



ANNO DECIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1964

No. 58 of 1964

An Act to amend the Road Traffic Act, 1961-1963

[Assented to 5th November, 1964.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:—

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act (No. 2), 1964". Short title.

(2) The Road Traffic Act, 1961-1963, as amended by this Act, may be cited as the "Road Traffic Act, 1961-1964".

(3) The Road Traffic Act, 1961-1963, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 5 of the principal Act is amended by striking out the definition of "owner" therein and inserting in lieu thereof the following definition:— Amendment of principal Act, s. 5— Interpretation.

"owner" includes a person who takes a motor vehicle on hire (whether pursuant to a hire-purchase agreement or otherwise).

4. Subsection (1) of section 17 of the principal Act is amended by striking out the words "or a council" therein. Amendment of principal Act, s. 17— Stop signs and give way signs.

Amendment of principal Act, s. 38—
Questions as to identity of drivers.

5. Section 38 of the principal Act is amended by inserting therein after the word “driving” the passage “, or who was the owner of,”.

Amendment of principal Act, s. 39—
Application of this Part.

6. Subsection (3) of section 39 of the principal Act is amended by striking out the passage “and 46” therein and inserting in lieu thereof the passage “, 46 and 75”.

Amendment of principal Act, s. 43—
Duty to stop and report in case of accident.

7. Subsection (3) of section 43 of the principal Act is amended by inserting at the end of paragraph (b) thereof the words “and any other information necessary to identify it”.

Amendment of heading of principal Act, before s. 44.

8. The principal Act is amended by inserting after the word “*Illegal*” in the heading appearing immediately before section 44 thereof the words “*and fraudulent*”.

Enactment of s. 44a of the principal Act—

9. The following section is inserted in the principal Act after section 44 thereof and before the heading “*Careless and Dangerous Driving*” therein :—

Procuring use of vehicle by fraud.

44a. A person shall not procure the use or hire of a motor vehicle by fraud or misrepresentation.

Penalty: Fifty pounds or imprisonment for not more than six months or both.

Amendment of principal Act, s. 49—
Speed limits.

10. Subsection (1) of section 49 of the principal Act is amended by striking out paragraph (d) thereof and inserting in lieu thereof the following paragraph :—

(d) fifteen miles an hour when approaching, and within one hundred feet of, a pedestrian crossing at which flashing lights are for the time being in operation and at the approach to which there is erected a sign bearing the words “School Crossing Ahead” or words to that effect ; or.

Amendment of principal Act, s. 50—
Speed limit in zones.

11. Subsection (1) of section 50 of the principal Act is amended by striking out the words “under this Act” therein and inserting in lieu thereof the words “and indicated by a sign or signs erected under this Act.”

Amendment of principal Act, s. 64—
Right of way at give way signs.

12. Section 64 of the principal Act is amended—

(a) by striking out the words “or junction” (first occurring) therein and inserting in lieu thereof the words “junction or crossover”; and

(b) by striking out the words “or junction from the” therein and inserting in lieu thereof the words “junction or crossover from his”.

13. The following section is enacted and inserted in the principal Act after section 71 thereof :—

Enactment of principal Act, s. 71a—

71a. A driver shall not make a U-turn at an intersection or junction at which traffic lights are operating.

Prohibition of U-turns at traffic lights.

Penalty : Twenty-five pounds.

14. Section 74 of the principal Act is amended—

Amendment of principal Act, s. 74—

(a) by striking out subsection (1) thereof and inserting in lieu thereof the following subsection :—

Signals for right turns, stops and slowing down.

(1) A driver shall not diverge to the right, turn his vehicle to the right, stop or slow down unless he gives an appropriate signal as prescribed by this section.

Penalty : Fifty pounds.

(b) by inserting before the word “turning” in subsection (2) thereof the words “diverging to the right, or”; and

(c) by inserting at the end thereof the following subsection :—

(7) A signal given by a device complying with the regulations and indicating that the brakes of a vehicle are being applied before it stops or while it is slowing down shall be deemed to be given for a sufficient time to give reasonable warning to drivers approaching the vehicle from behind.

15. Section 78 of the principal Act is amended—

Amendment of principal Act, s. 78—

(a) by striking out subsection (1) thereof and inserting in lieu thereof the following subsection :—

Duty at stop signs.

(1) A driver approaching a stop sign at an intersection or junction from the direction in which the sign is facing shall stop his vehicle—

(a) if there is a stop line—before it reaches the stop line ; or

(b) if there is no stop line—before it reaches the nearer boundary of the carriageway which he is about to enter. ; and

(b) by inserting after subsection (4) thereof the following subsection :—

(4a) Subsection (1) of this section does not apply to a driver of a vehicle who, when approaching a stop sign at an intersection or junction from the direction in which the sign is facing makes a left turn in a lane specially provided for vehicles turning to the left at the intersection or junction.

Enactment of
s. 78a of
principal Act—

16. The following section is enacted and inserted in the principal Act after section 78 thereof :—

Duty to
comply with
other traffic
signs.

78a. Without limiting the application of any other provision of this Act, where a sign is lawfully placed on or near a road for regulating the movement of traffic or indicating the route to be followed by traffic, a driver shall comply with the instructions indicated by that sign.

Penalty : Fifty pounds.

Enactment of
s. 94a of
principal Act—

17. The following section is enacted and inserted in the principal Act after section 94 thereof :—

Portion of body
protruding
from vehicle.

94a. (1) On and after the first day of January, one thousand nine hundred and sixty-six, a person who is driving or travelling in a motor vehicle shall not permit any portion of his body or limbs—

(a) to be in contact with an external step or footboard or the roof or bonnet of the vehicle ; or

(b) to extend or protrude beyond or hang over a side, the front or the rear or any other external portion of the vehicle.

Penalty : Twenty-five pounds.

(2) Subsection (1) of this section shall not apply to a driver—

(a) giving a signal as prescribed or authorized by this Act ; or

(b) who, when reversing or turning his vehicle, protrudes portion of his body from the vehicle for the purpose of obtaining a clear view to the rear of the vehicle.

(3) Paragraph (b) of subsection (1) of this section shall not apply to the driver of a motor vehicle if the total width of the driver's cabin of the vehicle between the external limits thereof is not less than two feet narrower than the widest portion of that vehicle or, if laden, the widest portion of that vehicle together with its load.

Amendment of
principal Act,
s. 102—
Driving
position.

18. Subsection (1) of section 102 of the principal Act is amended by striking out the words “any overtaking vehicle” in paragraph (d) thereof and inserting in lieu thereof the words “the approach of any vehicle about to overtake his vehicle”.

19. Subsection (2) of section 106 of the principal Act is amended by striking out the word "sign" therein and inserting in lieu thereof the word "device".

Amendment of principal Act, s. 106—
Damage to roads and works.

20. Subsection (2) of section 112 of the principal Act is amended by striking out the words "and every sidecar attached to a bicycle" therein and inserting in lieu thereof the passage "(with or without a sidecar attached)".

Amendment of principal Act, s. 112—
Headlamps.

21. Subsection (2) of section 136 of the principal Act is amended by striking out the word "automatic" therein and inserting in lieu thereof the words "capable of being operated otherwise than manually".

Amendment of principal Act, s. 136—
Windscreen wipers.

22. Subsection (1) of section 137 of the principal Act is struck out and the following subsection is inserted in lieu thereof :—

Amendment of principal Act, s. 137—
Reflecting mirrors.

(1) Every motor vehicle must be equipped with a mirror or mirrors so designed and fitted as to be capable of reflecting to the driver a view of the approach of any vehicle about to overtake his vehicle.

23. Subsection (1) of section 159 of the principal Act is amended by striking out the words "driven pursuant to a licence" in paragraph (a) thereof and inserting in lieu thereof the word "licensed".

Amendment of principal Act, s. 159—
Vehicles used for carrying passengers for hire.

24. Section 163 of the principal Act is amended by inserting at the end thereof the following subsections :—

Amendment of principal Act, s. 163—
Information to be painted on certain vehicles.

(4) The Board or a person authorized in writing by the Board may, by a certificate of exemption, exempt a vehicle from all or any of the requirements of this section.

(5) Any such exemption—

(a) shall remain in force for a period specified in the certificate or until the happening of a condition specified therein ;

(b) shall be subject to any conditions specified in the certificate ; and

(c) may be revoked by the Board upon breach of any condition thereof.

Amendment of
principal Act,
s. 168—
Power of court
to disqualify
driver on
conviction.

25. Subsection (3) of section 168 of the principal Act is amended by striking out the words "or the passing of the test whichever last occurs" therein.

Amendment of
principal Act,
s. 169—
Duty of court
to disqualify
driver for
certain
offences.

26. Section 169 of the principal Act is amended—

- (a) by striking out the words "holding or obtaining" in the second subsection thereof and inserting in lieu thereof the words "holding and obtaining"; and
- (b) by substituting for the subsection designation "(2)" in the third subsection thereof the subsection designation "(3)".

Amendment of
principal Act
s. 175—
Evidence.

27. Subsection (3) of section 175 of the principal Act is amended—

- (a) by inserting after paragraph (b) thereof the following paragraph :—

(ba) a document produced by the prosecution and purporting to be signed by the Commissioner of Police, or by a superintendent or an inspector of police, and purporting to certify that any electronic traffic speed analyser specified therein had been tested by comparison with an accurate speedometer on a day mentioned therein and was shown by the test to be accurate to the extent indicated in the document, shall be *prima facie* evidence of the facts certified and that the electronic traffic speed analyser was accurate to that extent on the day on which it was so tested ; and

- (b) by inserting at the end thereof the following paragraph :—

(c) a document produced by the prosecution—

- (i) purporting to be signed by the chairman of the Board ; and
- (ii) certifying that a vehicle specified in the document was not at a time stated therein exempted from any of the requirements of section 163 of this Act specified therein,

shall be *prima facie* evidence of that fact.

28. Subsection (1) of section 176 of the principal Act is amended by inserting therein after paragraph (l) thereof the following paragraph :—

Amendment of
principal Act,
s. 176—
Regulations.

- (1a) prescribing requirements with which a television receiver installed in a motor vehicle must comply and prohibiting the driving of a motor vehicle in which a television receiver is installed unless those requirements are complied with.

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

EDRIC BASTYAN, Governor.