



ANNO SEXTO

## ELIZABETHAE II REGINAE

A.D. 1957.

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## No. 51 of 1957.

An Act to amend the Road Traffic Act, 1934-1956.

[Assented to 14th November, 1957.]

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, 1957". Short titles.
- (2) The Road Traffic Act, 1934-1956, as amended by this Act, may be cited as the "Road Traffic Act, 1934-1957".
- (3) The Road Traffic Act, 1934-1956, 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. Incorporation.
3. Subsection (2) of section 1 of the principal Act is amended by adding at the end thereof the following lines :— Amendment of s. 1 of principal Act—  
Division of Act.
  - PART VI.—General rules to be observed by traffic.
  - PART VII.—Protection of roads.
4. Section 8 of the principal Act is amended by striking out in the fifth and sixth lines of subsection (1) the words "the next succeeding section" and inserting in lieu thereof "section 9 of this Act". Amendment of s. 8 of principal Act—  
Registration.
5. Section 8b of the principal Act is repealed. Repeal of s. 8b of principal Act—  
Statement as to insurance.

Amendment of  
s. 9 of principal  
Act—

Registration  
fees.

6. Section 9 of the principal Act is amended by striking out paragraph (6a) thereof.

Amendment of  
s. 9d of  
principal Act—  
Non-transfer-  
ability of  
certain  
registrations.

7. Section 9d of the principal Act is amended by adding at the end of subsection (1) the words "unless the transferee satisfies the registrar by such evidence as the registrar requires that he is entitled to the same exemption from or reduction of registration fees as the transferor".

Amendment of  
s. 27 of  
principal Act—  
Traders' plates.

8. Section 27 of the principal Act is amended—

- (a) by striking out all words in subsection (2) after the word "longer" in the third line ;
- (b) by striking out the words "or extension of operation" in the first line of subsection (6) ;
- (c) by striking out "sixteen" in the second line of subsection (6) and inserting in lieu thereof "seventeen" ;  
and
- (d) by striking out "two" in the fourth line of subsection (6) and inserting in lieu thereof "three".

Repeal of  
s. 36 of  
principal Act  
and enactment  
of other  
provisions—  
Duration of  
licence.

9. Section 36 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof :—

36. (1) Subject to this Act, every new licence granted on or after the appointed day shall continue in force for a period of twelve months commencing on the day on which the licence comes into force : Provided that where a new licence is applied for in the month of June the registrar may issue a licence with an earlier date of expiry, in which case the licence fee shall be a part of the full licence fee, proportionate to the number of months for which the licence is issued.

(2) Subject to this Act, every licence issued after the appointed day in renewal of a previous licence shall remain in force for a period of twelve months commencing on the day after the expiration of the previous licence.

(3) In this section the expression—

"a new licence" means a licence issued to a person—

- (a) who has not previously held a licence ; or
- (b) who applies for a licence more than one month after the expiration of a previous licence held by him :

“the appointed day” means the day declared by the Governor by proclamation to be the appointed day for purposes of this section.

(4) Licences issued before the appointed day shall continue in force as if the Road Traffic Act Amendment Act, 1957, had not been passed.

10. Subsection (1a) of section 42 of the principal Act is amended as follows:—

Amendment of  
principal Act,  
s. 42—

Lights on  
motor vehicles.

- (a) Paragraph (f) is amended by striking out the words “within twelve inches of” and inserting in lieu thereof the words “at a distance as near as practicable to but not exceeding one-third of the length of the vehicle from”
- (b) Paragraph (g) is amended by striking out the words “within twelve inches of” and inserting in lieu thereof the words “at a distance as near as practicable to but not exceeding one-third of the length of the vehicle from”
- (c) Paragraph (j) is amended by striking out the word “five” in the second line and inserting in lieu thereof the word “nine”;
- (d) The following paragraph is added at the end of subsection (1a):—
- (l) The clearance lamps required by this section need be carried only while the vehicle or trailer is on a road between half an hour after sunset and half an hour before sunrise.

11. Section 48 of the principal Act is amended by striking out the word “fifty” in the ninth line of subsection (1) and inserting in lieu thereof the words “one hundred”.

Amendment of  
s. 48 of  
principal Act—  
Driving whilst  
drunk or under  
the influence  
of drugs.

12. Section 61 of the principal Act is amended by striking out the word “Part” in the second, sixth, and tenth lines of subsection (1) thereof and inserting in lieu thereof in each case the word “Act”.

Amendment of  
s. 61 of  
principal Act—  
Regulations.

13. Section 67a of the principal Act is amended by inserting the words “on a road” after the word “vehicle” in the first line of subsection (3).

Amendment of  
principal Act,  
s. 67a—  
Driving while  
disqualified.

14. Section 70b of the principal Act is amended by striking out subsection (6) thereof.

Amendment of  
s. 70b of  
principal Act—  
Insurance  
against third  
party risks.

Enactment of  
s. 70ma of  
principal Act—

**15.** The following section is enacted and inserted in the principal Act after section 70m :—

Provisions as  
to approved  
insurers.

70ma. (1) The approval of an insurer under this Part shall, subject to this section, remain in force for the period specified by the Treasurer at the time when the approval is granted.

(2) Before approving of an insurer the Treasurer may require him to enter into an undertaking by which he accepts duties and obligations relating to insurance under this Part and matters incidental thereto.

(3) If an approved insurer commits a breach of a term or condition of an undertaking entered into pursuant to this section, the Treasurer may—

(a) withdraw the approval of the insurer ; or

(b) suspend such approval for such period as the Treasurer deems just.

(4) The withdrawal, suspension or non-renewal of the approval of an insurer shall not affect any policy issued by the insurer at a time when he was an approved insurer.

Amendment of  
s. 121 of  
principal Act—  
Reckless  
and dangerous  
driving.

**16.** Section 121 of the principal Act is amended by striking out all the words in subsection (1) after the word "offence" first occurring in the fourth line and inserting in lieu thereof the following :—

Penalty : A fine of not less than fifty pounds and not more than one hundred pounds. For a second or subsequent offence, the court may, in addition to or without imposing such a fine, sentence the defendant to imprisonment for not more than three months.

Amendment of  
s. 122 (2b) of  
principal Act—  
Crossing  
Railways.

**17.** Section 122 of the principal Act is amended by adding at the end of subsection (2b) thereof the following passage :—

This subsection shall not apply at a railway crossing at or near which there are placed—

(a) lights or other warning devices, for the purpose of warning drivers of road vehicles of the approach of trains or vehicles on the railway; or

(b) gates or other barriers for the purpose of closing the crossing against road traffic when trains or vehicles are approaching on the railway.

18. The following section is enacted and inserted in the principal Act after section 122a thereof :—

Enactment of  
s. 122b—

122b. (1) The Commissioner of Highways may mark lines, words or signs on any road for the purpose of indicating the route to be followed by traffic turning or about to turn to the right or left at or in an intersection or junction.

Power to mark  
signs on roads.

(2) A municipal or district council within whose area a road is situated may, with the consent of the Commissioner of Highways, mark such lines, words or signs on any road within the municipality or district of such council.

(3) Lines, words or signs marked on a road and purporting to indicate the route to be followed by traffic turning or about to turn to the right or left at an intersection or junction shall be deemed to have been lawfully marked pursuant to this section unless the contrary is proved.

19. Section 127a of the principal Act is amended as follows :—

Amendment of  
s. 127a of  
principal Act—  
Mode of  
making right  
turns.

(a) Paragraph (c) of subsection (1) is struck out and the following paragraphs inserted in lieu thereof :—

(c) If at the place where the turn is to be made there are lines, words or signs marked on the surface of the road indicating the route to be followed by vehicles turning to the right, he shall follow the route indicated by such lines, words or signs ; and

(c1) If at the place where the turn is to be made there are no lines, words or signs marked on the surface of the road indicating the route to be followed by vehicles turning to the right, he shall before turning to the right drive his vehicle parallel with the left boundary of the carriage-way of the road which he is leaving until it is as near as practicable to the left boundary of the carriage-way of the road which he is entering.

(b) The following subsections are inserted after subsection (1) :—

(1a) The duty of a driver to cause his vehicle to stand as required by paragraph (d) of subsection (1) of this section shall not be affected by the existence of a traffic island, roundabout, safety

zone or median strip in or near the intersection or junction.

Nor shall section 131 of this Act be deemed to require that the driver of a vehicle approaching the intersection or junction from the opposite direction to that in which the turning vehicle approached it shall give way to the turning vehicle.

(1b) A driver turning his vehicle in a road to the right elsewhere than at an intersection or junction, or for the purpose of reversing the direction of his travel—

(a) may commence to make such turn from any convenient place on the road, but

(b) shall not commence to move his vehicle to the right until the road is sufficiently clear of traffic to enable the turn to be made without danger.

(c) Paragraph (d) of subsection (1) is amended by inserting after the word "turn" in the last line the words "and complete the turn through the intersection or junction".

(d) Subsection (2) is amended by inserting after the words "subsection (1)" in the first line the words "or subsection (1a)".

(e) Subsection (3) is amended by adding after the word "right" at the end of paragraph (a) thereof the words "unless there is a line, words or signs marked on the surface of the road in the intersection or junction indicating that drivers of vehicles turning to the right are to keep such dome or beacon on their left."

Amendment of  
s. 135 of  
principal Act—  
Towing

**20.** Section 135 of the principal Act is amended by adding at the end of subsection (1) thereof the following additional proviso :—

Provided also that if the vehicle being towed is attached to the towing vehicle by means of a towing device complying with regulations made for purposes of this section it shall not be necessary for a person to be in charge of the towed vehicle.

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

R. A. GEORGE, Governor.