



ANNO DECIMO SEXTO

GEORGII V REGIS.

A.D. 1925.

No. 1695.

An Act to amend the Motor Vehicles Acts, 1921 and 1922, and for other purposes.

[*Assented to, December 17th, 1925.*]

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 alone as the "Motor Vehicles Act Amendment Act, 1925." Short titles.

(2) The Motor Vehicles Acts, 1921 and 1922, and this Act may be cited together as the "Motor Vehicles Acts, 1921 to 1925." 1480, 1921;
1527, 1922,

(3) The Motor Vehicles Act, 1921, is hereinafter referred to as "the principal Act."

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act and those Acts and this Act shall be read as one Act. Incorporation.

3. Section 4 of the principal Act is amended—

(a) by inserting after the definition of the word "driver" therein the words "and as regards a trailer means the person driving the motor vehicle by which the trailer is being drawn"; and Amendment of principal Act, s. 4—
Trailers and side-cars to be deemed motor vehicles.

(b) by inserting after the word "power" in the sixth line of the definition of "Motor vehicle" therein the words "and includes a trailer at any time attached to a motor vehicle".

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Amendment of
principal Act, s. 6—
Register of motor
vehicles.

4. Subsection (2) of section 6 of the principal Act is amended so as to read as follows:—

(2) Such register shall be in the prescribed form and may be kept in three parts, one part relating to motor vehicles not being motor cycles or trailers, another part relating to motor cycles, and a third part relating to trailers.

Amendment of
principal Act, s. 7—
Fees for registra-
tion of trailers, &c.

5. Section 7 of the principal Act is amended—

(a) by adding after the words “ motor cycle ” in the second line of subsection (4) thereof the words “ or a trailer ” ;
and

(b) by inserting after the words “ motor cycle ” in the third line of the said subsection the words “ or a trailer.”

Amendment of
principal Act, s. 9—
Annual fees for
general identification
numbers.

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 Section 9 of the principal Act is repealed and the following section is hereby enacted in lieu thereof:—

(1) The Registrar may upon payment of an annual fee of the amount fixed by this section for each number, assign to any manufacturer of or dealer in motor vehicles one or more general identification numbers, and shall issue to every person to whom any such number is assigned a plate (hereinafter called “ a trader’s plate ”) bearing thereon the number assigned and some other letter, mark, or device, to be fixed by the Registrar.

(2) Every general identification number shall remain in force for one year from the date of the issue or renewal thereof and no longer, unless renewed pursuant to this Act.

(3) The fees for the issue or renewal of a general identification number (including the cost of the trader’s plate bearing such number) shall be as follows:—

For the issue to or renewal by any person of one number—
Ten Pounds Ten Shillings :

For the issue or renewal of every additional number—
Ten Shillings.

(4) The coloring of every trader’s plate shall be white, and the coloring of the number thereon shall be red.

(5) The Registrar shall keep in the Register of Motor Vehicles a record showing the name and place of business of every manufacturer or dealer to whom any general identification number has been assigned under this section.

(6) No person shall drive any motor vehicle, not being registered in the manner prescribed by section 7 of this Act, in any street or road unless the motor vehicle has attached thereto a trader’s plate issued by the Registrar under this Act, and bearing thereon a general identification number in
force

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force at the time the vehicle is so driven: Provided that any general identification number issued before the commencement of the Motor Vehicles Act Amendment Act, 1925, shall, until the expiration of twelve months after the date of issue of the number, or of one month after the commencement of that Act, whichever is later, be deemed to be a general identification number issued under this Act, and the plate bearing such number shall be deemed to be a trader's plate issued under this Act.

(7) No person shall in any street or road drive any motor vehicle having a trader's plate attached thereto unless he is—

- (a) the person to whom such trader's plate was issued:
- (b) a member of the firm or company to which such trader's plate was issued:
- (c) a salaried officer or regular employee of the person, firm, or company to which such trader's plate was issued:
- (d) a prospective purchaser of the motor vehicle accompanied (except in the case of a motor cycle) by any such person as is mentioned in subdivision (a), (b), or (c) of this subsection:
- (e) in a case where the vehicle is proceeding for delivery to a purchaser in another State, any person who is driving the car for delivery to such purchaser.

(8) A trader's plate may be used upon any motor vehicle while such vehicle is—

- (a) on trial, during the course of construction or repairs, or after completion of such construction or repairs, for the purpose of ascertaining that the parts of such vehicle are in proper working condition;
 - (b) on trial for the benefit of a prospective purchaser, or any person *bona fide* interested in the exchange or sale of such vehicle;
 - (c) proceeding to or returning from a prospective purchaser for or after trial;
 - (d) proceeding for delivery to a purchaser;
 - (e) proceeding to or returning from a workshop for painting or repairs;
 - (f) proceeding to a railway station or wharf for despatch or shipment, or proceeding from a railway station or wharf to the premises of the manufacturer or dealer;
 - (g) proceeding to an exhibition or show for display or trial and returning therefrom; or
 - (h) proceeding to or returning with a disabled motor vehicle.
- If

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If any trader's plate is used on any other occasion the driver of the motor vehicle whereon the same is used shall be guilty of an offence under this section.

(9) Every trader's plate issued under this section shall remain the property of the Minister; and the person to whom any trader's plate is issued shall, if at any time the general identification number shown on the plate ceases to be in force, return the plate to the Registrar on demand made by the Registrar.

(10) Any person guilty of any failure to observe or contravention of any of the provisions of this section shall be liable to a penalty not exceeding Thirty Pounds.

Amendment of
principal Act, s. 10—
Registered numbers
on trailers.

7. Section 10 of the principal Act (as amended by section 4 of the Motor Vehicles Act Amendment Act, 1922) is further amended—

(a) by inserting after the word "vehicle" in the first line of the said section the words "(not being a trailer)"; and

(b) by inserting after subsection (1) of the said section a new subsection as follows:—

(1a) Every trailer required by this Act to be registered shall, at all times whilst it is being driven or is standing in any street or road, carry attached thereto in the prescribed position, one or more plates as prescribed having the registered number conspicuously painted or otherwise legibly and permanently marked thereon in manner prescribed.

Amendment of
principal Act, s. 21—
Increase of penalty
for negligent, furious,
or reckless driving.

8. Section 21 of the principal Act is amended by adding at the end of subsection (1) thereof the following:—

and may for such subsequent offence be imprisoned for any term not exceeding three months.

Amendment of
principal Act, s. 26—
Increase of penalty
for driving while
intoxicated.

9. Section 26 of the principal Act is amended by striking out all the words therein after the words "less than" in the fourth line and inserting in lieu of the words so struck out the following:—

Twenty Pounds and not more than Fifty Pounds and for any subsequent offence shall be liable to a penalty of not less than Fifty Pounds and not more than One Hundred Pounds or to imprisonment for any term not exceeding six months.

Amendment of
principal Act,
s. 30—
No bells or horns on
trailers.

10. Section 30 of the principal Act is amended by adding at the end of subsection (1) thereof the following proviso:—

Provided that this subsection shall not apply to any trailer so long as the motor vehicle to which that trailer is attached complies with this subsection.

Amendment of
principal Act,
s. 32—
Consequential
amendment.

11. Section 32 of the principal Act is amended by inserting after the words "motor cycle" in the first line thereof the words "or trailer."

12. Section

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12. Section 36 of the principal Act is amended by adding at the end of subsection (2) thereof the following passage:—

Amendment of principal Act, s. 36—

and shall be liable for a first offence to a penalty of not less than Twenty Pounds and not more than Fifty Pounds and for any subsequent offence shall be liable to a penalty of not less than Twenty nor more than One Hundred Pounds, or to imprisonment for any term not exceeding twelve months.

Increase of penalty for failure to stop in case of accident.

13. Section 37 of the principal Act is amended by striking out subsection (2) thereof and inserting therein the following subsections:—

Penalty for using motor vehicle without consent of owner.

(2) Any person who is guilty of any contravention of this section shall be liable to a penalty of not less than Twenty Pounds and not more than One Hundred Pounds, or to imprisonment for any period not exceeding twelve months.

(3) The Court may, in addition to any other penalty imposable under this section, order the defendant to pay to the owner of the motor vehicle used in contravention of this section such a sum as the Court thinks proper by way of compensation for any loss or damage suffered by such owner.

14. Section 50 of the principal Act is amended by adding at the end thereof the following new subsection, the first portion thereof being read as subsection (1) thereof:—

Amendment of principal Act, s. 50—
Evidentiary provision.

(2) A document purporting to be a certificate under the hand of the Registrar of Motor Vehicles stating all or any of the following matters, namely:—

- (a) that the person therein described was not on any given date the holder of a licence:
- (b) that the person therein described had not on any given date registered any motor vehicle whatever, or any particular motor vehicle therein described:
- (c) that no general identification number had on any given date been issued to the person therein described:
- (d) that any number therein mentioned had not on any given date been issued to any person therein described, as a general identification number:
- (e) that any number therein mentioned was not in force as a general identification number on any given date:

shall by all Courts and upon all occasions whatsoever be admissible as evidence, and shall be *prima facie* evidence of the truth of the matters stated as aforesaid.

15. For the purpose of the principal Act and all Acts incorporated therewith, the person driving any motor vehicle to which a trailer is attached shall be deemed to be the driver of the trailer, and the trailer shall be deemed to be driven by that person.

Drivers of trailers, etc.

16. Every

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Duty of registered owners to furnish particulars of vehicles.

16. Every person who is registered as the owner of a motor vehicle, whether the registration was effected before or is effected after the commencement of this Act, shall, upon request by the Registrar, produce to the Registrar such evidence of the nature and weight of any motor vehicle owned by such person and of the nature of the tires with which that vehicle is fitted, as is prescribed, or as is required by the Registrar.

Duty of owners to weigh motor vehicles in certain cases.

17. (1) The owner of any motor vehicle being served with a notice in the prescribed form signed by the Registrar of Motor Vehicles requiring him within a time mentioned in the notice to cause his motor vehicle to be weighed unladen on the weighing machine mentioned in the notice or any one of the weighing machines so mentioned if more than one are mentioned, shall obey such notice and shall forward to the Registrar forthwith the document showing the result of the weighing.

(2) This section shall not apply if the distance from the place where the motor vehicle is usually kept to the weighing machine mentioned in the notice, or to the nearest of those weighing machines, if more than one are mentioned, is greater than three miles.

Suspension of right to prosecute in certain cases.

18. No prosecution for failure to comply with any of the provisions of this Act relating to trailers shall be instituted until after the expiration of one month from the commencement of this Act.

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

TOM BRIDGES, Governor.