this Ordinance do not apply to the driver or the person in charge of a motor vehicle whilst the motor vehicle—

Exemption of
police,
ambulances and
fire brigades.
Substituted by
No. 12, 1954,
s. 4.

- (a) is being driven or used by a member of the Police Force in the execution of his duty;
- (b) being a motor ambulance, is being driven or used in the course of, or in connexion with, the carriage of a patient; or
- (c) is being driven by a member of a fire brigade to a place in answer to a call for the services of a fire brigade, or whilst it is in use at a fire.

(2.) The provisions of section nineteen and of paragraph (c) of sub-section (1.) of section thirty-four of this Ordinance do not apply to a driver of a motor vehicle whilst the motor vehicle is being driven or used by a member of the Police Force in the execution of his duty.

Liability at
common law
and by
statute.

53. Nothing in this Ordinance shall affect any liability of any person by virtue of any other law in force in the Territory.

Hiring car
by fraud.

54. A person shall not procure the use or hire of any motor vehicle by fraud or misrepresentation, or aid or abet another person to do so.

Penalties for
offences.

55.—(1.) A person who contravenes, or fails to comply with any provision of this Ordinance shall be guilty of an offence against this Ordinance and may be prosecuted summarily before any court of competent jurisdiction, and that court may, in respect of any such offence for which no other penalty is expressly provided, impose a penalty not exceeding One hundred pounds or imprisonment for six months.

(2.) A court which convicts a person of an offence against this Ordinance may, in addition to imposing any other penalty—

- (a) if the person convicted holds a licence cancel the licence, or suspend that licence for such time as the court thinks fit, and, if the court thinks fit, also declare that the person is disqualified from obtaining a licence or a renewal of a licence during such time as the court thinks fit; and
- (b) if the person convicted is not the holder of a licence, declare that that person is disqualified from obtaining a licence during such time as the court thinks fit.

Amended by
N. 15, 1959,
s. 2.

(3.) Whenever the holder of a licence is convicted of an offence against this Ordinance, in relation to a motor vehicle, the court shall cause particulars of the conviction to be endorsed upon the licence:

Provided that, in the case of a conviction for a first offence—

- (a) where the penalty imposed is a fine not exceeding Twenty-five pounds, the court shall not cause particulars of the conviction to be endorsed upon the licence; and
- (b) where the penalty imposed is a term of imprisonment or a fine exceeding Twenty-five pounds, the court may exercise its discretion as to whether or not it will cause particulars of the conviction to be endorsed on the licence.

(4.) The clerk of any court which causes particulars of a conviction to be endorsed on a licence shall forthwith notify the Registrar of any endorsement so made.

(5.) Where the particulars of a conviction of a person have been endorsed on a licence under this section and the Registrar has been notified of that endorsement, the Registrar shall copy the endorsement upon every new licence or renewal of a licence granted to that person, unless and until the court in which the conviction was recorded shall otherwise order.

(6.) A court shall cause particulars of all convictions and orders under this Ordinance in relation to motor vehicles to be forwarded to the Registrar.

(7.) A licence suspended in accordance with this section shall, during the term of the suspension, be of no effect, and a person whose licence is suspended or who is declared by the court to be disqualified from obtaining a licence, or a renewal of a licence, shall, during the period of suspension or disqualification, be disqualified from obtaining a licence, or a renewal of a licence, and a licence or renewal of a licence purporting to be granted to any such person shall be of no effect.

(8.) A person who, under the provisions of this Ordinance is disqualified from obtaining a licence, or a renewal of a licence, shall not apply for a licence or a renewal of a licence while he is so disqualified.

(9.) A person whose licence has been endorsed in pursuance of this Ordinance shall not apply for a licence or a renewal of a licence without giving particulars of the endorsement, and any licence obtained upon an application made in contravention of this sub-section shall be of no effect.

(10.) Notwithstanding anything contained in the *Motor Vehicles Ordinance* 1949, a person who is disqualified under the provisions of this Ordinance from obtaining a licence shall not drive a motor vehicle during the period of disqualification.

(11.) A licence cancelled in pursuance of this section shall be of no effect.

(12.) A licensed driver charged with an offence against this Ordinance shall, unless he has reasonable excuse for failing to do so, produce his licence to drive a motor vehicle to the court at the time of the hearing of the charge.

56.—(1.) The regulations may prescribe the limit of speed at which any motor vehicle or class of motor vehicles may travel in the public streets, or any part of the public streets, or in the area specified in the regulations.

Limitation of speed.

(2.) A person shall not drive a motor vehicle in the public streets or any part of the public streets, or in an area specified in the regulations, at a speed greater than the limit of speed permitted therein for that motor vehicle or the class of motor vehicle to which that motor vehicle belongs.

Regulations.

57. The Administrator may make regulations, not inconsistent with this Ordinance, prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance, and in particular making provision for and in relation to—

- (a) the parking or ranking of motor vehicles, vehicles and bicycles;
- (b) parking places and the like;
- (c) the routes of motor omnibuses;
- (d) the time to be taken by motor omnibuses for performing the whole or any portion of their journeys;
- (e) the publication of time tables of motor omnibus passenger services;
- (f) the prohibition of the setting down or taking up of passengers by motor omnibuses at prescribed places;
- (g) the pace at which public motor vehicles hired by time may travel;
- (h) the rules of the road to be observed by motor vehicles, vehicles or bicycles and the regulation of traffic both generally and in respect of particular localities or public streets, including prohibition of traffic in particular localities or public streets, either for a specified period or otherwise, and in respect of any class or classes of motor vehicles or vehicles; and
- (i) the imposition of penalties not exceeding Fifty pounds for breaches of the regulations.