



ROAD TRAFFIC (MISCELLANEOUS) AMENDMENT ACT 1993

No. 32 of 1993

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ELIZABETHAE II REGINAE

A.D. 1993

No. 32 of 1993

An Act to amend the Road Traffic Act 1961.

[Assented to 13 May 1993]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Road Traffic (Miscellaneous) Amendment Act 1993*.
- (2) The *Road Traffic Act 1961* is referred to in this Act as “the principal Act”.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 5—Interpretation

3. Section 5 of the principal Act is amended—

- (a) by striking out from subsection (1) the definition of “tandem axle group” and substituting the following definition:

“tandem axle group” means a combination of two axles that are not less than 1.0 metre and not more than 2.0 metres apart;

- (b) by striking out from subsection (1) the definition of “tri-axle group” and substituting the following definition:

“tri-axle group” means a combination of three axles in which the front and rear axles are not less than 2.0 metres and not more than 3.2 metres apart.

Amendment of s. 33—Road closing and exemptions for road events

4. Section 33 of the principal Act is amended—

- (a) by striking out from subsection (7) “to persons driving vehicles or walking on a road” and substituting the following:

to—

- (a) the driver of a vehicle on a road;
- (b) the owner or person apparently in charge of or with care or custody of a vehicle on a road;
- (c) a person who appears to have left a vehicle standing on a road (whether the vehicle is attended by another person or not);

or

- (d) a person walking on a road,;

(b) by inserting after subsection (9) the following subsection:

(9a) Where a direction is given under subsection (7) to a person who appears—

- (a) to have charge, care or custody of a vehicle on a road;

or

- (b) to have left a vehicle standing on a road,

that person is not guilty of an offence against this Act of failing to comply with the direction if it is proved that he or she did not have charge, care or custody of the vehicle and did not leave the vehicle standing on the road.

Amendment of s. 41—Directions for regulation of traffic

5. Section 41 of the principal Act is amended—

(a) by striking out from subsection (1) “to persons driving vehicles, or walking, on a road” and substituting the following:

to—

- (a) the driver of a vehicle on a road;
- (b) the owner or person apparently in charge of or with care or custody of a vehicle on a road;
- (c) a person who appears to have left a vehicle standing on a road (whether the vehicle is attended by another person or not);

or

- (d) a person walking on a road,;

(b) by inserting after subsection (2) the following subsection:

(3) Where a direction is given under subsection (1) to a person who appears—

(a) to have charge, care or custody of a vehicle on a road;

or

(b) to have left a vehicle standing on a road,

that person is not guilty of an offence against this Act of failing to comply with the direction if it is proved that he or she did not have charge, care or custody of the vehicle and did not leave the vehicle standing on the road.

Amendment of s. 76—General provision as to signals, signs and marks

6. Section 76 of the principal Act is amended—

(a) by striking out subsection (2) and substituting the following subsections:

(2) A driver must comply with any instructions applicable to the driver that are indicated by a traffic signal or traffic sign lawfully erected or placed on or near a road.

(2a) A pedestrian must comply with any instructions applicable to the pedestrian that are indicated by a traffic signal or traffic sign lawfully erected or placed on or near a road.;

(b) by inserting in subsection (3) “or (2a)” after “subsection (2)”;

(c) by inserting in subsection (5) “or (2a)” after “subsection (2)”.

Amendment of s. 102—Driving position

7. Section 102 of the principal Act is amended by striking out from subsection (1)(d) “attached to the vehicle, obtain a clear reflected” and substituting “or other prescribed device attached to the vehicle, indirectly obtain a clear”.

Substitution of s. 137

8. Section 137 of the principal Act is repealed and the following section is substituted:

Rear vision mirrors or devices

137. Every motor vehicle must be equipped in accordance with the regulations with mirrors or such other devices as may be prescribed by means of which the driver may obtain a clear view of traffic to the rear and to the sides of the vehicle.

Amendment of s. 141—Width of vehicles

9. Section 141 of the principal Act is amended by inserting in subsection (4)(c) “(or other prescribed device for providing a view of traffic to the rear or to the sides of the vehicle)” after “mirror”.

Amendment of s. 176—Regulations

10. Section 176 of the principal Act is amended by striking out paragraph (la) of subsection (1) and substituting the following paragraph:

- (la) prescribing requirements as to the installation or operation of television receivers in vehicles or any class of vehicles, and prohibiting the driving of a vehicle in which a receiver is installed or operating unless those requirements are complied with;

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

ROMA MITCHELL Governor