



ANNO VICESIMO QUINTO

# ELIZABETHAE II REGINAE

A.D. 1976

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## No. 103 of 1976

An Act to amend the Road Traffic Act, 1961-1976.

[Assented to 16th December, 1976]

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 (No. 3), 1976". Short titles.

(2) The Road Traffic Act, 1961-1976, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Road Traffic Act, 1961-1976".

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

3. Section 4 of the principal Act is amended by striking out the word "Weight" and inserting in lieu thereof the word "Mass". Amendment of principal Act, s. 4—  
Division of Act.

4. Section 5 of the principal Act is amended—

(a) by striking out from the definition of "axle" the word "weight" and inserting in lieu thereof the passage "force exerted by gravity acting on the mass"; Amendment of principal Act, s. 5—  
Interpretation.

(b) by inserting after the definition of "give way sign" the following definitions:—

"gross combination mass" in relation to a motor vehicle means the aggregate mass of that vehicle, any other vehicle drawn by that vehicle and any load carried by those vehicles:

"gross combination mass limit" in relation to a motor vehicle means a limit upon the gross combination mass of that vehicle determined by the Registrar of Motor Vehicles under this Act:

"gross vehicle mass" in relation to a vehicle means the mass carried on all the axles of that vehicle:

“gross vehicle mass limit” in relation to a vehicle means the limit upon the gross vehicle mass of that vehicle determined by the Registrar of Motor Vehicles under this Act;

(c) by striking out the definition of “unladen weight” and inserting in lieu thereof the following definition:—

“unladen mass” in relation to a vehicle means the mass of the vehicle without any load other than the petrol, oil, tools, prescribed accessories or prescribed equipment carried (either habitually or intermittently) on the vehicle;

and

(d) by inserting after the present contents as amended by this section (which are hereby designated subsection (1) thereof) the following subsection:—

(2) For the purposes of this Act, the mass carried on an axle of a motor vehicle shall be deemed to be the mass that would counterbalance the force exerted on the surface of the road by the wheels attached to that axle.

Amendment of  
principal Act,  
s. 11—  
Constitution  
of the Board.

5. Section 11 of the principal Act is amended—

(a) by striking out the word “and” immediately preceding paragraph (c) of subsection (2);

and

(b) by inserting after paragraph (c) of subsection (2) the following paragraphs:—

(d) a person who has, in the opinion of the Minister, extensive knowledge and experience in the field of road safety, nominated by the Minister;

and

(e) a person who has, in the opinion of the Minister, extensive knowledge and experience in the field of motor vehicle safety, nominated by the Minister.

Amendment of  
principal Act,  
s. 12—  
Procedure  
of Board.

6. Section 12 of the principal Act is amended—

(a) by striking out from subsection (1) the word “two” and inserting in lieu thereof the word “three”;

and

(b) by striking out from subsection (4) the passage “any two members of the Board on any matter before the Board” and inserting in lieu thereof the passage “a majority of the members present at a meeting of the Board”.

Amendment of  
principal Act,  
s. 16—  
Interpretation.

7. Section 16 of the principal Act is amended by striking out paragraphs (c) and (d) of subsection (1) and inserting in lieu thereof the following paragraph:—

(c) the State Transport Authority;

Amendment of  
principal Act,  
s. 23—  
Stop signs at  
road works or  
pedestrian  
crossings.

8. Section 23 of the principal Act is amended by striking out from subsection (3) the passage “Penalty: Fifty dollars.”.

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

9. Section 31 of the principal Act is amended by striking out from subsection (4) the passage “Penalty: One hundred dollars.”.

10. Section 34 of the principal Act and the heading "*Weighing Instruments*" preceding that section are repealed and the following heading and section are enacted and inserted in their place:—

Repeal of s. 34 and heading of principal Act and enactment of heading and s. 34 in their place—

*Instruments for determining Mass*

34. (1) A council may within its area, and the Minister may in any part of the State, erect, provide or maintain in accordance with the regulations weighbridges or other instruments for the purpose of determining the mass of a vehicle with or without its load or the mass carried on any axle or axles of a vehicle.

The determination of mass.

(2) The mass of a vehicle with or without its load and the mass carried on an axle or axles of a vehicle—

(a) must be determined in accordance with the regulations;

and

(b) shall, when so determined, be deemed to be correct for the purpose of any proceedings for an offence against this Act unless the contrary is proved.

11. Section 36 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars."

Amendment of principal Act, s. 36—  
Hindering inspectors.

12. Section 38 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars."

Amendment of principal Act, s. 38—  
Questions as to identity of drivers.

13. Section 41 of the principal Act is amended by striking out from subsection (2) the passage "Penalty: One hundred dollars."

Amendment of principal Act, s. 41—  
Directions for regulation of traffic.

14. Section 42 of the principal Act is amended—

(a) by striking out from paragraph (b) of subsection (1) the word "weight" and inserting in lieu thereof the word "mass";

and

(b) by striking out from subsection (2) the passage "Penalty: One hundred dollars."

Amendment of principal Act, s. 42—  
Power to stop vehicle and ask questions.

15. Section 43 of the principal Act is amended—

(a) by striking out from subsection (3) the passage "two hundred dollars" firstly occurring and inserting in lieu thereof the passage "five hundred dollars";

and

(b) by striking out from subsection (3) the passage "two hundred dollars" secondly occurring and inserting in lieu thereof the passage "three hundred dollars".

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

16. Section 44a of the principal Act is amended by striking out the passage "One hundred dollars" and inserting in lieu thereof the passage "Three hundred dollars".

Amendment of principal Act, s. 44a—  
Procuring use of vehicle by fraud.

Amendment of  
principal Act,  
s. 45—  
Careless driving.

17. Section 45 of the principal Act is amended by striking out the passage  
“Penalty: One hundred dollars.”.

Amendment of  
principal Act,  
s. 45a—  
Entering  
blocked  
intersection.

18. Section 45a of the principal Act is amended by striking out the passage  
“Penalty: One hundred dollars.”.

Amendment of  
principal Act,  
s. 46—  
Reckless and  
dangerous  
driving.

19. Section 46 of the principal Act is amended—

(a) by striking out from subsection (1) the whole of the penalty provision at the foot thereof and inserting in lieu thereof the following provision:—

Penalty—

For a first offence—disqualification from holding or obtaining a driver’s licence for such period, being not less than six months, as the court thinks fit, and a fine of not less than one hundred and fifty dollars and not more than five hundred dollars:

For a subsequent offence—disqualification from holding or obtaining a driver’s licence for such period, being not less than one year, as the court thinks fit, and—

(i) a fine of not less than one hundred and fifty dollars and not more than five hundred dollars;

or

(ii) imprisonment for not more than three months. ;

and

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

(3) Notwithstanding any other Act, the minimum amount of any fine and the minimum period of imprisonment or disqualification prescribed in subsection (1) of this section shall not be reduced or mitigated except as follows:—

In the case of a first offence, the court may, if it is satisfied by evidence given on oath that the offence is trifling, order a period of disqualification that is less than six months but not less than one month.

Amendment of  
principal Act,  
s. 47—  
Driving under  
the influence of  
intoxicating  
liquor or drug.

20. Section 47 of the principal Act is amended—

(a) by striking out from subsection (1) the whole of the penalty provision at the foot thereof and inserting in lieu thereof the following provision:—

Penalty—

If the vehicle concerned was a motor vehicle—

(a) for a first offence—disqualification from holding or obtaining a driver’s licence for such period, being not less than six months, as the court thinks fit, and—

(i) a fine of not less than three hundred dollars and not more than six hundred dollars;

or

(ii) imprisonment for not more than three months;

(b) for a second offence—disqualification from holding or obtaining a driver's licence for such period, being not less than one year, as the court thinks fit, and imprisonment for not less than two months and not more than six months;

and

(c) for a subsequent offence—disqualification from holding or obtaining a driver's licence for such period, being not less than three years, as the court thinks fit, and imprisonment for not less than four months and not more than one year.

If the vehicle concerned was not a motor vehicle—Three hundred dollars. ;

and

(b) by striking out from subsection (4) the passage “less than three months but not less than fourteen days” and inserting in lieu thereof the passage “less than six months but not less than one month”.

**21. Section 47b of the principal Act is amended—**

(a) by striking out from subsection (1) the whole of the penalty provision at the foot thereof and inserting in lieu thereof the following provision:—

Penalty—

For a first offence—

(a) where the concentration of alcohol in the blood of the convicted person was less than .15 grams in 100 millilitres of blood—disqualification from holding or obtaining a driver's licence for such period, being not less than one month, as the court thinks fit, and a fine of not less than two hundred dollars and not more than five hundred dollars;

or

(b) where the concentration of alcohol in the blood of the convicted person was .15 grams or more in 100 millilitres of blood—disqualification from holding or obtaining a driver's licence for such period, being not less than six months, as the court thinks fit, and—

Amendment of principal Act, s. 47b—  
Driving while having prescribed concentration of alcohol in blood.

(i) a fine of not less than three hundred dollars and not more than six hundred dollars;

or

(ii) imprisonment for not more than three months.

For a second offence—

(a) where the concentration of alcohol in the blood of the convicted person was less than .15 grams in 100 millilitres of blood—disqualification from holding or obtaining a driver's licence for such period, being not less than six months, as the court thinks fit, and—

(i) a fine of not less than four hundred dollars and not more than six hundred dollars;

or

(ii) imprisonment for not more than three months;

or

(b) where the concentration of alcohol in the blood of the convicted person was .15 grams or more in 100 millilitres of blood—disqualification from holding or obtaining a driver's licence for such period, being not less than one year, as the court thinks fit, and imprisonment for not less than two months and not more than six months.

For a subsequent offence—

(a) where the concentration of alcohol in the blood of the convicted person was less than .15 grams in 100 millilitres of blood—disqualification from holding or obtaining a driver's licence for such period, being not less than eighteen months, as the court thinks fit, and imprisonment for not less than one month and not more than six months;

or

(b) where the concentration of alcohol in the blood of the convicted person was .15 grams or more in 100 millilitres of blood—disqualification from holding or obtaining a driver's licence for such period, being not less than three years, as the court thinks fit, and imprisonment for not less than four months and not more than one year. ;

and

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

(2a) Notwithstanding any other Act, a court shall not reduce or mitigate the minimum amount of any fine or the minimum period of imprisonment or disqualification prescribed in subsection (1) of this section except as follows:—

In the case of a first offence, the court may, if it is satisfied by evidence given on oath that the offence is trifling, order a period of disqualification that is less than the prescribed minimum period but not less than fourteen days.

22. Section 47e of the principal Act is amended—

(a) by striking out from subsection (3) the whole of the penalty provision at the foot thereof and inserting in lieu thereof the following provision:—

Amendment of  
principal Act,  
s. 47e—  
Police may  
require  
alcotest or  
breath  
analysis.

Penalty—

For a first offence—disqualification from holding or obtaining a driver's licence for such period, being not less than six months, as the court thinks fit, and—

(i) a fine of not less than three hundred dollars and not more than six hundred dollars;

or

(ii) imprisonment for not more than three months.

For a second offence—disqualification from holding or obtaining a driver's licence for such period, being not less than one year, as the court thinks fit, and imprisonment for not less than two months and not more than six months.

For a subsequent offence—disqualification from holding or obtaining a driver's licence for such period, being not less than three years, as the court thinks fit, and imprisonment for not less than four months and not more than one year. ;

and

(b) by inserting after subsection (3) the following subsection:—

(3a) Notwithstanding any other Act, a court shall not reduce or mitigate the minimum amount of any fine or the minimum period of imprisonment or disqualification prescribed in subsection (3) of this section except as follows:—

In the case of a first offence, the court may, if it is satisfied by evidence given on oath that the offence is trifling, order a period of disqualification that is less than six months but not less than one month.

Amendment of  
principal Act,  
s. 47i—  
Compulsory  
blood tests.

**23. Section 47i of the principal Act is amended—**

- (a) by striking out from subsection (14) the passage “and liable to a penalty not exceeding two hundred dollars” and inserting at the foot of that subsection the following provision:—

**Penalty—**

Where the convicted person was the driver of a motor vehicle involved in the accident—

- (a) for a first offence—disqualification from holding or obtaining a driver’s licence for such period, being not less than six months, as the court thinks fit, and—

(i) a fine of not less than three hundred dollars and not more than six hundred dollars;

or

(ii) imprisonment for not more than three months;

- (b) for a second offence—disqualification from holding or obtaining a driver’s licence for such period, being not less than one year, as the court thinks fit, and imprisonment for not less than two months and not more than six months;

and

- (c) for a subsequent offence—disqualification from holding or obtaining a driver’s licence for such period, being not less than three years, as the court thinks fit, and imprisonment for not less than four months and not more than one year.

In any other case—Three hundred dollars. ;

- (b) by inserting after subsection (14) the following subsection:—

(14a) Notwithstanding any other Act, the court shall not reduce or mitigate the minimum amount of any fine or the minimum period of imprisonment or disqualification prescribed in subsection (14) of this section except as follows:—

In the case of a first offence, the court may, if it is satisfied by evidence given on oath that the offence is trifling, order a period of disqualification that is less than six months but not less than one month. ;

and

- (c) by striking out from subsection (15) the passage “and liable to a penalty not exceeding one hundred dollars”.



24. The following section is enacted and inserted in the principal Act after section 47i thereof:—

Enactment of  
s. 47j of  
principal Act—

47j. (1) Where—

Recurrent  
offenders.

(a) a person is convicted of a prescribed offence that was committed within the prescribed area;

and

(b) he has previously been convicted of a prescribed offence committed within three years before the date of the later offence,

the court, before which he is convicted of the later offence, shall before imposing any penalty order him to attend an assessment clinic at a time, or over a period, specified by the court for the purpose of submitting to an examination to determine whether he suffers from alcoholism or addiction to other drugs (or both).

(2) The superintendent of the assessment clinic shall, as soon as practicable after an examination of a convicted person has been completed under this section, furnish a report upon the examination to the court by which the examination was ordered, and shall send a copy of the report to the convicted person.

(3) Before the court imposes any sentence on the convicted person it shall allow him a reasonable opportunity to call or give evidence as to any matter contained in the report.

(4) Where—

(a) the court is satisfied upon the report of the superintendent of an assessment clinic that a convicted person suffers from alcoholism or addiction to other drugs;

or

(b) the convicted person fails to comply with an order under subsection (1) of this section (or to submit to the examination to which the order relates),

the court shall, notwithstanding any other provision of this Act, order that the convicted person be disqualified from holding or obtaining a driver's licence until further order.

(5) A person who is disqualified from holding or obtaining a driver's licence under this section may apply to a court of summary jurisdiction for the revocation of the disqualification.

(6) An application may not be made under subsection (5) of this section before the expiration of the minimum period of disqualification to which the applicant would have been liable if he had been dealt with otherwise than under this section.

(7) Before an application under subsection (5) of this section is heard by the court, the applicant must attend an assessment clinic and submit to such examination as may be directed by the superintendent of the clinic.

(8) The superintendent of an assessment clinic shall furnish a report upon an examination conducted under subsection (7) of this section to the court, and shall send a copy of the report to the applicant.

(9) Where the court is satisfied upon an application under subsection (5) of this section—

(a) that the applicant no longer suffers from alcoholism or addiction to other drugs;

or

(b) that there is other proper cause for revocation of the disqualification,

it may order that the disqualification be revoked.

(10) Upon revoking a disqualification under subsection (9) of this section, the court may order that a drivers' licence issued to the applicant be subject to such conditions as the court thinks desirable to protect the safety of the public.

(11) In any proceedings to which this section relates, an apparently genuine document purporting to be a report of the superintendent of an assessment clinic shall be admissible in evidence without further proof.

(12) In this section—

“assessment clinic” means an institution—

(a) established under the Alcohol and Drug Addicts (Treatment) Act, 1961-1976;

and

(b) declared by regulation to be an assessment clinic for the purposes of this section:

“prescribed area” means any part or parts of the State declared by regulation to constitute the prescribed area for the purposes of this section:

“prescribed offence” means an offence under section 47, section 47b, section 47e or section 47i of this Act.

26. Section 49 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 49—  
Special speed limits.
27. Section 50 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 50—  
Speed limit in zones.
28. Section 52 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 52—  
Speed on bridges.
29. Section 53 of the principal Act is amended—
- (a) by striking out from subsection (1) the word "weight" wherever it occurs and inserting in lieu thereof in each case the word "mass";
- (b) by striking out from subsection (1) the passage "Penalty: Not less than twenty and not more than one hundred and fifty dollars.";
- and
- (c) by striking out from subsection (2) the passage "Penalty: Not less than twenty and not more than one hundred and fifty dollars." Amendment of principal Act, s. 53—  
Speed limits for certain vehicles.
30. Section 54 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 54—  
Duty to keep to the left.
31. Section 55 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 55—  
Passing oncoming vehicle.
32. Section 56 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 56—  
Driving in lanes.
33. Section 57 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 57—  
Duty to drive on left of barrier lines.
34. Section 58 of the principal Act is amended by striking out subsection (5). Amendment of principal Act, s. 58—  
Passing vehicles.
35. Section 59 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: Fifty dollars." Amendment of principal Act, s. 59—  
Passing tramcars.
36. Section 60 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 60—  
Duty of driver being overtaken.

Amendment of  
principal Act,  
s. 61—  
Driving on  
footpaths.

**37. Section 61 of the principal Act is amended—**

(a) by striking out from subsection (1) the passage “Penalty: Fifty dollars.”;

and

(b) by striking out from subsection (3) the passage “Penalty: Fifty dollars.”.

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

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

(a) by striking out from subsection (1) the passage “Penalty: One hundred dollars.”;

(b) by striking out from subsection (1b) the passage “Penalty: One hundred dollars.”;

and

(c) by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) The driver of a vehicle approaching an intersection or junction shall give way to any tramcar that is approaching, or is in, the intersection or junction.

Amendment of  
principal Act,  
s. 65—  
Giving way at  
cross-overs.

**39. Section 65 of the principal Act is amended by striking out the passage “Penalty: One hundred dollars.”.**

Amendment of  
principal Act,  
s. 66—  
Giving way  
when entering  
road from  
private land.

**40. Section 66 of the principal Act is amended by striking out from subsection (1) the passage “Penalty: One hundred dollars.”.**

Amendment of  
principal Act,  
s. 67—  
Giving way at  
pedestrian  
crossings.

**41. Section 67 of the principal Act is amended by striking out subsection (4).**

Amendment of  
principal Act,  
s. 68—  
Turning vehicles  
to give way to  
pedestrians.

**42. Section 68 of the principal Act is amended by striking out the passage “Penalty: One hundred dollars.”.**

Amendment of  
principal Act,  
s. 69—  
Driving from  
edge of  
carriageway.

**43. Section 69 of the principal Act is amended by striking out the passage “Penalty: One hundred dollars.”.**

Amendment of  
principal Act,  
s. 70—  
Course to be  
followed by  
vehicles  
turning right.

**44. Section 70 of the principal Act is amended by striking out from subsection (1) the passage “Penalty: One hundred dollars.”.**

Amendment of  
principal Act,  
s. 71a—  
Prohibition of  
U-turns at  
traffic lights.

**45. Section 71a of the principal Act is amended by striking out the passage “Penalty: Fifty dollars.”.**

46. Section 72 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars."
- Amendment of principal Act, s. 72—  
Right turns at places other than an intersection or junction.
47. Section 73 of the principal Act is amended by striking out the passage "Penalty: Fifty dollars."
- Amendment of principal Act, s. 73—  
Duty to avoid trams when turning.
48. Section 74 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars."
- Amendment of principal Act, s. 74—  
Duty to give signals.
49. Section 74a of the principal Act is amended by striking out the passage "Penalty: Ten dollars."
- Amendment of principal Act, s. 74a—  
Signalling device to be switched off after turn completed.
50. Section 75 of the principal Act is amended—
- (a) by striking out from subsection (1) the passage "Penalty: One hundred dollars.";
- and
- (b) by striking out from subsection (1a) the passage "Penalty: One hundred dollars."
- Amendment of principal Act, s. 75—  
Duties at traffic lights.
51. Section 76 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars."
- Amendment of principal Act, s. 76—  
Signs prohibiting turns.
52. Section 77 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars."
- Amendment of principal Act, s. 77—  
Keep left and keep right signs.
53. Section 78 of the principal Act is amended—
- (a) by striking out from subsection (3a) the passage "Penalty: One hundred dollars.";
- and
- (b) by striking out subsection (5).
- Amendment of principal Act, s. 78—  
Duty at stop signs.
54. Section 78a of the principal Act is amended by striking out the passage "Penalty: One hundred dollars."
- Amendment of principal Act, s. 78a—  
Duty to comply with other traffic signs.
55. Section 80 of the principal Act is amended—
- (a) by inserting in paragraph (a) after the passage "is approaching" the passage ", or is on,";
- (b) by striking out from paragraph (b) the passage "the South Australian Railways Commissioner or the Municipal Tramways Trust" and inserting in lieu thereof the passage "the State Transport Authority";
- and
- (c) by striking out the passage "Penalty: One hundred dollars."
- Amendment of principal Act, s. 80—  
Restrictions on entering level crossings.

Amendment of principal Act, s. 81—  
Certain vehicles to stop at railway crossings.

56. Section 81 of the principal Act is amended by striking out from subsection (1) the passage “Penalty: One hundred dollars.”.

Amendment of principal Act, s. 82—  
Unauthorized standing of vehicles.

57. Section 82 of the principal Act is amended by striking out from subsection (1) the passage “Penalty: One hundred dollars.”.

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

58. Section 83 of the principal Act is amended by striking out subsection (4).

Amendment of principal Act, s. 83a—  
Restriction upon sale of goods on roads.

59. Section 83a of the principal Act is amended—

(a) by striking out from subsection (1) the passage “Penalty: One hundred dollars.”;

and

(b) by striking out from subsection (2) the passage “Penalty: One hundred dollars.”.

Amendment of principal Act, s. 84—  
Vehicles standing on bridges and culverts.

60. Section 84 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “Penalty: One hundred dollars.”;

(b) by striking out from paragraph (d) of subsection (2) the passage “the Municipal Tramways Trust” and inserting in lieu thereof the passage “the State Transport Authority”;

and

(c) by striking out from paragraph (d) of subsection (2) the passage “that Trust” and inserting in lieu thereof the passage “that Authority”.

Amendment of principal Act, s. 85—  
Control of parking near Parliament House.

61. Section 85 of the principal Act is amended by striking out from subsection (2) the passage “Penalty: Fifty dollars.”.

Amendment of principal Act, s. 87—  
Walking without care or consideration.

62. Section 87 of the principal Act is amended by striking out the passage “Penalty: Fifty dollars.”.

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

63. Section 88 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “Penalty: Fifty dollars.”;

and

(b) by striking out from subsection (3) the passage “Penalty: Fifty dollars.”.

Amendment of principal Act, s. 89—  
Duty of pedestrians at level crossings.

64. Section 89 of the principal Act is amended—

(a) by inserting in paragraph (a) of subsection (2) after the passage “is approaching” the passage “, or is on,”;

(b) by striking out from paragraph (b) of subsection (2) the passage “the South Australian Railways Commissioner or the Municipal Tramways Trust” and inserting in lieu thereof the passage “the State Transport Authority”;

and

(c) by striking out subsection (3).

65. Section 90 of the principal Act is amended by striking out the passage “Penalty: Fifty dollars.”.

Amendment of principal Act, s. 90—  
Duty of pedestrians on pedestrian crossings.

66. Section 91 of the principal Act is amended—

Amendment of principal Act, s. 91—  
Duty to comply with directions of authorized persons.

(a) by striking out from subsection (2) the passage “laden weight” and inserting in lieu thereof the passage “gross vehicle mass or the gross combination mass”;

(b) by striking out from subsection (2) the passage “that weight” and inserting in lieu thereof the passage “those masses”;

(c) by striking out from subsection (3) the passage “and liable to a penalty not exceeding two hundred dollars”;

and

(d) by striking out from subsection (4) the definition of “laden weight”.

67. Section 92 of the principal Act is amended by striking out the passage “Penalty: One hundred dollars.”.

Amendment of principal Act, s. 92—  
Stopping at approach to ferry.

68. Section 93 of the principal Act is amended by striking out the passage “Penalty: Fifty dollars.”.

Amendment of principal Act, s. 93—  
Prohibition of opening vehicle doors.

69. Section 94 of the principal Act is amended by striking out the passage “Penalty: Fifty dollars.”.

Amendment of principal Act, s. 94—  
Driving with person on roof or bonnet.

70. Section 94a of the principal Act is amended by striking out from subsection (1) the passage “Penalty: Fifty dollars.”.

Amendment of principal Act, s. 94a—  
Portion of body protruding from vehicle.

71. Section 95 of the principal Act is amended by striking out the passage “Penalty: Twenty dollars.”.

Amendment of principal Act, s. 95—  
Riding without driver's consent.

72. Section 96 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “Penalty: Twenty dollars.”;

Amendment of principal Act, s. 96—  
Cyclists drawn by other vehicles.

and

(b) by striking out from subsection (2) the passage "Penalty: Twenty dollars."

Amendment of  
principal Act,  
s. 97—  
Driving abreast.

73. Section 97 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: Fifty dollars."

Amendment of  
principal Act,  
s. 98—  
Carriage of  
persons on  
bicycles.

74. Section 98 of the principal Act is amended by striking out the passage "Penalty: Twenty dollars."

Amendment of  
principal Act,  
s. 99—  
Pacing by  
cyclists.

75. Section 99 of the principal Act is amended by striking out the passage "Penalty: Twenty dollars."

Amendment of  
principal Act,  
s. 100—  
Warning  
devices.

76. Section 100 of the principal Act is amended by striking out subsection (3).

Amendment of  
principal Act,  
s. 101—  
Driving while  
vehicle emits  
undue noise,  
smoke, etc.

77. Section 101 of the principal Act is amended by striking out the passage "Penalty: Fifty dollars."

Amendment of  
principal Act,  
s. 102—  
Driving  
position.

78. Section 102 of the principal Act is amended by striking out subsection (3).

Amendment of  
principal Act,  
s. 103—  
Boarding and  
leaving vehicles  
in motion.

79. Section 103 of the principal Act is amended by striking out the passage "Penalty: Fifty dollars."

Amendment of  
principal Act,  
s. 104—  
Riding animals  
abreast.

80. Section 104 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: Fifty dollars."

Amendment of  
principal Act,  
s. 105—  
Leading  
animals.

81. Section 105 of the principal Act is amended by striking out the passage "Penalty: Fifty dollars."

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

82. Section 106 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "Penalty: One hundred dollars.";

(b) by striking out from subsection (2) the passage "the Railways Commissioner" and inserting in lieu thereof the passage "the State Transport Authority";

and

(c) by striking out from subsection (2) the passage "Penalty: One hundred dollars."



83. Section 107 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 107—  
Damage to road surface.
84. Section 108 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 108—  
Depositing material on roads.
85. Section 109 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 109—  
Tyres.
86. Section 110 of the principal Act is amended by striking out the passage "Penalty: Fifty dollars." Amendment of principal Act, s. 110—  
Driving on sealed surface.
87. The heading preceding section 111 of the principal Act is amended by striking out the word "WEIGHT" and inserting in lieu thereof the word "MASS". Amendment of heading to Part IV of principal Act.
88. Section 111 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 111—  
Duty to comply with requirement as to lamps and reflectors.
89. Section 119 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 119—  
Lamps to be alight at night.
90. Section 122 of the principal Act is amended by striking out the passage "Penalty: Fifty dollars." Amendment of principal Act, s. 122—  
Duty to dip headlamps.
91. Section 126 of the principal Act is amended by striking out from subsection (1) the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 126—  
Duty to comply with brake requirements.
92. Section 132 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 132—  
Duty to comply with warning device, etc., requirements.
93. Section 138a of the principal Act is amended by striking out from subsection (1) the passage "which is registered for the first time after the first day of January, 1966," Amendment of principal Act, s. 138a—  
Prohibition of left-hand drive vehicles.
94. Section 139 of the principal Act is amended by striking out the passage "Penalty: One hundred dollars." Amendment of principal Act, s. 139—  
Duty to comply with dimension requirements.
95. Section 141 of the principal Act is amended by striking out subsection (5) and inserting in lieu thereof the following subsection:— Amendment of principal Act, s. 141—  
Width of vehicles.
- (5) In this section "agricultural machine" means an implement or machine for ploughing, cultivating, clearing or rolling land, sowing seed, spreading fertiliser, harvesting crops, spraying, chaffcutting, or other similar operations, and includes a trailer bin constructed for attachment to a harvester for the purpose of collecting grain in bulk, a field bin constructed for the purpose of receiving or storing grain in or close to the field in which it is harvested, a grain elevator and a bale elevator.

Repeal of heading immediately before s. 144 of principal Act and enactment of heading in its place.

96. The heading "*Axle Weights*" preceding section 144 of the principal Act is repealed and the heading "*Masses Carried on Axles*" is enacted and inserted in its place.

Repeal of ss. 144 and 145 of principal Act.

97. Sections 144 and 145 of the principal Act are repealed.

Amendment of principal Act, s. 146—  
Determination by Registrar of maximum mass limits.

98. Section 146 of the principal Act is amended—

- (a) by striking out from subsection (1) the word "weight" wherever it occurs and inserting in lieu thereof in each case the word "mass"; and
- (b) by striking out from subsection (2) the word "weight" wherever it occurs and inserting in lieu thereof in each case the word "mass".

Amendment of principal Act, s. 147—  
Maximum masses.

99. Section 147 of the principal Act is amended—

- (a) by striking out from subsection (1) the word "weight" and inserting in lieu thereof the passage "mass carried";
- (b) by striking out from subsection (1) the word "weights";
- (c) by striking out from subsection (2) the passage "the weight shall be distributed so that";
- (d) by striking out from paragraphs (a) and (b) of subsection (2) the word "weight" wherever it occurs and inserting in lieu thereof in each case the passage "mass carried";
- (e) by striking out from subsection (2a) the word "weight" first occurring and inserting in lieu thereof the passage "mass carried";
- (f) by striking out from subsection (2a) the word "weight" second occurring and inserting in lieu thereof the word "mass";
- (g) by striking out subsection (3) and inserting in lieu thereof the following subsection:—
  - (3) Neither the gross vehicle mass nor the gross combination mass of a motor vehicle (excluding the mass carried on the foremost axle of that vehicle) shall exceed 32·8 tonnes.;
- (h) by striking out from subsection (4) the passage "On or after the first day of July, 1975, the aggregate weight on all axles of a vehicle" and inserting in lieu thereof the passage "The gross vehicle mass of a motor vehicle";
- (i) by striking out from paragraphs (a) and (b) of subsection (4) the word "weight" wherever it occurs and inserting in lieu thereof in each case the word "mass";
- (j) by striking out from subsection (5) the passage "On or after the first day of July, 1975, the aggregate weight on all axles of a motor vehicle and on the axles of any vehicle or vehicles drawn by that motor vehicle" and inserting in lieu thereof the passage "The gross combination mass of a motor vehicle";
- (k) by striking out from paragraphs (a) and (b) of subsection (5) the word "weight" wherever it occurs and inserting in lieu thereof in each case the word "mass";

(l) by inserting after subsection (5) the following subsection:—

(5a) Where a vehicle that does not comply with a requirement of this section is driven on a road, the owner and the driver of the vehicle shall each be guilty of an offence and liable to a penalty of—

(a) not less than one dollar seventy-five cents and not more than ten dollars for every 50 kilograms of the first tonne of the mass carried in excess of the permitted maximum;

and

(b) not less than ten dollars and not more than twenty dollars for every 50 kilograms thereafter;

and

(m) by inserting after subsection (7) the following subsection:—

(8) The Board may, by instrument in writing, delegate (or revoke a delegation of) its powers to grant an exemption under this section, but any such delegation shall not derogate from the powers of the Board to act under this section itself.

100. Section 150 of the principal Act is amended by striking out the passage “section 145, section 146,”.

Amendment of principal Act, s. 150—  
Exemption of vehicles with articulated track.

101. Section 151 of the principal Act is repealed.

Repeal of s. 151 of principal Act.

102. Section 152 of the principal Act is amended—

Amendment of principal Act, s. 152—  
Duty of driver as to vehicles and loads.

(a) by striking out from paragraph (a) of subsection (1) the passage “weighing instrument” and inserting in lieu thereof the passage “other instrument for determining mass”;

(b) by striking out from paragraph (b) of subsection (1) the word “weight” wherever it occurs and inserting in lieu thereof in each case the word “mass”;

(c) by striking out from paragraph (b) of subsection (1) the word “weights” and inserting in lieu thereof the word “masses”;

(d) by striking out from paragraph (b) of subsection (1) the word “weighing” and inserting in lieu thereof the word “other”;

(e) by striking out from paragraph (c) of subsection (1) the passage “weighing to be carried out” and inserting in lieu thereof the passage “mass to be determined”;

and

(f) by striking out from subsection (2) the passage “Two hundred dollars” and inserting in lieu thereof the passage “Six hundred dollars”.

103. Section 153 of the principal Act is amended—

Amendment of principal Act, s. 153—  
Determining mass.

(a) by striking out from paragraph (a) of subsection (1) the passage “weighing instrument” and inserting in lieu thereof the passage “instrument for determining mass”;

- (b) by striking out from paragraph (b) of subsection (1) the passage “vehicle to be weighed unladen by means of the weighbridge or weighing instrument specified in the notice” and inserting in lieu thereof the passage “unladen mass of the vehicle to be thereby determined”;
- (c) by striking out from paragraph (c) of subsection (1) the passage “weighing the vehicle and stating the unladen weight thereof” and inserting in lieu thereof the passage “who determined the unladen mass of the vehicle, and stating that unladen mass”;
- and
- (d) by striking out from subsection (2) the passage “Penalty: One hundred dollars.”.

Amendment of  
principal Act,  
s. 154—  
Measurement  
of loads.

**104.** Section 154 of the principal Act is amended by striking out from subsection (2) the passage “Penalty: One hundred dollars.”.

Repeal of  
s. 155 of  
principal  
Act.

**105.** Section 155 of the principal Act is repealed.

Amendment of  
principal Act,  
s. 156—  
Unloading of  
excess mass.

**106.** Section 156 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the word “weight” firstly occurring and inserting in lieu thereof the passage “mass carried”;
- (b) by striking out from paragraph (a) of subsection (1) the passage “weight permitted by this Act or the regulations” and inserting in lieu thereof the passage “mass permitted by this Act”;
- (c) by striking out from paragraph (b) of subsection (1) the word “weight” firstly occurring and inserting in lieu thereof the passage “mass carried”;
- (d) by striking out from paragraph (b) of subsection (1) the passage “weight permitted by this Act or the regulations” and inserting in lieu thereof the passage “mass permitted by this Act”;
- and
- (e) by striking out from subsection (2) the passage “Penalty: One hundred dollars.”.

Amendment of  
principal Act,  
s. 157—  
Requirements  
as to towing.

**107.** Section 157 of the principal Act is amended by striking out from subsection (1) the passage “Penalty: One hundred dollars.”.

Amendment of  
principal Act,  
s. 158—  
Number of  
trailers or  
towed vehicles.

**108.** Section 158 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the word “weight” and inserting in lieu thereof the word “mass”;
- (b) by striking out from subsection (2) the word “weight” and inserting in lieu thereof the word “mass”;
- and
- (c) by striking out from subsection (2) the passage “Penalty: One hundred dollars.”.

- 109.** Section 160 of the principal Act is amended—
- (a) by striking out from subsection (3) the passage “Penalty: One hundred dollars.”;
- and
- (b) by striking out from subsection (6) the passage “Penalty: One hundred dollars.”.
- Amendment of principal Act, s. 160—  
Defect notices.
- 110.** Section 161a of the principal Act is amended by striking out from subsection (1) the passage “Penalty: One hundred dollars.”.
- Amendment of principal Act, s. 161a—  
Air-cushioned vehicles.
- 111.** Section 162 of the principal Act is amended by striking out the passage “Penalty: One hundred dollars.”.
- Amendment of principal Act, s. 162—  
Securing of loads.
- 112.** Section 162a of the principal Act is amended by striking out from subsection (2) the passage “Penalty: Fifty dollars.”.
- Amendment of principal Act, s. 162a—  
Seat belts.
- 113.** Section 162ab of the principal Act is amended—
- (a) by striking out from subsection (1) the passage “After a day to be fixed by proclamation for the purposes of this section, a” and inserting in lieu thereof the word “A”;
- and
- (b) by striking out from subsection (1) the passage “Penalty: Twenty dollars.”.
- Amendment of principal Act, s. 162ab—  
Wearing of seat belts is compulsory.
- 114.** Section 162b of the principal Act is amended—
- (a) by striking out the word “weight” and inserting in lieu thereof the word “mass”;
- and
- (b) by striking out the passage “Penalty: Forty dollars.”.
- Amendment of principal Act, s. 162b—  
Prohibition of sale of re-grooved tyres.
- 115.** Section 162c of the principal Act is amended by striking out from subsection (1) the passage “Penalty: Twenty dollars.”.
- Amendment of principal Act, s. 162c—  
Safety helmets.
- 116.** Section 163 of the principal Act is amended—
- (a) by striking out subsections (1), (1a) and (1b) and inserting in lieu thereof the following subsections:—
- (1) A vehicle to which this section applies must have the following information marked on the vehicle in accordance with the regulations:—
- Amendment of principal Act, s. 163—  
Duty to mark information on certain vehicles.

- (a) the name and address of the owner of the vehicle;
  - (b) the unladen mass of the vehicle;
  - (c) the gross vehicle mass limit and the gross combination mass limit of the vehicle (if any);
- and
- (d) any other prescribed information.

(1a) This section applies to the following vehicles:—

- (a) a commercial motor vehicle the unladen mass of which exceeds the prescribed maximum;
  - (b) a trailer of a prescribed class;
- and
- (c) a vehicle of any other prescribed class.;

and

(b) by striking out from subsection (3) the passage “Penalty: One hundred dollars.”.

Amendment of principal Act, s. 163b—  
Inspectors, etc.

117. Section 163b of the principal Act is amended—

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

(1) The Minister may appoint such persons as inspectors under this Part as may be necessary or expedient for the performance of the functions of the Authority under this Act.;

and

(b) by striking out from subsection (2) the word “other”.

Amendment of principal Act, s. 163c—  
Prohibition against driving a vehicle not subject to a certificate of inspection.

118. Section 163c of the principal Act is amended by striking out from subsection (2) the passage “and liable to a penalty not exceeding one hundred dollars”.

Amendment of principal Act, s. 163d—  
Inspection of vehicles and issue of certificates of inspection.

119. Section 163d of the principal Act is amended—

(a) by striking out from subsection (3) the passage “may decline” and inserting in lieu thereof the passage “shall decline”;

and

(b) by striking out from subsection (6) the passage “Penalty: One hundred dollars.”.

Amendment of principal Act, s. 163h—  
Prohibition against hindering an inspector.

120. Section 163h of the principal Act is amended by striking out the passage “Penalty: One hundred dollars.”.

**121.** The following sections are enacted and inserted in the principal Act immediately after section 163i thereof:—

Enactment of ss. 163j and 163k of principal Act—

163j. (1) The Authority may recognize a certificate of inspection issued in respect of a vehicle pursuant to the law of another State or Territory of Australia, where the Authority is satisfied that the issuing body observes standards of vehicle safety comparable to those observed by the Authority.

Recognition of interstate certificates of inspection.

(2) A certificate of inspection recognized by the Authority under this section shall, for the purposes of this Part, be deemed to be a certificate of inspection issued by the Authority.

163k. No person who does any act in pursuance or purported pursuance of this Part, or omits to exercise any power conferred upon him under this Part, shall be under any civil or criminal liability in respect of that act or omission if he acted, or omitted to act, in good faith and with reasonable care.

Limitation of liability.

**122.** The following section is enacted and inserted in the principal Act immediately after section 164 thereof:—

Enactment of s. 164a of principal Act—

164a. (1) A person who contravenes or fails to comply with—

Offences and penalties.

(a) a provision of this Act;

or

(b) a condition or restriction specified in a permit or exemption granted under this Act,

is guilty of an offence.

(2) A person who is guilty of an offence against this Act for which no penalty is specifically provided shall be liable to a penalty not exceeding three hundred dollars.

**123.** Section 166 of the principal Act is amended by inserting after the passage “requirement of this Act as to” the passage “maximum masses,”.

Amendment of principal Act, s. 166—  
Offences by employees.

**124.** Section 168 of the principal Act is amended by striking out subsection (2).

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

**125.** Section 169 of the principal Act is amended—

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

(a) by striking out from subsection (1) the item “Section 46 (reckless and dangerous driving):”;

(b) by striking out the item “Paragraph (a) of subsection (1) of section 49 (speed limit in a municipality, town or township)” and inserting in lieu thereof the item “Section 49 (special speed limits)”;

(c) by striking out the item “Section 63 (giving way at intersections and junctions)” and inserting in lieu thereof the following items:—

Section 52 (speed limits on bridges):

Section 53 (speed limits for certain vehicles).;

(d) by striking out from subsection (2) the passage “against a provision of this Act to which this section applies is convicted of another offence against the same provision” and inserting in lieu thereof the passage “to which this section applies is convicted of another offence to which this section applies”;

and

(e) by striking out subsection (2a).

Enactment of section 169a of principal Act—

Power to postpone commencement of disqualification.

**126.** The following section is enacted and inserted in the principal Act immediately after section 169 thereof:—

169a. Where, pursuant to this Act or any other Act, a court orders that a convicted person be disqualified from holding or obtaining a driver's licence, the court may, if it is 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.

Repeal of s. 171 of principal Act.

**127.** Section 171 of the principal Act is repealed.

Amendment of principal Act, s. 175—  
Evidence.

**128.** Section 175 of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (3) the passage “weighing instrument and stating the weight” and inserting in lieu thereof the passage “other instrument for determining mass and stating the mass carried”;

(b) by striking out from paragraph (ab) of subsection (3) the passage “weighing instrument” and inserting in lieu thereof the passage “other instrument for determining mass”;

(c) by striking out from paragraph (ab) of subsection (3) the word “weighing” secondly occurring;

(d) by striking out from paragraph (ac) of subsection (3) the passage “weighing instrument” and inserting in lieu thereof the passage “other instrument for determining mass”;

(e) by striking out from paragraph (ac) of subsection (3) the word “weight” and inserting in lieu thereof the word “mass”;

(f) by inserting in paragraph (b) of subsection (3) after the passage “fourteen days following” the passage “and the fourteen days preceding”;

and

(g) by striking out from paragraph (bb) of subsection (3) the passage “Warden of Standards” and inserting in lieu thereof the passage “Warden of Trade Measurements”.

Amendment of principal Act, s. 176—  
Regulations.

**129.** Section 176 of the principal Act is amended—

(a) by striking out from paragraph (h) of subsection (1) the word “weight” wherever it occurs and inserting in lieu thereof in each case the word “mass”;



- (b) by striking out from paragraph (h) of subsection (1) the passage “by weighing, measurement, calculation or otherwise”;
- (c) by striking out paragraph (i) of subsection (1);
- (d) by striking out from paragraph (o) of subsection (1) the passage “fifty dollars” and inserting in lieu thereof the passage “one hundred dollars”;
- and
- (e) by striking out subsection (2).

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

D. NICHOLLS, Governor