No. 40 of 1945.

An Act to amend the Road Traffic Act, 1934-1945.

[Assented to 17th January, 1946.]

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), 1945".

(2) The Road Traffic Act, 1934-1945, as amended by this Act may be cited as the "Road Traffic Act, 1934-1945".

(3) The Road Traffic Act, 1934-1945, is hereinafter called "the principal Act."

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

3. Section 7 of the principal Act is amended by striking out subsection (5) thereof and inserting in lieu thereof the following subsection:

(5) A motor tractor shall not require registration under this Part or insurance under Part IIIa of this Act by reason only of the fact that it is driven on roads within fifteen miles of a farm occupied by the owner of the tractor on journeys to or from that farm for all or any of the following purposes namely—

(a) removal of the tractor to a workshop for repairs, or return of the tractor to the farm from a workshop where repairs were carried out;
(b) delivery of the tractor to the farm upon the acquisition of the tractor or delivery of the tractor from the farm upon the sale or the disposal thereof;

(c) drawing farm implements;

(d) proceeding to a place where farm implements are to be attached to the tractor for removal, or returning after delivery of farm implements.

A farm implement or machine shall not require registration under this Part, or insurance under Part IIA of this Act by reason only of the fact that it is drawn by a tractor as mentioned in this subsection.

In this subsection "farm implement" means any implement or machine for ploughing, cultivating, clearing or rolling land, sowing seed, spreading fertilizer, harvesting crops, spraying, chaffcutting, or other like operations, but does not include a vehicle wholly or mainly constructed for the carriage of goods.

The following section is enacted and inserted in the principal Act after section 7b thereof:

7c. (1) The Registrar may at his discretion, without fee, grant to any person a permit permitting that person or any person authorized by him to drive on any route specified in the permit, no part of which route is within any hundred, a motor vehicle being—

(a) mobile machinery and plant used for excavating and cleaning dams;

(b) a trailer used for carrying any machinery and plant used for excavating and cleaning dams;

(c) a tractor used for drawing any such machinery and plant or for drawing a trailer conveying any such machinery and plant;

(d) a caravan or other like vehicle used as living accommodation for persons operating any such machinery and plant, on a journey from a place where such machinery and plant has been used for excavating or cleaning a dam to another place where it is intended to be so used.

(2) A vehicle may be driven pursuant to a permit granted under this section, without registration or insurance.
(3) Any such permit shall be subject to such conditions as the Registrar inserts therein.

(4) A person who contravenes any condition of a permit granted under this section shall be guilty of an offence and liable to a fine not exceeding twenty-five pounds.

(5) In this section “dams” means excavations in which water is stored or intended to be stored.

5. Section 9 of the principal Act is amended by adding after paragraph 10a thereof the following paragraph:

10b. The fee for registration of a vehicle consisting of mobile machinery and plant used for excavating or cleaning dams shall be fifty per centum of the amount which would otherwise be payable under this section. In this paragraph “dams” means excavations in which water is stored or intended to be stored.

6. The following section is enacted and inserted in the principal Act after section 9b thereof:

9c. (1) Where a vehicle has been registered at a reduced fee under paragraph (7), (8), (10), or (10a) of section 9 of this Act, the owner of the vehicle may at any time while that registration is in force pay to the Registrar the balance of the registration fee and thereafter—

(a) the vehicle may be driven on roads to the same extent and in the same circumstances as a vehicle registered upon payment of the full registration fee; and

(b) the provisions contained in lines twenty-two to thirty-seven of paragraph (10a) of section 9, and paragraph (11) of section 9, and section 59 of this Act shall not apply in relation to such driving.

(2) In this section “the balance of the registration fee” means a proportionate part of the full registration fee payable for registration of the vehicle for the period for which it was registered, less a proportionate part of the reduced registration fee actually paid for registration of the vehicle. For the purposes of this definition a proportionate part of a fee shall be a part of the fee bearing the same ratio to the whole fee as the number of months unexpired when the balance of the registration fee is paid bears to the number of months for which the whole fee is payable, the whole of the month in which that balance is paid being regarded as unexpired.
7. Section 31 of the principal Act is amended by adding after paragraph (b) of subsection (2) thereof the following paragraph:—

(c) for a licence to drive an electrically or mechanically propelled invalid chair only—one shilling.

8. (1) Subsection (1) of section 36a of the principal Act is amended by striking out the words “the present” in the second line and inserting in lieu thereof the words “a period of”.

(2) Subsection (2) of section 36a of the principal Act is repealed and the following subsection enacted in lieu thereof:—

(2) In this section “a period of war” means a period commencing on the day on which the Commonwealth becomes engaged in a war and ending upon the expiration of six months after the Commonwealth issues a proclamation declaring that that war has ceased.

9. The following section is enacted and inserted in the principal Act after section 40a:—

40b. (1) Every motor vehicle with left-hand drive shall be fitted with a mechanical or electrical device of a kind approved by the Registrar, by which driving signals substantially similar to those prescribed by section 134 of this Act may be given.

(2) A motor vehicle shall be deemed to have left-hand drive if the steering wheel is on the left of a vertical plane bisecting the vehicle longitudinally.

(3) A person who drives or causes or permits any person to drive on any road a motor vehicle which in any particular does not comply with this section shall be guilty of an offence.

10. Section 70k of the principal Act is amended by striking out the word “fourteen” in the third line of subsection (3) thereof and inserting in lieu thereof the word “twenty-one.”

11. Section 134 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof:—

134. (1) Whenever the driver or rider of a vehicle or animal is about to turn his vehicle or animal to the right in or into any road he shall give a clear signal of his intention to do so by extending his right arm horizontally from the right side of the vehicle or animal with the palm facing the front and the fingers extended.
(2) Whenever the driver or rider of a vehicle or animal is about to slow down or stop he shall give a clear signal of his intention to do so by raising his right fore-arm and hand in a vertical position with the palm of the hand turned to the front and the fingers extended and pointing upwards.

(3) A clear signal for the purposes of this section means a signal which:

(a) is so given as to be clearly visible to traffic approaching the vehicle or animal from behind; and

(b) is given for such time as is necessary to give reasonable warning to traffic approaching the vehicle or animal from behind.

A signal shall be deemed to comply with paragraph (b) of this subsection if it is given continuously for a distance of one hundred feet before the point where the vehicle or animal turns, slows down or stops.

(4) It shall be sufficient compliance with the provisions of this section if the appropriate signal is given by a mechanical or electrical device which has been approved by the Registrar of Motor Vehicles.

(5) If any person fails to comply with this section he shall be guilty of an offence.

12. Section 143a is amended by striking out at the end thereof the words "or on the driver's seat on the right-hand side of the driver".

13. Section 174 of the principal Act is amended by adding at the end thereof the following subsection:

(7) In this section "commercial motor vehicle" includes a tractor.

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

C. W. M. NORRIE, Governor.