

TRAFFIC.

10° Elizabeth II., No. LXV.

No. 65 of 1961.

AN ACT to amend the Traffic Act, 1919-1960.

[Assented to 28th November, 1961.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Traffic Act Amendment Act, 1961.* Short title and citation.

(2) In this Act the Traffic Act, 1919-1960, is referred to as the principal Act. Vol. 12 of the Reprinted Acts, as approved for reprint 23/4/58 and amended by Acts Nos. 57 and 59 of 1958, 7, 12, 18, 52 and 67 of 1959 and 42 of 1960.

(3) The principal Act as amended by this Act may be cited as the Traffic Act, 1919-1961.

S. 4
amended.

2. Section four of the principal Act is amended—

- (a) by substituting for the word, “plying”, in line one of the interpretation, “taxi-car”, the words, “licensed to ply”; and
- (b) by substituting for the word, “plies”, in line two of the interpretation, “private taxi-car”, the words, “is licensed to ply”.

S. 8
amended.

3. Section eight of the principal Act is amended by substituting for the words, “six hundred”, in line six of paragraph (d) of the second proviso, the words, “seven hundred”.

S. 14
amended.

4. Section fourteen of the principal Act is amended by repealing subparagraphs (i) and (ii) of paragraph (e) of subsection (2c) and re-enacting them as follows—

- (i) in such manner and proportions as the Governor, on the recommendation of the Commissioner of Main Roads, from time to time determines, in and for the purpose of defraying the cost of and incidental to the provision, construction, reconstruction, improvement, maintenance and supervision by the Commissioner of Main Roads of any road or bridge, other than such as is referred to in paragraphs (a), (b) and (d) of this subsection, that is within the Metropolitan Area so constituted and defined under this Act and the regulations;
- (ii) on the construction, erection and maintenance of lights for the lighting of any road or bridge referred to in subparagraph (i) of this paragraph and in paragraphs (a) and (b) of this subsection; or .

S. 16
amended.

5. Section sixteen of the principal Act is amended by adding, after paragraph (b) of subsection (1a), the following paragraph—

- (c) The court convicting a person of an offence under this subsection shall, whether imposing any penalty or not, order that person

to pay the prescribed transfer fee; and that order may be enforced as though the amount of the fee were a penalty imposed under this subsection.

6. Section forty-seven of the principal Act is ^{S. 47} amended—

(a) by repealing subparagraph (y) of paragraph (i) of subsection (1) and re-enacting it as follows—

(y) provide for the placing, erection or installation, on roads or footpaths, of traffic signs, lights together with such equipment as is necessary for the efficient working thereof and directions for the control of traffic (whether vehicular or pedestrian including the driving of animals) and prohibiting or restricting the parking or standing of vehicles or vehicles of a specified class or classes, at all or at specified times, for the marking on roads or footpaths of signs for any of the foregoing purposes and for the regulation or prohibition of traffic, parking or standing, in relation to the signs, lights and directions; and authorise the Commissioner of Main Roads or other person to exercise any of the powers conferred by this subparagraph and to remove any existing signs, lights or directions, however or by whomever placed, erected, installed or marked;

(b) by inserting immediately after the word, "empower", being the first word in subparagraph (b) of paragraph (viii) of subsection (1), the passage, "the Commissioner of Main Roads,"; and

- (c) by adding, after subsection (2), the following subsection—

(2a) Any traffic sign, light, direction or marking placed, erected, installed or made, on any road or footpath, by the Commissioner or the Commissioner of Main Roads or pursuant to any regulation, before the commencement of the Traffic Act Amendment Act, 1961, shall be deemed to have been lawfully placed, erected, installed or made and to have been placed, erected, installed or made by the Commissioner of Main Roads, in the exercise of powers conferred by regulations made pursuant to subparagraph (y) of paragraph (i) of subsection (1) of this section.
