

## STATE TRANSPORT CO-ORDINATION (No. 3).

6° Elizabeth II., No. LXI.

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No. 61 of 1957.

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### AN ACT to amend the State Transport Co-ordination Act, 1933-1956.

[Assented to 6th December, 1957.]

**B**E 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:—

Short title  
and citation.

1. (1) This Act may be cited as the *State Transport Co-ordination Act Amendment Act (No. 3), 1957.*

Reprinted in  
Vol. 10 of the  
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Approved for  
reprint,  
8th May,  
1956.

(2) In this Act the State Transport Co-ordination Act, 1933-1956,

1957.] *State Transport Co-ordination* [No. 61.  
(No. 3).

Act No. 42 of 1933 as reprinted with amendments to and including Act No. 68 of 1954 incorporated pursuant to the Amendments Incorporation Act, 1938, and as further amended by Act No. 60 of 1956,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the State Transport Co-ordination Act, 1933-1957.

2. Section thirty-one of the principal Act is amended by substituting for subsection (2) the following subsection:—

S. 31  
amended.  
Subs. (2)  
was added  
by No. 60 of  
1956, s. 3 (b).

(2) In this section, "local authority" means in respect of that part of the State which is at any material time defined as the metropolitan area under the Traffic Act, 1919—the Commissioner of Main Roads; and means in respect of any municipal district or road district not in that area—the council or board of the district.

3. Section fifty-two of the principal Act is repealed and re-enacted amended as follows:—

S. 52  
repeated and  
re-enacted  
with  
amendments.

52. (1) The driver and the owner of any public vehicle which operates on any road and

(a) is not licensed as such under this Act;  
or

(b) being licensed as such, is carrying goods not authorised, or otherwise than authorised, by the license;

shall, subject to subsection (2) of this section, be severally guilty of an offence against this Act, and shall be liable for a first offence to a penalty of not more than forty pounds, and for a second offence, to a penalty of not more than one hundred pounds, and for any subsequent offence, to a penalty of not more than two hundred pounds.

(2) In any prosecution against the driver under this section it shall be a good defence if the driver satisfies the court that he believed, on reasonable grounds, that the public vehicle was operating in accordance with a license granted under this Act.

S. 60  
amended.

4. Section sixty of the principal Act is amended by adding after the word, "vehicle", being the last word in paragraph (c) of subsection (2), the words, "or for or towards the provision of shelters or other amenities on or adjacent to any omnibus route".

Second  
Schedule  
amended.

5. The Second Schedule to the principal Act is amended—

- (a) by substituting for the words, "Dendy Marshall" in line six of clause one, the passage, "R.A.C."; and
- (b) by substituting for clause three, the following clause:—

3. The horse-power (H.P.) of a commercial goods vehicle, which is a motor vehicle, is ascertained according to the R.A.C. formula by multiplying the square of the diameter of the cylinders (expressed in inches) by the number of cylinders and dividing the result by 2.5.

The formula is as follows:—

d = diameter of cylinder in inches.

n = number of cylinders.

$$\text{H.P.} = \frac{d^2 \times n}{2.5} ; \text{ or}$$

$$\text{H.P.} = \frac{d^2 \times n}{1613}$$

when d is taken in millimeters.