



ANNO QUARTO

## GEORGII VI REGIS.

A.D. 1940.

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## No. 61 of 1940.

An Act to amend the Road Traffic Act, 1934-1939.

[Assented to 5th December, 1940.]

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

## Short titles.

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act, 1940".

(2) The Road Traffic Act, 1934-1939, as amended by this Act, may be cited as the "Road Traffic Act, 1934-1940".

(3) The Road Traffic Act, 1934-1939, is hereinafter called "the principal Act".

## Incorporation.

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

Amendment of  
s. 7b of  
principal Act—  
Permits to  
drive  
vehicles  
pending  
registration.

3. Section 7b of the principal Act is amended by adding at the end of paragraph (b) of the first subsection the words "or a cover note which is in the prescribed form and is binding on an approved insurer and the terms of which provide that it will during the period of the operation of the permit applied for have the same effect in relation to the motor vehicle as a policy of insurance complying with Part IIA. of this Act".

Amendment of  
s. 9 of principal  
Act—  
Registration fee  
for motor  
bicycles.

4. Paragraph (2) of section 9 of the principal Act is repealed and the following paragraph is enacted and substituted therefor :—

(2) The registration fee for a motor bicycle not having a side car attached thereto shall be as follows :—

If the weight of the motor bicycle does not  
exceed one hundredweight . . . . . £1 0 0

. If the weight of the motor bicycle exceeds one hundredweight .....	£1 10 0
The registration fee for a motor bicycle having a side car attached thereto shall be.....	£2 0 0
The registration fee for any electrically or mechanically propelled invalid's chair shall be	£0 2 6

5. (1) Paragraph (13) of section 9 of the principal Act is amended by adding at the end thereof the following paragraph :—

Amendment of  
s. 9 of the  
principal Act—  
Registration fee  
on producer gas  
vehicles.

(h) any trailer which is used solely for the purpose of carrying equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn.

(2) Paragraph (14) of section 9 of the principal Act is amended by adding at the end of the definition of “weight” contained therein the following passage :—

Where a motor vehicle is propelled by producer gas generated by equipment carried on or affixed to or forming part of the vehicle, the weight of that equipment and of any fuel carried on the vehicle for use in that equipment shall be excluded in computing the weight of the vehicle.

(3) The following paragraph is added at the end of section 9 of the principal Act :—

(15) The Registrar may require any person applying for the registration of a motor vehicle to satisfy him by statutory declaration or other means as to any facts on which the amount of the registration fee depends or which entitle the applicant to be granted registration without payment of any fee.

6. The following section is enacted and inserted in the principal Act after section 36 thereof :—

Enactment of  
s. 36a of  
principal Act—

36a. (1) Notwithstanding the other provisions of this Part the Registrar may at any time during the present war upon payment of a fee of two shillings and sixpence, issue to any member of any naval, military, or air force of the Commonwealth or of any other part of His Majesty's Dominions, a driver's licence having a currency of three months. Subject to this Act, such a licence shall authorize the person to whom it is issued to drive a motor vehicle of any kind during the period specified in the licence.

Quarterly  
licences for  
members of the  
defence force.

(2) In this section "the present war" means the war between England and Germany which commenced on the third day of September, nineteen hundred and thirty-nine; and for the purpose of this section the present war shall be deemed to continue until the day on which a proclamation is issued by the Commonwealth declaring that that war has ceased.

Amendment of  
s. 59 of  
principal Act—

Improper use  
of trailers  
registered  
without fee.

7. Section 59 of the principal Act is amended by adding after subsection (1) thereof the following subsection :—

(1a) If any trailer which has been registered without fee as provided in sub-paragraph (h) of paragraph (13) of section 9 of this Act is during the period of the registration used for any purpose other than the carriage of equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn, the full registration fee which would be payable under paragraph (5) of section 9 of this Act for the registration of the trailer for the said period, shall forthwith become due and payable and may be recovered from the owner by the registrar on complaint in a court of summary jurisdiction, and in addition the driver of the motor vehicle by which the trailer is drawn shall be guilty of an offence.

Amendment of  
s. 130a of  
principal Act—

Stop signs.

8. Section 130a of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :—

130a. (1) The Commissioner of Police or any municipal or district council with the approval of the Commissioner of Police may erect or cause to be erected at any place on any road, a sign containing in clearly legible letters of the size prescribed by regulation the word "Stop".

(2) The Commissioner of Police shall, at least one month before the erection of any such sign or, as the case may be, giving his approval to such erection, publish in the *Gazette* a notice of his intention to erect such sign or approve the erection thereof. The notice shall specify the type of sign proposed to be erected or approved and the place where it is to be erected.

(3) Any person objecting to the erection of any such sign may within one month after the publication of the notice in the *Gazette* give the Minister written notice of his objection and of the grounds thereof and the Minister may thereupon either prohibit or approve the erection of the sign, or may approve the erection of the sign subject to any conditions, and the Minister's decision shall be final.

(4) When any such sign is erected at any intersection or junction the driver or rider of a vehicle or animal approaching the intersection or junction from the direction in which the sign is facing—

(a) shall before entering the intersection or junction stop his vehicle or animal ; and

(b) shall not enter the intersection or junction until the road on both sides thereof is sufficiently clear of traffic to allow his vehicle or animal to pass through the intersection or junction without danger.

(5) Section 131 of this Act shall not apply to the driver or rider of a vehicle or animal approaching an intersection or junction, if the driver or rider of the vehicle or animal on his right is required by virtue of this section to stop his vehicle or animal before entering the intersection or junction ; but section 131 shall apply in other respects at intersections or junctions at which a sign is erected under this section.

(6) When any such sign is erected elsewhere than at an intersection or junction the driver or rider of any vehicle or animal approaching the sign from the direction in which it is facing shall stop his vehicle or animal before any part thereof passes the sign.

(7) Subsections (4) and (6) of this section shall not apply if at the intersection, junction, or place where the sign is erected the traffic was at the material time being controlled by a member of the police force or some other authorized person.

(8) If any person fails to comply with any requirement of subsection (4) or subsection (6) of this section he shall be guilty of an offence.

(9) The Commissioner of Highways shall, at the request of the Commissioner of Police, provide and erect on behalf of the Commissioner of Police any signs which the Commissioner of Police desires to erect under this section.

The cost of all signs so erected shall be defrayed from the moneys appropriated by Parliament for main roads.

(10) Any sign containing the word " Stop " in clearly legible letters of the size prescribed by regulation and erected before the passing of the Road Traffic Act Amendment Act, 1940, shall be deemed to be a sign erected under this section.

(11) In this section—

“intersection” means the quadrilateral or other area comprised within straight lines joining the corners formed by the intersection of two or more roads :

“junction” means that part of a road which is comprised between the lines formed by the production of the alignments of another road which abuts on the first-mentioned road.

Amendment of  
s. 131 (3) of  
principal Act—  
Right-of-way  
at points where  
roads meet.

**9.** Subsection (3) of section 131 of the principal Act is amended by striking out the words “ signs or ” in the last line thereof.

Amendment of  
s. 141 of  
principal Act—

Projecting  
loads.

**10.** Section 141 of the principal Act is amended by adding at the end of paragraph (b) thereof the following paragraph :—

or

(c) the load is not firmly stacked, arranged or tied down, so that it will retain its position in or upon the vehicle whilst the vehicle is in motion.

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

C. M. BARCLAY-HARVEY, Governor.