



ANNO DECIMO QUINTO

## ELIZABETHAE II REGINAE

A.D. 1966

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### No. 16 of 1966

An Act to amend the Road Traffic Act, 1961-1964.

[Assented to 24th February, 1966.]

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, 1965-1966". Short titles.
  - (2) The Road Traffic Act, 1961-1964, as amended by this Act, may be cited as the "Road Traffic Act, 1961-1966".
  - (3) The Road Traffic Act, 1961-1964, is hereinafter referred to as "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. Section 5 of the principal Act is amended— Amendment of principal Act, s. 5— Interpretation.
    - (a) by inserting the following new definition immediately after the definition "driver" therein:—
 

"footpath" includes every footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;

and
    - (b) by striking out the passage "indicating a course for turning vehicles" in paragraph (a) of the definition "traffic control device" and inserting in lieu thereof the passage "to regulate or guide traffic".

Amendment of  
principal Act,  
s. 21—  
Signs near  
schools and  
playgrounds.

4. Section 21 of the principal Act is amended by striking out the passage “, or a portion of a road used by children going to or coming from a school” at the end of subsection (1) thereof.

Amendment of  
principal Act,  
s. 22—  
Turning lines  
and barrier  
lines.

5. Section 22 of the principal Act is amended—

(a) by striking out the words “Turning lines” in the marginal heading therein and inserting in lieu thereof the words “Direction lines”; and

(b) by striking out the passage “turning to the right or left” in paragraph (a) thereof.

Amendment of  
principal Act,  
s. 31—  
Removal of  
certain lights  
and signs.

6. Section 31 of the principal Act is amended by striking out subsection (2) thereof and inserting in lieu thereof the following subsection :—

(2) Notwithstanding the provisions of this Act or any other Act or law, where the Board is satisfied that any light, false traffic sign, advertisement or any other sign, erected or placed on or near a road, is likely to increase the risk of accident on any road, the Board may by notice in writing require the owner of the light, sign or advertisement or any person in control of it to take such action whether by way of removing, modifying, screening or otherwise dealing with the light, sign or advertisement, as is specified in the notice, and within a time so specified.

Enactment of  
s. 31a of  
principal Act—

7. The following section is enacted and inserted in the principal Act after section 31 thereof :—

Board's  
approval  
necessary  
before a  
carriageway  
is declared to  
be a one-way  
carriageway.

31a. (1) No carriageway shall be declared a one-way carriageway unless the Board has consented to such carriageway being declared a one-way carriageway.

(2) A council may, with the consent of the Board, declare a carriageway to be a one-way carriageway and may erect or place on or near such carriageway such signs as are considered necessary for that purpose.

(3) Where the Board refuses to consent to a one-way carriageway being declared a one-way carriageway the Board shall if requested by the council which sought the consent state its reasons for its decision.

(4) The said council may within twenty-eight days after receipt of the Board's reasons apply to the Board to review its decision. Upon such a request the Board—

(a) shall give the council an opportunity of submitting information and arguments; and

- (b) may obtain further relevant information ; and
- (c) shall reconsider its previous decision ; and
- (d) shall report to the Minister who may affirm or reverse that decision.

(5) Before affirming or reversing a decision of the Board under this section, the Minister shall give the Board and the council an opportunity of making representations to him thereon.

8. Section 40 of the principal Act is amended by inserting after the passage "The Fire Brigades Act, 1936-1958" in paragraph (a) of subsection (1) thereof the passage "or by a fire-fighting organisation registered under the Bush Fires Act, 1960".

Amendment of principal Act, s. 40—  
Exemption of Fire, Ambulance and Police Vehicles.

9. Section 43 of the principal Act is amended—

- (a) by inserting the following new paragraph (b) in subsection (3) thereof (the existing paragraphs (b) and (c) of the said subsection being re-designated as paragraphs (c) and (d) respectively):—

Amendment of principal Act, s. 43—  
Duty to stop and report in case of accident.

(b) if a person has been injured in the accident immediately render such assistance as he can ;

- (b) by striking out the passage "paragraph (c)" in subsection (5) thereof and inserting in lieu thereof the passage "paragraph (d)"

10. The following section is enacted and inserted in the principal Act after section 45 thereof :—

Enactment of s. 45a of principal Act—

45a. Notwithstanding any other provisions of this Act, a driver shall not enter upon or attempt to cross any intersection or junction if the intersection, or junction, or the carriageway which he desires to enter, is blocked by other vehicles.

Entering blocked intersection prohibited.

Penalty : Fifty pounds.

11. Section 47 of the principal Act is amended by inserting after subsection (5) thereof the following subsection :—

Amendment of principal Act, s. 47—  
Driving under influence—  
Certificate of Government Analyst as to alcoholic blood content to be *prima facie* evidence.

(6) In any proceedings for an offence under this section a certificate, purporting to be signed by the Government Analyst and certifying the proportion of alcohol or any drug found in a specimen of blood identified by the certificate, shall be *prima facie* evidence of the matters

so certified: Provided that the foregoing provision shall not apply unless a copy of the certificate has been served on the defendant not less than seven days before the date of the proceedings, or, if the defendant has served notice on the complainant, at any time before the date of the proceedings requiring attendance at the proceedings of the person by whom the certificate was signed.

Amendment of  
principal Act,  
s. 53—  
Speed of  
heavy vehicles.

**12.** Section 53 of the principal Act is amended by inserting after the word "tractor" in subsection (4) thereof ", mobile crane and such motor vehicle or class of motor vehicle as may be prescribed by regulation".

Amendment of  
principal Act  
s. 63—  
Right of way  
at intersections  
and junctions.

**13.** Section 63 of the principal Act is amended—

(a) by striking out subsection (1) thereof and inserting in lieu thereof the following subsection:—

(1) Subject to section 64 of this Act when a vehicle has entered or is approaching an intersection from a carriageway and there is a danger of a collision with a vehicle which has entered or is approaching the intersection from another carriageway the driver who has the other vehicle on his right shall give way to the driver of that other vehicle.

Penalty: Fifty pounds.

(b) by striking out subsection (5) thereof.

Enactment of  
s. 74a of  
principal Act—

**14.** The following section is enacted and inserted in the principal Act after section 74 thereof:—

Signalling  
device to be  
switched off  
after turn  
completed.

74a. A driver shall not permit a signalling device on his vehicle to remain in operation for more than two hundred yards after the completion of the turn or divergence in respect of which the device was put in operation.

Penalty: Five pounds.

Amendment of  
principal Act,  
s. 78—  
Duty at stop  
signs.

**15.** Section 78 of the principal Act is amended—

(a) by striking out the passage "—before it reaches the stop line;" in paragraph (a) of subsection (1) thereof and inserting in lieu thereof the passage "—before any part of it reaches the stop line but as near as practicable to the stop line;" ; and

(b) by striking out the passage “—before it reaches the nearer boundary of the carriageway which he is about to enter” in paragraph (b) of subsection (1) thereof and inserting in lieu thereof the passage “—at a point before but as near as practicable to the nearer boundary of the carriageway which he is about to enter”.

16. Section 78a of the principal Act is amended by inserting after the word “sign” where it firstly and secondly occurs therein the words “or mark”.

Amendment of principal Act, s. 78a—  
Duty to comply with other traffic signs.

17. Section 82 of the principal Act is amended by striking out the word “or” where it fourthly occurs in the proviso to subsection (1) thereof and inserting in lieu thereof the word “and”.

Amendment of principal Act, s. 82—  
Position of stationary vehicles.

18. Section 83 of the principal Act is amended by inserting the passage “or be likely to cause” after the word “cause” in paragraph (a) of subsection (1) thereof.

Amendment of principal Act, s. 83—  
Vehicles standing on roads.

19. Section 88 of the principal Act is amended by striking out subsection (1) thereof and inserting in lieu thereof the following subsection :—

Amendment of principal Act, s. 88—  
Walking on right of road.

(1) A person—

- (a) shall not walk along a carriageway of a road if there is a footpath on that road ;
- (b) shall, if walking along a two-way carriageway, keep as near as reasonably practicable to the right side of the two-way carriageway ;
- (c) shall if walking along a one-way carriageway, walk in the opposite direction to that in which vehicular traffic is permitted to travel on that carriageway and on the right hand side of such carriageway.

Penalty : Twenty-five pounds.

20. Section 106 of the principal Act is amended—

- (a) by striking out the words “or culvert” in paragraph (a) of subsection (1) and in subsection (2) where it firstly and secondly occurs in those subsections and inserting in lieu thereof in each case the passage “culvert or railway track” ; and
- (b) by inserting the passage “or to the Railways Commissioner” at the end of subsection (2) thereof.

Amendment of principal Act, s. 106—  
Damage to roads and works.

Amendment of  
principal Act,  
s. 132—  
Duty to  
comply with  
sections 133  
to 138.

**21.** Section 132 of the principal Act is amended by striking out the figures "138" therein and inserting in lieu thereof the figures and letter "138a".

Enactment of  
s. 138a of  
principal Act—

**22.** The following section is enacted and inserted in the principal Act after section 138 thereof:—

Left-hand  
drive vehicles  
not to be  
registered after  
1st January  
1966.

138a. (1) A motor vehicle which is registered for the first time after the first day of January, one thousand nine hundred and sixty-six shall not have its steering wheel on the left of the longitudinal axis of the vehicle.

(2) If the Board is satisfied that reasonable cause exists for doing so it may grant a permit permitting a vehicle to be driven on roads without compliance with the requirements of this section, but any such permit may be general, conditional or restricted as to time, place or circumstances and shall render lawful anything done in accordance therewith.

Amendment of  
principal Act,  
s. 141—  
Width of  
vehicles.

**23.** Section 141 of the principal Act is amended—

(a) by striking out subsections (2) and (3) thereof and inserting in lieu thereof the following subsections:—

(2) The following vehicles shall not be driven on a road except from half an hour before sunrise until half an hour after sunset—

(a) an agricultural machine more than eight feet wide ;

(b) a vehicle carrying a load more than eight feet wide consisting of agricultural machines or new motor bodies.

(3) Where a vehicle carrying a load as described in paragraph (b) of subsection (2) of this section is driven on a road within the times referred to in that subsection the side extremities of the load shall be clearly indicated by pieces of red material not less than eighteen inches square.

(b) by striking out the passage "eight feet nine inches" in subparagraph (ii) of paragraph (b) of subsection (4) thereof and inserting in lieu thereof the passage "nine feet" and by inserting at the end of the said subparagraph the following passage:—"and that mirror or device is five feet or more above the level of the ground.".

**24. Section 144 of the principal Act is amended—**

Amendment of  
principal Act  
s. 144—  
Duty to  
comply with  
rules as to  
loads.

- (a) by striking out the passage “A person shall not drive” at the beginning of the first paragraph thereof and inserting in lieu thereof the passage “An owner or person in charge of a vehicle shall not cause or permit a vehicle to be driven and a person shall not drive”; and
- (b) by inserting after the word “Act.” at the end of the first paragraph thereof the passage “In any prosecution for non-compliance with the requirements of sections 145 to 149, the owner, driver or person in charge of a vehicle shall be severally guilty of an offence.”.

**25. Section 146 of the principal Act is amended—**

Amendment of  
principal Act,  
s. 146—  
Maximum  
axle weight.

- (a) by inserting after the word ‘weight’ in subsection (2) thereof the passage—

“shall be distributed so that—

(a) the weight on the front axle of a vehicle other than a trailer shall not exceed six and a half tons unless otherwise approved by the Board; and

(b) the weight on any other axle shall not exceed eight tons”; and

- (b) by inserting after the word “two” in subsection (3) thereof the words “or more”.

**26. Section 159 of the principal Act is amended by inserting after the word “certificate” at the end of the second paragraph of subsection (4) thereof the following paragraph :—**

Amendment of  
principal Act,  
s. 159—  
Vehicles used  
for carrying  
passengers  
for hire.

A person who drives a vehicle for the purpose of carrying passengers for hire shall—

(a) forthwith on being requested by a member of the police force who made the request; or

(b) within forty-eight hours after the making of the request, at a police station named by the driver to the member of the police force at the time of the making of the request,

produce the safety certificate granted under this section in respect of that vehicle.

Amendment of  
principal Act,  
s. 162—  
Securing of  
loads.

**27.** Section 162 of the principal Act is amended—

- (a) by striking out the word “white” occurring before the word “material” where it thirdly occurs in paragraph (c) thereof and inserting after the said word “material” the passage “or other device”; and
- (b) by inserting therein after the word “thereto” in paragraph (c) thereof the passage “in accordance with the regulations”.

Amendment of  
principal Act,  
s. 162a—  
Safety belts.

**28.** Section 162a of the principal Act is amended—

- (a) by striking out the words “an anchorage” in paragraph (a) of subsection (3) thereof and inserting in lieu thereof the word “anchorages”;
- (b) by striking out the passage “at least one other anchorage” in paragraph (b) of subsection (3) thereof and inserting in lieu thereof the word “anchorages”; and
- (c) by striking out the word “anchorage” in subsection (4) thereof and inserting in lieu thereof the word “anchorages”.

Amendment of  
principal Act,  
s. 168—  
Power of  
court to  
disqualify  
driver on  
conviction.

**29.** Section 168 of the principal Act is amended—

- (a) by inserting after the word “shall” in subsection (3) thereof the passage “, subject to subsection (4),”; and
- (b) by inserting after subsection (3) thereof the following subsection :—

(4) Notwithstanding anything in this Act or in the Motor Vehicles Act, 1959-1963, a person may drive a motor vehicle for the purpose of being tested pursuant to an order made under subsection (1) of this section notwithstanding that he is disqualified from holding and obtaining a driver’s licence and shall for all purposes be deemed to be the holder of a driver’s licence while being so tested.

Amendment of  
principal Act  
s. 169—  
Duty of court  
to disqualify  
driver for  
certain  
offences.

**30.** Section 169 of the principal Act is amended by inserting after subsection (2) thereof the following subsection :—

(2a) The court which makes an order under this section may, if satisfied that reasonable cause exists for so doing, order that the disqualification shall take effect from a day or hour subsequent to the making of the order.

**31.** Section 175 of the principal Act is amended by inserting after the word "road" at the end of paragraph (a) of subsection (1) thereof, the passage "or conformed to the descifications of this Act and the regulations made thereunder".

Amendment of  
principal Act,  
s. 175—  
Evidence.

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

EDRIC BASTYAN, Governor.