

South Australia



**ROAD TRAFFIC (MISCELLANEOUS) AMENDMENT ACT 1996**

**No. 66 of 1996**

**SUMMARY OF PROVISIONS**

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**ELIZABETHAE II REGINAE**

A.D. 1996

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**No. 66 of 1996**

**An Act to amend the Road Traffic Act 1961.**

*[Assented to 15 August 1996]*

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Road Traffic (Miscellaneous) Amendment Act 1996*.

(2) The *Road Traffic Act 1961* is referred to in this Act as "the principal Act".

**Commencement**

2. This Act will come into operation on a day to be fixed by proclamation.

**Amendment of s. 20—Signs indicating work area or work site**

3. Section 20 of the principal Act is amended—

(a) by inserting before the definition of "public authority" in subsection (1) the following definition:

"hazardous work area" means a work area—

(a) where—

(i) workers may be working on a part of a carriageway for vehicles proceeding in a particular direction and there is no adjoining marked lane outside the work area for vehicles proceeding in the same direction; or

(ii) workers may be working less than 1.5 metres from vehicles proceeding on a carriageway,

and the work is carried out on foot and not exclusively through the use of vehicles; or

- (b) where an unusually high level of hazard for workers or persons using the road is created as a consequence of the existence of the work area;;
- (b) by inserting after the definition of "public authority" in subsection (1) the following definitions:
- "work area" means a portion of road on which workers are, or may be, engaged;
- "work site" means a portion of road affected by works in progress, together with any additional portion of road used to regulate traffic in relation to those works or for associated purposes.;
- (c) by striking out from subsection (2) "may" and substituting "must";
- (d) by inserting in subsection (2) "and in accordance with this Part" after "with the approval of the Minister";
- (e) by striking out from subsection (2) "on a portion of a road on which works are in progress or on which workers are engaged" and substituting "on, by or towards a work area or work site";
- (f) by striking out paragraphs (a) and (b) of subsection (2a) and substituting the following paragraphs:
- (a) in relation to a work area—a maximum speed not exceeding 40 kilometres an hour; or
- (b) in relation to a hazardous work area—a maximum speed not exceeding 25 kilometres an hour; or
- (c) in relation to a work site—a maximum speed not exceeding 80 kilometres an hour.;
- (g) by striking out from subsection (3) "the Authority, the contractor may exercise the powers conferred on the Authority by this section" and substituting "the authority, this section applies to the contractor in relation to those works in the same way as it applies to the authority".

**Amendment of s. 40—Exemption of certain vehicles from compliance with certain provisions**

**4. Section 40 of the principal Act is amended—**

- (a) by striking out from subsection (1)(a) "or by a fire brigade registered under the *South Australian Metropolitan Fire Service Act 1936* or by a fire fighting organisation registered under the *Country Fires Act 1976*" and substituting ", a fire brigade registered under the *South Australian Metropolitan Fire Service Act 1936* or the *Country Fire Service*,";
- (b) by inserting after paragraph (a) of subsection (1) the following paragraph:
- (ab) a fire-fighting vehicle used by the armed forces of the Commonwealth while it is being driven to any place in answer to a call for the services of a fire brigade or is in use at a fire;;

- (c) by striking out from subsection (1)(ba) "St. John Council for South Australia Incorporated" and substituting "S.A. St. John Ambulance Service Inc., or by a person licensed under the *Ambulance Services Act 1992* to provide ambulance services,";
- (d) by striking out from subsection (1)(c) "the police force in the execution of duty" and substituting "the police force of this State, the Australian Federal Police, the Australian Customs Service or a military police force forming part of the armed forces of the Commonwealth, in the execution of his or her duty";
- (e) by inserting in subsection (1) after paragraph (ca) the following paragraph:
- (cb) a motor vehicle used by the armed forces of the Commonwealth while it is being driven for the purpose of taking action in connection with the urgent disposal of explosives;;
- (f) by striking out paragraph (d) of subsection (1) and substituting the following paragraph:
- (d) a vehicle of a class prescribed by regulation while it is being driven or used for the purpose of—
- (i) road inspection; or
- (ii) works on roads such as road making, maintenance or cleaning or works required for the provision of electricity, gas, water, drainage, sewage services or telecommunication or other services; or
- (iii) monitoring traffic;;
- (g) by striking out from subsection (2) "(b), (ba), (c) or (ca)" and substituting "(ab), (b), (ba), (c), (ca) or (cb)".

**Amendment of s. 134—Bells and sirens****5. Section 134 of the principal Act is amended—**

- (a) by striking out from subsection (1)(a) "or a fire brigade or fire fighting organisation registered under the laws relating to fire brigades or bushfires" and substituting "a fire brigade registered under the *South Australian Metropolitan Fire Service Act 1936*, or the Country Fire Service";
- (b) by inserting after paragraph (a) of subsection (1) the following paragraph:
- (ab) a fire-fighting vehicle used by the armed forces of the Commonwealth; or;
- (c) by striking out from subsection (1)(b) "the police force in the course of their duties" and substituting "the police force of this State, the Australian Federal Police, the Australian Customs Service or a military police force forming part of the armed forces of the Commonwealth, in the course of their duties";
- (d) by striking out from subsection (1)(bb) "St. John Council for South Australia Incorporated" and substituting "S.A. St. John Ambulance Service Inc., or by a person licensed under the *Ambulance Services Act 1992* to provide ambulance services,";
- (e) by inserting at the end of subsection (1)(c) the word "or";

(f) by inserting after paragraph (c) of subsection (1) the following paragraph:

- (d) a vehicle used by the armed forces of the Commonwealth for the purpose of taking action in connection with the disposal of explosives.

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

E. J. NEAL Governor