



ANNO DECIMO QUARTO

GEORGI VI REGIS.

A.D. 1950.

No. 29 of 1950.

An Act to amend the Road Traffic Act, 1934-1949.

[Assented to 30th November, 1950.]

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, 1950 ".

(2) The Road Traffic Act, 1934-1948, as amended by this Act, may be cited as the " Road Traffic Act, 1934-1950 ".

(3) The Road Traffic Act, 1934-1948, is hereinafter referred to as " 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 pending registration.

3. Section 7b of the principal Act is amended by striking out the word " fifty " appearing in paragraph (a) thereof and inserting the word " twenty-five " in lieu thereof.

Amendment of s. 9 (10) of principal Act—Registration fee for tractors.

4. Subsection (10) of section 9 of the principal Act is amended by striking out the words " the nearest town not being a town where there is a railway station or port " in the sixth and seventh lines and inserting in lieu thereof the words " any town not more than twelve miles from the land of such primary producer for the purpose of the packing processing or sale of such goods ".

Amendment of s. 38a of principal Act—Suspension of licence and disqualification.

5. Section 38a of the principal Act is amended by inserting at the end of subsection (1a) the following proviso :—

Provided also that—

- (a) a conviction for an offence committed on or before the sixth day of January, nineteen hundred and forty-nine ; or
 - (b) a conviction for an offence committed ten years or more before the commission of a second or subsequent offence against the same section,
- shall not be taken into account for the purposes of this subsection.

6. Section 43b of the principal Act is repealed and the following section is enacted and inserted in its place :—

Repeal of s. 43b of principal Act, and enactment of other provisions—
Speed in municipalities and towns.

43b. (1) Any person who drives a motor vehicle on a road in a municipality, town or township at a greater speed than thirty-five miles an hour shall be guilty of an offence.

(2) This section shall not restrict the operation of any other provision of this Act relating to the speed at which motor vehicles may be driven.

7. Section 126 of the principal Act is repealed and the following section is enacted and inserted in its place :—

Repeal of s. 126 of principal Act and enactment of other provision—
Overtaking vehicles and animals.

126. (1) The rider or driver of any vehicle or animal on any road when passing any other vehicle or animal going in the same direction shall—

(a) if the driver or rider of that other vehicle or animal has signalled his intention to turn to the right keep on his left hand side of that other vehicle or animal ;

(b) in any other case keep on his right hand side of that other vehicle or animal.

(2) Any person contravening this section shall be guilty of an offence.

8. The following section is enacted and inserted in the principal Act after section 127 thereof :—

Enactment of s. 127a of principal Act—

127a. (1) Notwithstanding sections 124, 125, and 126 of this Act, where the driver of a vehicle is about to turn his vehicle to the right from one road to another at an intersection or junction—

Mode of making right turns.

(a) he shall, except where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to, but

on the left of, the centre of the carriage-way of that road :

- (b) he shall, where the road which he is about to leave is a one-way traffic road, so drive his vehicle that when it reaches the intersection or junction it will be as near as practicable to the right hand boundary of the carriage-way of that road ; and
- (c) in every case he shall upon entering the intersection or junction 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 ;
- (d) if there is upon or near any portion of the intersection or junction any vehicle or any animal with which his vehicle if turned to the right might collide, he shall cause his vehicle to stand until it may turn with safety.

(2) Notwithstanding subsection (1) of this section the driver of a vehicle who is about to turn or who turns the vehicle to his right at an intersection or junction shall not drive the vehicle in a position where it is likely to obstruct the progress of any tram car nor allow the vehicle to stand in any such position.

(3) Where the driver of a vehicle turns his vehicle to the right from one road into another at an intersection or junction—

- (a) if a traffic dome or beacon is placed at or near the centre of the intersection or junction he shall drive his vehicle so as to keep such dome or beacon on his right ;
- (b) he shall in all circumstances take adequate precautions to prevent his vehicle from colliding with any obstruction which may be upon any portion of the intersection or junction.

(4) This section shall also apply to riders of animals and to the animals ridden by them and for that purpose the expression “ driver of a vehicle ” and the word “ driver ” shall be deemed to include a rider of an animal, and the word “ vehicle ” shall be deemed to include an animal.

Amendment of
s. 130a of
principal Act—
Stop signs.

9. Section 130a of the principal Act is amended by adding at the end thereof the following subsections :—

(12) For the purposes of this section—

- (a) each carriage-way of a double road shall be deemed to be a separate road ;
- (b) where a road intersects both carriage-ways of a double road it shall be deemed to form a separate intersection with each such carriage-way ;
- (c) where a road intersects one carriage-way of a double road and adjoins but does not extend beyond the other carriage-way of that double road it shall be deemed to form an intersection with the first mentioned carriage-way and a junction with the other ;
- (d) any vehicular track which passes through the strip of land separating the carriage-ways of a double road and joins one carriage-way to the other shall be regarded as a separate road forming a junction with each carriage-way ;
- (e) a sign erected under this section on a road at the approach to a double road shall operate only as regards the intersection formed by the road first mentioned and the carriage-way nearest to the sign ;
- (f) a double road means a double road having two carriage-ways separated by a strip of land.

10. Section 131 of the principal Act is amended by adding at the end thereof the following subsection :—

Amendment of
s. 131 of
principal Act—
Right of way.

(6) For the purpose of this section—

- (a) each carriage-way of a double road shall be deemed to be a separate road ;
- (b) where a road intersects both carriage-ways of a double road it shall be deemed to form a separate intersection with each such carriage-way ;
- (c) where a road intersects one carriage-way of a double road and adjoins but does not extend beyond the other carriage-way of that double road it shall be deemed to form an intersection with the first mentioned carriage-way and a junction with the other ;
- (d) a double road means a road having two carriage-ways separated by a strip of land.

Causing
danger of
obstruction.

11. Section 136 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :—

136. If any person causes or permits any vehicle or animal to remain at rest on any road—

(a) in such a position or in such condition or circumstances as to be likely to cause danger to other persons using the road or so as to obstruct the passage of traffic on the road; or

(b) in such a position as to obstruct any gate, door or entrance by which vehicles gain access to any land or building, or so as to obstruct any crossing leading from the carriage-way of a road across a footpath to any such gate, door, or entrance,

he shall be guilty of an offence.

Repeal of
s. 140 of
principal Act
and enactment
of other
provisions—
Duty to give
information as
to identity
of driver.

12. Section 140 of the principal Act is repealed and the following section is enacted and inserted in its place :—

140. (1) Any person shall, when requested by a member of the police force or by an inspector appointed under Part II. of this Act, truly answer any question put to him seeking information which may lead to the identification of the person who was driving any vehicle on any occasion.

(2) Any person who refuses to answer, or fails to answer truly any such question shall be guilty of an offence.

Amendment of
s. 157 of
principal Act—
Evidentiary
provisions.

13. Section 157 of the principal Act is amended by adding after paragraph (e) of subsection (2) thereof the following paragraph :—

(f) that any intersection, intersecting roads, or part of any intersecting roads was or were within a municipality, town or township named in the complaint.

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

C. W. M. NORRIE, Governor.