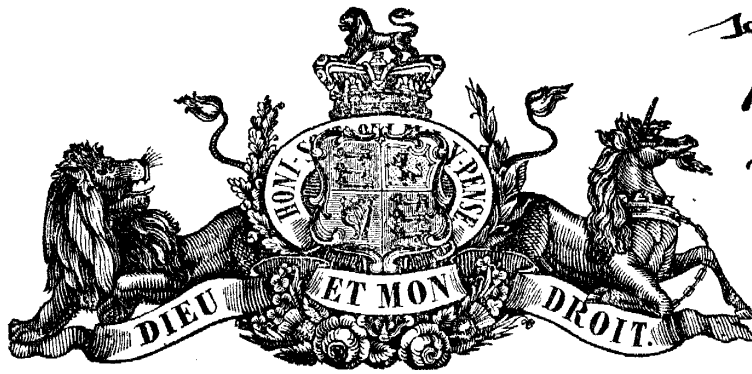


Amended: 821 of '03.

se. 866 of '04, S.S.

*Repealed by 938 of '07,
Sec 2.*

*30 years this Act
relates or might
relate to motor
vehicles*



ANNO TRICESIMO QUINTO ET TRICESIMO SEXTO

VICTORIÆ REGINÆ.

A.D. 1872.

No. 16.

An Act to provide for the carrying of Lights by Vehicles at night.

[Assented to, 14th August, 1872.]

BE it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. Every waggon, cart, carriage, or other vehicle which is driven at any time from half an hour after sunset until half an hour before sunrise along any street in the City of Adelaide, or along any main road, or cross road within ten miles of the City of Adelaide, shall, except on the four nights immediately preceding the night of the full moon, the night of the full moon, and the two nights immediately following the night of the full moon, be provided with at least one proper lamp, which shall be carried on the off or right side of such vehicle, and shall be lighted and kept lighted while such vehicle is so driven; and if any such vehicle is driven through or along such street, road, or cross road at any time from half an hour after sunset until half an hour before sunrise, without having such lamp properly lighted as aforesaid, the proprietor or driver shall incur a penalty of not exceeding Forty Shillings.

*Vehicles to carry
lamps.*

2. Every vehicle which is left or placed upon such street or road after sunset and before sunrise, shall be provided with a lamp lighted and fixed upon that part of the vehicle which is nearest the centre of the street or road, and if any such vehicle shall be so left or placed unprovided as aforesaid, without having such lamp kept lighted until sunrise, then the person, who so leaves or places such vehicle upon such street or road, or the proprietor thereof, shall

*Vehicles left on roads
between sunset and
sunrise to have a
lamp.*

821 of '03, S.S. 2

The Lights on Vehicles Act.—1872.

shall forfeit and pay a penalty not exceeding Forty Shillings: Provided that nothing herein contained shall be construed to authorize or render lawful the placing or leaving upon any street or road of any vehicle.

Before whom proceedings to be instituted.

3. All proceedings for offences against this Act, or against any rule or regulation to be made by virtue hereof as aforesaid, in respect of which offences any pecuniary fine or penalty is imposed, shall be heard and determined, and such fines and penalties may be inflicted in a summary way by any Special Magistrate or two or more Justices, under the provisions of an Ordinance of the Governor and Legislative Council, No. 6 of 1850, "To facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to summary convictions and orders," or any Act hereafter to be in force relating to duties of Justices of the Peace with respect to summary convictions and orders; and all convictions and orders may be enforced as in the said Ordinance is mentioned.

Appeal to Local Court.

4. There shall be an appeal from any conviction by any Special Magistrate or Justices for any offence against this Act, or from any order dismissing any information or complaint, or from any order for payment or otherwise, which appeal shall be to the Local Court of Adelaide, of full jurisdiction only; and the proceedings on such appeal shall be conducted in a manner appointed by the said Ordinance, No. 6 of 1850, for appeals to Local Courts; but the Local Court of Adelaide aforesaid may make such order as to payment of the costs of appeal as it shall think fit, although such costs may exceed Ten Pounds.

No *certiorari*.

5. Save as herein provided, no order or proceeding of any Special Magistrate or Justices of any Local Court, made under the authority of this Act, shall be appealed against, or removed by *certiorari* or otherwise, into the Supreme Court of the said Province.

Moneys, how to be applied.

6. All moneys that may be received for fines, to be levied as aforesaid, or for penalties, under and by virtue of this Act, shall be paid, one moiety thereof to the person laying the information, and the other moiety to the Corporation or District Council within whose limits the offence in respect of which such penalty is imposed, was committed.

Number on lamp.

7. The owner or driver of every passenger vehicle plying for hire, of whatsoever description the same may be, shall have painted, so as to be distinct and legible, on the front glass of each of the lamps belonging to such vehicle, the number of such vehicle, in figures one inch at least in length, and shall keep the same so painted, during the whole time that such vehicle shall ply for hire, or be used for the conveyance of passengers, and such lamps shall be used only for and with the vehicle, the number of which shall be so painted upon them; and any person offending against any of the provisions of this

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this clause shall be liable to a penalty of not exceeding Forty Shillings for every such offence.

8. This Act shall take effect and come into force on the first day of May, one thousand eight hundred and seventy-three.

Commencement of Act.

In the name and on behalf of the Queen, I hereby assent to this Bill.

JAMES FERGUSSON, Governor.