



ANNO DECIMO SEPTIMO

GEORGII V REGIS.

A.D. 1926.

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No. 1776.

An Act to make provision with respect to Motor Omnibuses, and for other purposes.

*[Assented to, December 16th, 1926.]*

**B**E it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :—

1. This Act may be cited as the “ Motor Omnibus Act, 1926.” Short title.

2. This Act shall come into operation on a day to be fixed by proclamation. Commence-  
ment of Act.

3. In this Act, unless the context otherwise requires— Interpretation.

“ Board ” means the Metropolitan Omnibus Board constituted by this Act :

“ Constituent Municipal Council ” means the Council of a municipality other than the City of Adelaide within the portion of the State to which this Act applies :

“ Constituent District Council ” means the Council of a District Council District within the portion of the State to which this Act applies :

“ Licence ” means a licence granted and issued pursuant to this Act, and includes a “ regular service licence ” or a “ special service licence ” hereinafter provided for, and “ licensed ” has a corresponding meaning :

“ Motor

*Motor Omnibus Act.—1926.*

No. 1480 of 1921.

“Motor omnibus” means any motor vehicle within the meaning of the Motor Vehicles Act, 1921, with seating capacity for not less than seven passengers, and used or (where the case so requires) intended to be used for plying for hire within the portion of the State to which this Act applies at separate and distinct fares for each passenger of not more than One Shilling and Sixpence for each single journey or Three Shillings for each return journey :

“Owner” of a motor omnibus includes every person who is the owner, joint owner, or part owner of the motor omnibus, and any person who has the use of the motor omnibus under a hiring or hire purchase agreement, and shall include the Railways Commissioner and the Trust :

“Passenger” does not include driver or conductor :

“Pneumatic tire” means a tire composed of flexible material, and when in use kept inflated by air pressure at a pressure greater than atmospheric pressure :

“The Railways Commissioner” means the South Australian Railways Commissioner :

“The Trust” means the Municipal Tramways Trust.

Application of Act.

## 4. (1) This Act shall apply—

- (a) to the Municipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, St. Peters, Thebarton, and Unley ;
- (b) to the District Council Districts of Burnside, Campbelltown, Marion, Mitcham, Payneham, Prospect, Walkerville, West Torrens, Woodville, and Yatala South ;
- (c) to the Garden Suburb ; and
- (d) to any other Municipality or District Council District or any portion thereof contiguous to any of the Municipalities or Districts mentioned in paragraphs (a), (b), or (c) hereof to which the Governor by proclamation declares this Act shall apply.

(2) The Governor may make any proclamation as aforesaid and may revoke or vary any such proclamation.

Metropolitan Omnibus Board.

## 5. (1) The Metropolitan Omnibus Board hereby constituted is charged with the administration of this Act.

(2) The Board shall be a body corporate, and shall have perpetual succession and a common seal.

(3) All Courts, Judges, and persons acting judicially shall take judicial notice of such seal when affixed to any instrument, and shall, in

*Motor Omnibus Act.—1926.*

in the absence of proof to the contrary, presume that the same was properly affixed thereto.

6. The Board shall consist of four members, who shall be appointed as follows :— Constitution of Board.

- (a) One by the Council of the Corporation of the City of Adelaide ;
- (b) One by the constituent Councils ; and
- (c) Two by the Governor, one of whom shall be Chairman of the Board.

7. (1) The member to be appointed by the Corporation of the City of Adelaide shall be appointed by resolution of the majority of the Council at a meeting convened and held for the purpose. Appointment of a member by the Corporation of the City of Adelaide.

(2) Notice of such meeting stating that such appointment is proposed to be made thereat shall be sent by the Town Clerk of the Corporation of the City of Adelaide to each member of the Council at least three days before the day on which such meeting is to be held.

(3) No person shall be so appointed who has not previously, by writing signed by him, signified to the said Town Clerk his willingness to act as a member.

(4) Every appointment shall be certified in writing under the hand of the said Town Clerk and delivered to the Minister.

(5) The Minister shall give notice of such appointment in the *Government Gazette*.

(6) The *Government Gazette* notifying such appointment shall be conclusive evidence of such appointment, and that the same was duly made.

8. (1) The Minister shall from time to time, by notice published in the *Government Gazette*, direct the nomination, on or before the day mentioned in the notice, of members required to be appointed by the constituent Councils. Appointment of member by constituent Councils.

(2) The day of nomination mentioned in such notice shall be a date at least fourteen days after the date of the notice.

(3) Thereupon each constituent Municipal Council may nominate not more than one person for appointment to represent the constituent Councils, and each constituent District Council may nominate not more than one person for appointment to represent the constituent Councils.

(4) Nominations shall be made by resolution of a majority of the members of each Council at a meeting convened and held for the purpose. Notice of such meeting stating that such nominations are to be made at such meeting shall be sent by the Town Clerk of each constituent Municipal Council or by the Clerk of each constituent District Council, as the case may be, to each member of his Council

*Motor Omnibus Act.—1926.*

Council at least three days before the day on which such meeting is to be held.

(5) Such resolutions shall state the full name and address of the person nominated, and shall be certified by the Mayor or Chairman of the Council, as the case may be, and be delivered to the Minister within the time named in subsection (1) of this section.

(6) The Minister shall cause the names and addresses of the persons nominated to be published in the *Government Gazette*, and if there be more persons nominated to represent the constituent Councils than are required, he shall cause a list of such nominations to be sent to each constituent Council, together with a notice which shall name the time by which each such Council shall vote for the person required as stated in the notice.

(7) Within the time named in such notice each constituent Municipal Council and each constituent District Council, by resolution of a majority of its members, may vote for the person required as a representative of the constituent Councils. The vote of each Council shall be certified in writing signed by the Mayor or by the Chairman of the Council, and shall be delivered to the Minister by the time stated in the notice referred to in the preceding subsection.

(8) The person to be appointed shall be the one for whom the greatest number of votes is cast, or if an equal number of votes be cast for two or more persons, that one for whom the Minister shall give a casting vote, which vote is hereby given to him in such cases.

**Term of office.**

9. (1) The members first appointed shall hold office until the last day of November, one thousand nine hundred and twenty-eight; thereafter the term of office shall be two years.

(2) The Minister shall cause notice of the appointments to be given in the *Government Gazette* and the production of such notice shall be conclusive evidence of such appointments and that the same were duly made.

**Appointment of members in case of delay.**

10. (1) In any case where there has in the opinion of the Minister been unreasonable delay in the appointment of a member or members the Minister may appoint a member or members as may be required.

(2) The Minister shall give notice of such appointment in the *Government Gazette* stating on whose behalf it has been made and the production of such notice shall be conclusive evidence of such appointment and that the same was duly made.

**Casual vacancies.**

11. (1) When any vacancy occurs on the Board whether by expiry of a member's term of office or otherwise it shall be filled in the manner hereinbefore provided so far as applicable: Provided that if a vacancy occur within three months of the expiration of any member's term of office it shall not be necessary to fill such vacancy.

(2) A

*Motor Omnibus Act.—1926.*

(2) A member appointed to fill a vacancy caused otherwise than by the retirement of a member on the expiration of his term of office shall be appointed only for the unexpired portion of the term of the member in whose place he is appointed.

12. A retiring member shall hold office until his successor is appointed. Term of office.

13. In addition to retirement by the expiration of his term of office, the office of a member shall be vacated on the absence of the member from three consecutive meetings of the Board without leave of the Board followed by a resolution of the Board declaring the office vacant. Disqualification of members.

14. A member may resign by notice in writing, posted or delivered to the Chairman, or, in the case of the Chairman, to the Minister. Resignation of members.

15. (1) The Governor may appoint one of the members appointed by the Governor to be the Chairman of the Board, and may, on the recommendation of the Board, appoint any other member to be the Deputy Chairman of the Board. Chairman and Deputy Chairman.

(2) The Chairman when present shall preside at all meetings of the Board. In his absence the Deputy Chairman shall preside.

(3) The person presiding for the time being shall have a casting as well as a deliberative vote.

16. Two members present at a meeting shall constitute a quorum. Quorum.

17. (1) No act or proceeding of the Board shall be invalid or illegal in consequence only of the number of members of the Board not being complete at a time of such act or proceeding. Validity of acts of Board.

(2) All acts and proceedings of the Board shall, notwithstanding the subsequent discovery of any defect in the appointment of any member thereof, or that any member was disqualified or disentitled to act, be as valid as if such member had been duly appointed and was qualified and entitled to act and had acted as a member of the Board, and as if the Board had been properly and fully constituted.

18. The first meeting of the Board shall be convened by the Minister. First meeting of Board.

19. The Board may—

- (a) in its corporate name arbitrate or sue, implead, and answer and be sued, impleaded, and answered in all Courts and before all Judges, Magistrates, Justices, and arbitrators whomsoever, in all actions, pleas, suits, disputes, causes, and matters whatsoever; and

General powers of Board.

(b) do

*Motor Omnibus Act.*—1926.

(b) do and exercise all such further acts and powers as it is by this Act authorised to do and exercise, or as may be necessary for the doing or exercising of any such acts or powers.

**Execution of documents.**

**20.** Every deed, conveyance, agreement, or instrument which it may be necessary for the Board to execute shall have the seal of the Board affixed thereto, and be signed by the Chairman or any two members.

**Proceedings of Board.**

**21.** (1) The Board shall keep a minute book in which the proceedings of each meeting and the business performed thereat shall be entered.

(2) The minutes of each meeting shall be submitted for confirmation at a subsequent meeting of the Board, and if confirmed, shall be signed by the Chairman or other person presiding at such subsequent meeting; and all entries in the minutes so signed shall be received in all Courts and tribunals and by all persons as sufficient evidence of the accuracy of the matters therein recorded until the contrary is proved.

**Accounts of Board.**

**22.** (1) The Board shall keep such proper books of accounts as the Board deems necessary or as the Governor may direct.

(2) The accounts of the Board shall, once at least in every year, and also whenever so directed by the Governor, be audited by the Auditor-General.

(3) The Auditor-General shall, in respect of the said accounts, have and exercise all the powers conferred on him by the Audit Act, 1921, or any other law in force relating to the audit of public accounts.

**Officers of Board.**

**23.** The Governor may, on the recommendation of the Board, from time to time appoint such officers and servants of the Board as are necessary for carrying out the provisions of this Act.

**Power to prescribe routes for motor omnibuses and other matters.**

**24.** (1) The Board may, by regulation, being satisfied that the condition of the roads to be included in any route is such as to be capable of carrying motor omnibus traffic thereon without unreasonable damage to the roads, and that there are not sufficient other vehicles for the conveyance and convenience of passengers to, from, or within the district proposed to be served, prescribe—

(a) the routes along which motor omnibuses for which regular service licences are granted as hereinafter provided may ply for hire;

(b) sections and terminal points and stopping places of such routes;

(c) time tables to be observed by owners of such motor omnibuses plying for hire on prescribed routes or sections

or

*Motor Omnibus Act.—1926.*

or portions thereof, including the length of time during which any motor omnibus may remain at any terminal point or stopping place;

(d) the fares (including maximum and minimum fares for prescribed routes or sections thereof) to be charged for passengers carried by such motor omnibuses; and

(e) the maximum number of such motor omnibuses which may be licensed to ply for hire on any prescribed route.

(2) The Board, or any person authorised in writing in that behalf by the Board (whether generally or in any particular case), may, in cases of emergency, by order in writing, authorise temporary deviations from prescribed routes and temporary alterations of any sections or terminal points thereof or of stopping places thereon, or may in like manner authorise any motor omnibus for which a regular service or a special service licence has been granted to ply for hire temporarily on any route whether a prescribed route or not.

**25.** (1) A motor omnibus shall not ply for hire unless it is licensed pursuant to this Act. Licensing of motor omnibuses.

(2) Every licence shall be issued by and under the hand of an officer appointed for the purpose by the Governor on the recommendation of the Board, hereinafter called the Licensing Officer.

(3) A licence shall not be granted for any motor omnibus unless the provisions of this Act and of any regulations under this Act, so far as they apply to the motor omnibus, have been complied with.

(4) A licence granted as aforesaid shall be of no force or effect and shall not be issued to the applicant unless and until the fee payable as hereinafter provided under this Act, has been paid to the Board.

**26.** (1) Licences issued in respect of motor omnibuses shall be either regular service licences or special service licences; and a regular service licence and a special service licence shall not both be granted for the same motor omnibus. Regular service and special service licences.

(2) A regular service licence shall authorise the motor omnibus for which it is granted to ply for hire for the purpose only of maintaining a regular service upon any prescribed route or routes specified in the licence (including any authorised temporary deviation from such a route), except in cases where the Board may consent in writing to the motor omnibus plying for hire for the purpose only of maintaining a regular service on such other prescribed route or routes and for such period as are specified in the consent: Provided that in any case where such a consent is granted the motor omnibus shall not ply for hire during the period so specified on any route other than the prescribed route or routes specified in the consent.

*Motor Omnibus Act.—1926.*

(3) A regular service licence shall not be granted, and a consent under such a licence shall not be granted in respect of any prescribed route for any motor omnibus in excess of the number of motor omnibuses prescribed for that route.

(4) A special service licence shall authorise the motor omnibus for which it is granted to ply for hire in accordance only with permits in writing to be issued from time to time by the Board permitting the motor omnibus to ply for hire to or from such places of public resort or recreation and on such special occasions and on such dates and at such minimum fares as are specified in the permit : Provided that no such permit shall be granted more than twenty-one days before the date of the special occasion for which it is granted.

(5) A permit under a special service licence shall not be granted unless the Board is satisfied that there are not or will not be at the time to which the permit relates other sufficient facilities for the conveyance of passengers.

(6) Any licence, consent, or permit granted as aforesaid may be granted subject to such further conditions (if any) as the Board thinks fit.

(7) In every licence there shall be stated the number of passengers which are authorised to be carried in the motor omnibus.

(8) Every licence issued as aforesaid shall continue in force until the thirtieth day of June next occurring after its issue and no longer.

Substitute  
motor omnibuses.

27. (1) Subject to this section the Board may issue in accordance with this Act a licence for any motor omnibus as a substitute motor omnibus.

(2) Every such licence granted for a substitute motor omnibus shall contain a condition to the effect that the motor omnibus shall not be used otherwise than in the place of another motor omnibus of the same owner for which a regular service licence is in force, and shall be for such term and shall contain such other conditions as the Board thinks fit.

(3) No fee shall be payable for any licence under this section in respect of any substitute motor omnibus.

(4) If any substitute motor omnibus is used in contravention of any of the provisions of the licence therefor or of this section, the owner shall be guilty of an offence against this Act, and on conviction—

(a) shall be liable to a penalty of not less than Fifty Pounds and not more than One Hundred Pounds ; and

(b) the licence of the substitute motor omnibus under this Act shall thereupon cease to have any further force or effect, and during the period of twelve months next following the date of the conviction the owner guilty of the offence shall not be granted for the same a licence of any kind provided for in this Act.

28. Where



*Motor Omnibus Act.—1926.*

**28.** Where any owner of more than one motor omnibus of approximately the same carrying capacity has been granted regular service licences in respect of the said motor omnibuses for more than one route, the Board may, upon application made to it in manner prescribed, grant a permit to the owner permitting him to use any of such motor omnibuses on any of such routes: Provided that such permit shall not absolve the owner from the duty of maintaining a regular service in accordance with the terms of all such licences.

Permits for interchange of motor omnibuses.

**29.** The owner of a motor omnibus for which a regular service licence is granted in accordance with this Act shall (except with the authority in writing of the Board) maintain a regular service in accordance with the licence and any relevant direction of the Board or regulation unless such failure is due to circumstances which could not reasonably have been avoided by him.

Regular service to be maintained.

**30.** (1) No person shall act as a driver of any motor omnibus licensed pursuant to this Act unless he is the holder of a certificate of competency and medical fitness under the hand of the Licensing Officer, and is a person of good character.

Certificates of motor omnibus drivers.

(2) No person under the age of twenty-one years and no female shall act as a driver of any motor omnibus.

(3) Every certificate issued as aforesaid shall continue in force until the thirtieth day of June next occurring after its issue and no longer.

(4) No certificate shall be issued as aforesaid until after payment to the Board of a fee of One Pound: Provided that in the case of a certificate issued at any time between the thirty-first day of December and the following first day of July, one-half of the said fee only shall be payable.

(5) The holder of such certificate shall not, in respect of the driving of a licensed motor omnibus, be required to hold a driver's licence under the Motor Vehicles Act, 1921.

**31.** (1) There shall be paid in respect of every licence issued pursuant to this Act, the fees set forth in the Schedule: Provided that in the case of a licence issued at any time between the thirty-first day of December and the following first day of July, one-half of the fees otherwise payable shall be paid.

Payment of licence fees.

(2) Where any person is granted a licence in respect of which a full year's fee is payable the Board may permit such person to pay the amount of the fee in two equal half-yearly instalments payable in advance, and in such a case the licence shall be of no force or effect until the first instalment of the fee is paid and shall, if the second instalment is not paid upon the date when the same becomes due, forthwith become and remain void.

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*Motor Omnibus Act.—1926.*

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Metropolitan  
Roads Fund.

**32.** (1) There shall be established and kept in the Treasury a fund to be called the "Metropolitan Roads Fund."

(2) All moneys received under this Act less the costs of collection and administration shall be paid into the said fund.

(3) The moneys paid into the said fund shall be used and expended by the Minister of Local Government for the purpose of defraying the cost of reconstructing or maintaining such roads included in the prescribed routes for motor omnibuses within the portion of the State to which this Act applies, as the Minister may direct.

Insurance by  
owners of licensed  
motor omnibuses.

**33.** (1) In order to ensure the safety of the public the owner of every licensed motor omnibus shall before or on the granting of any licence for the motor omnibus, and forthwith after any further insurance is effected during the currency of the licence, procure and deposit with the Board a policy or policies of insurance insuring the liability of the owner at law for compensation or damages (including the legal costs of any claimant recoverable against the owner) in respect of the death of or bodily injury to any person, and damage to the property of any person, arising out of the operation of such motor omnibus, and shall similarly deposit the receipts for all premiums payable thereon during the currency of the licence.

(2) Every such policy shall be effected with an insurance office approved by the Board and shall be in a form approved by it.

(3) The liability of the insurer under any such policy may be limited to One Thousand Five Hundred Pounds in respect of any claims or claim arising out of the death of or injury to a single person and damage to the property of that person.

(4) The minimum aggregate amount of insurance against such liability in respect of a motor omnibus licensed to carry not more than ten passengers shall be Three Thousand Pounds, with an additional Three Hundred Pounds in respect of every passenger more than ten which such motor omnibus is licensed to carry: Provided that where more than one motor omnibus is owned by one owner the Board may accept a policy or policies of insurance in respect of such motor omnibuses for an aggregate amount deemed sufficient by the Board for it or them to provide for the liability of the owner under subsection (1) hereof.

(5) Every such policy shall provide that, notwithstanding the terms in respect thereof as between insurer and insured, any claimant shall be entitled in his own name to recover directly from the insurer any amount for which he shall have obtained judgment against the owner in respect of the liability insured against, or any amount for which the owner with the written consent of the insurer shall have admitted liability.

(6) If the total amount for which the insurer is liable under any policy shall be insufficient to satisfy all claims arising out of the same accident or other act or happening giving rise to such claims, then such total amount shall be divided ratably among claimants who

*Motor Omnibus Act.—1926.*

who have obtained judgment against such owner within such time as a Court of competent jurisdiction may deem reasonable, in proportion to the amounts for which they have so obtained judgment.

(7) No such policy shall be capable of being charged or affected with any rights in priority to the rights of claimants arising as aforesaid.

(8) In the event of any accident or other act happening which may give rise to any claim under a policy, the owner shall forthwith procure and deposit with the Board a further sufficient policy or policies, to the intent that the liability of the owner may at all times continue to be fully insured to the extent aforesaid.

(9) No person shall operate a motor omnibus, and no owner shall permit any person to operate a motor omnibus in respect of which there is not in force a policy or policies complying with the requirements of this Act.

(10) This section shall not apply to—

- (a) the Railways Commissioner; or
- (b) the Trust; or
- (c) to any owner who in the opinion of the Board has adequate financial resources to meet all probable claims for compensation and damages as aforesaid, and who obtains a certificate in writing of exemption from the provisions of this section under the hand of the Chairman or the Deputy Chairman.

**34.** Where a motor omnibus is concerned or involved in any accident happening on any road or street, the driver of the motor omnibus shall stop, and if required by any person, state such of the following matters as may be asked by such person :—

*Duty to stop in case of accident.*

- I. His name and place of abode :
- II. The name and place of abode of the owner of the motor omnibus, or, if the owner is a body corporate, the address of the office of such owner :
- III. The registered number of the motor omnibus.

**35.** (1) Any regulation made pursuant to this Act may be made to apply or to have operation throughout the whole or any part or portion of the State to which this Act applies, and may be of general or specifically limited application according to time, place, or circumstances.

*Application of regulations.*

(2) Any such regulation may confer on the Board any power or authority required for the carrying into effect of all or any of the provisions of that or any other regulation.

**36.** (1) If

*Motor Omnibus Act.—1926.***Offences and penalties.**

**36.** (1) If any person in respect of any motor omnibus contravenes any of the provisions of this Act, or any regulation made under this Act, or any licence under this Act, or any consent or permit under or conditions in such licence, such person and the owner of the motor omnibus shall be guilty of an offence against this Act.

(2) Where any act, matter, or thing is by or under this Act or any regulation or any licence under this Act, or any consent or permit under or conditions in the licence directed or forbidden to be done, and the act, matter, or thing so directed to be done remains undone, or the act, matter, or thing so forbidden to be done is done, in every such case every person offending the direction or prohibition shall be guilty of an offence against this Act.

(3) Any person guilty of an offence against this Act shall for every such offence for which a penalty is not provided by or under this Act or any regulations made thereunder be liable to a penalty of not more than Twenty Pounds, and if the offence is a continuing offence such person shall be liable to an additional penalty of not more than Five Pounds for every day on which the offence continues.

**Facilitation of proof.**

**37.** In any proceedings for an offence against this Act the allegation in the complaint—

- (a) that a vehicle is a motor omnibus within the meaning of this Act :
- (b) that the place at which it is alleged that an offence was committed is within a portion of the State to which this Act applies :
- (c) that a motor omnibus is not licensed within the meaning of this Act :
- (d) that any person is the owner of a motor omnibus in respect of which an offence is alleged to have been committed,

shall be deemed proved in the absence of proof of the contrary.

**Proof of appointment.**

**38.** A copy of the *Government Gazette* purporting to contain a copy of any regulation, or of the notice of appointment of any member, officer, or servant of the Board, shall be conclusive evidence of the making of such regulation or appointment, and of the contents thereof.

**Authentication of documents.**

**39.** Every document required to be authenticated by the Board or by any of the constituent Councils, for the purpose of this Act, shall, except where otherwise herein provided, be sufficiently authenticated without the common seal of the Board or of the constituent Council, if signed by the Chairman or the Deputy Chairman of the Board, or by the Mayor or the Chairman and the Town Clerk or District Clerk, as the case may require.

*Motor Omnibus Act.—1926.*

**40.** It shall not be necessary in any legal proceedings to prove the existence or constitution of the Board or the appointment of any officer or servant of the Board. Proof of existence of Board.

**41.** Except where inconsistent with any express provision of this Act or of any regulation or direction under this Act, the Motor Vehicles Tax Act, 1915, and the Motor Vehicles Act, 1921, shall apply with respect to every motor omnibus. Operation of Motor Vehicles Tax Act, 1915, and Motor Vehicles Act, 1921.

**42.** (1) The provisions of the Municipal Corporations Act, 1923, and of the District Councils Act, 1914, so far as they relate to the regulation and licensing of motor omnibuses within the portion of the State to which this Act applies, and to all matters incidental thereto and consequent thereon, are hereby repealed. Provisions relating to the Municipal Corporations Act, 1923, and the District Councils Act, 1914.

(2) If, at the commencement of this Act, any motor omnibus is licensed under any by-law made pursuant to either of the Acts mentioned in subsection (1) hereof, and an application is made for a licence under this Act for the said motor omnibus, then the applicant shall be entitled to deduct from the amount of the fees payable under this Act an amount equal to such portion of the full amount of the fee paid under any such by-law as bears the same proportion to the full amount thereof as the number of months unexpired of the period for which the fee was paid bears to the full period for which the fee was paid.

**43.** Except where otherwise provided, the provisions of this Act shall apply to every motor omnibus of the Railways Commissioner or of the Trust which plies for hire within the portion of the State to which this Act applies: Provided that subsections (1), (3), (4), and (5) of section 30 of this Act shall not apply in respect of any such motor omnibus or to the driver of any such motor omnibus. Provisions relating to motor omnibuses of the Railways Commissioner and the Trust.

**44.** The Governor may make regulations for or with respect to— Regulations.

- (a) the maximum height, length, and breadth of motor omnibuses:
- (b) the maximum weight of and the maximum load for motor omnibuses:
- (c) prohibiting the use of tires other than rubber tires on motor omnibuses and regulating the thickness and the condition of tires used on motor omnibuses:
- (d) the design and construction of motor omnibuses so as to secure the safety, comfort, and convenience of passengers and the public, and to minimise damage to roads:
- (e) the carrying of lights on motor omnibuses and the use of bells, alarms, and other devices for the safety and comfort of passengers and public:

(f) requiring

*Motor Omnibus Act.—1926.*

- (f) requiring any passenger on a motor omnibus to give his name and address to the conductor or driver of such motor omnibus on demand :
  - (g) the payment of fares by passengers on motor omnibuses and the imposition of penalties for the neglect or refusal to pay any such fare, and for quitting the motor omnibus without paying any such fare :
  - (h) the conduct of passengers on motor omnibuses and of the drivers and conductors thereof :
  - (i) empowering drivers and conductors of motor omnibuses to eject persons guilty of any infraction of any regulation made under this Act :
  - (j) the maintenance and repair of motor omnibuses :
  - (k) the provision and regulation of efficient brakes and steering gear on motor omnibuses ;
  - (l) advertisements on motor omnibuses :
  - (m) the disposal of property left by passengers in motor omnibuses :
  - (n) the issue of certificates to and the medical examination and test of competency of drivers of motor omnibuses :
  - (o) the licensing and qualification of conductors of motor omnibuses and the fees, not exceeding Two Shillings and Sixpence per annum, payable in respect thereto : Provided that no regulation made under this paragraph shall provide that a licence to act as conductor of a motor omnibus shall be issued to any person who is under the age of twenty-one years or is a female :
  - (p) the form and conditions of any licence and the application therefor, and the refusal, transfer, suspension, or revocation thereof :
  - (q) the furnishing to the Board by owners of motor omnibuses of such statistics and other information as is prescribed :
  - (r) declaring what limit of speed shall not be exceeded whether generally or in any specified locality, or in any specified street or road, or part thereof, by motor omnibuses or any particular class of motor omnibus ; and prescribing rules of the road to be observed by drivers of motor omnibuses :
  - (s) generally all such matters and things as are authorised or permitted to be prescribed by regulation or are necessary or convenient for carrying this Act into effect.
- (2) Any such regulation may fix penalties of not more than Twenty Pounds for any breach thereof.
- (3) All such regulations shall be made only upon the recommendation of the Board.

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*Motor Omnibus Act.—1926.*

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45. The granting or refusal of any licence, permit, or certificate under this Act shall be in the absolute and uncontrolled discretion of the Board, and no proceedings shall be taken in any Court with respect to the granting or refusal of any such licence, permit, or certificate.

Granting or refusal  
of licences, permits,  
or certificates.

46. All proceedings for offences against this Act shall be disposed of summarily.

Summary disposal  
of offences.

47. Any moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for those purposes.

Financial provision.

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

TOM BRIDGES, Governor.

## THE SCHEDULE.

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### FEES PAYABLE FOR MOTOR OMNIBUS LICENCES.

1. In the case of a motor omnibus for which a regular service licence is granted pursuant to this Act the fee shall be—
  - (a) if the motor omnibus is fitted with any tires other than pneumatic tires, a fee calculated at the rate of Three Pounds Ten Shillings for every passenger the motor omnibus is licensed to carry; or
  - (b) if the motor omnibus is fitted with no tires other than pneumatic tires, a fee calculated at the rate of Two Pounds Ten Shillings for every passenger the motor omnibus is licensed to carry.
2. In the case of a motor omnibus for which a special service licence is granted pursuant to this Act, the fee shall be a fee calculated at the rate of one-half of the respective fees mentioned in paragraph (1) of this Schedule according to whether the motor omnibus is or is not fitted with any tires other than pneumatic tires.
3. In the case of a motor omnibus for which a regular service licence is granted pursuant to this Act, which authorises the motor omnibus to ply for hire for the purpose only of maintaining a regular service upon a prescribed route, which said route is entirely outside the boundaries of the Municipality of the City of Adelaide, the fee shall be a fee calculated at the rate of one-half of the respective fees mentioned in paragraph (1) of this Schedule according to whether the motor omnibus is or is not fitted with any tires other than pneumatic tires.
4. In the case of a motor omnibus for which a regular service licence is granted pursuant to this Act, which authorises the motor omnibus to ply for hire for the purpose only of maintaining a regular service upon any prescribed route, which said route is wholly outside the boundaries of the Municipality of the City of Adelaide, and has a terminal point at a stopping place for tramcars of the Trust or at a railway station, the fee shall be calculated at the rate of one-fourth of the respective fees mentioned in paragraph (1) of this Schedule according to whether the motor omnibus is or is not fitted with any tires other than pneumatic tires.
5. In the case of a motor omnibus of the Railways Commissioner or of the Trust for which a regular service licence or a special service licence is granted pursuant to this Act, the fee shall be a fee calculated at the rate of one-half the fees above mentioned in this Schedule.