

TRAFFIC (No. 2).

3° Elizabeth II., No. XLVII.

No. 47 of 1954.

AN ACT to amend the Traffic Act, 1919-1953.

[Assented to 8th December, 1954.]

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 (No. 2), 1954.* Short title and citation.

(2) In this Act the Traffic Act, 1919-1953,

Act No. 60 of 1919 as reprinted with amendments to and including Act No. 29 of 1949 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938, and further amended by Acts Nos. 24 of 1950, 57 of 1951, 29 of 1952, 35 of 1952 and 74 of 1953,

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is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Traffic Act, 1919-1954.

S. 14
amended.

2. Section fourteen of the principal Act is amended—

Cf. passage
added by
No. 74 of
1953, s. 5.

(a) by substituting for the passage, “that portion of Guildford Road from the Mount Lawley Subway to Johnson Street, Guildford” in paragraph (b) of subsection (2), the passage, “that portion of Guildford Road from the intersection of Lord Street and Walcott Street, Mount Lawley, to Johnson Street, Guildford”; and

(b) by adding after subsection (2a) the following subsection:—

Cf. subs. (2a)
added by
No. 35 of
1952, s. 3.

(2b) Where under subsection (2a) of this section the Minister has approved of the provision and maintenance of lights and signs for the direction of traffic and has authorised payment in any one year for their provision and maintenance, if the amount so authorised for the payment has not been expended in that year, the unexpended balance of that amount may, to the extent that it is not affected by a cancellation or variation made under that subsection of the approval or authorisation, be expended in the provision and maintenance of those lights and signs at any time after the expiration of that year.

S. 25
amended.

3. Section twenty-five of the principal Act is amended by adding after the word, “issue” in line three of the first proviso to subsection (1), the words, “, on payment of a fee of two shillings and six pence,”.

S. 46A
amended.
Cf. s. 46A
added by
No. 24 of
1950, s. 3, and
amended by
No. 57 of
1951, s. 13,
and No. 74 of
1953, s. 11.

4. Section forty-six A of the principal Act is amended—

(a) by adding after the word “implement” in the last line of the first paragraph the words “except an implement used or to be used in agricultural or horticultural pursuits while

such implement is being driven, used or towed, during the hours between sunrise and sunset, on any road in a district or sub-district outside the metropolitan area from a place in such district or sub-district to another place in the same or an adjoining district or sub-district; provided that the implement while being so driven, used or towed carries, bears or has attached thereto such signs, notices or markings as are or may from time to time be prescribed in respect of over-width vehicles permitted under this section to be licensed, driven, used or towed on any roads; and

- (b) by substituting for the words, "given on the recommendation of the Commissioner of Police" in lines five and six, the words, "or a local authority authorised by the Minister to give the permission".

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

Second
Schedule
amended.

- (a) by substituting for the word "Caravan" under the heading "Vehicle", and for the description under the heading "Description" opposite the word "Caravan", the following:—

Caravan (motor propelled)—	A vehicle which is fitted or designed for habitation for any person or party in the course of a journey and which is capable of being propelled by its own power.
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Caravan (trailer type)—	A vehicle which is fitted or designed for habitation for any person or party in the course of a journey, and to be drawn by another vehicle or by any tractive unit or animal power. ;
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- (b) by deleting the words, "Locomotive or traction engine" under the heading, "Vehicle", and deleting the words under the heading, "Description" opposite the words, "Locomotive or traction engine";

- (c) by substituting for the description under the heading, "Description" opposite the words, "Motor car" the following description:—

Any motor vehicle designed primarily for the carriage of persons, whether the vehicle is, or is not, provided with space for the carriage of personal luggage, including the class of motor vehicles some of which are known by the trade names, "Estate Car", "Countryman" or "Station Wagon", which class is designed primarily for the carriage of passengers in rural areas and provided with greater space for the carriage of personal luggage and other things than is provided in motor cars designed for use in urban and suburban areas, but excluding motor cycles, motor carriers, and motor omnibuses. ;

- (d) by adding after the word, "purpose" being the last word in the description under the heading, "Description" opposite the words, "Motor carrier", the words, "and also includes a motorised wheel chair, being a class of chair-type vehicle fitted with a low powered motor and three or more wheels, and designed for the use of or by incapacitated or crippled persons only"; and
- (e) by substituting for the words, "Road tractor" under the heading, "Vehicle", and for the description under the heading, "Description" opposite the words, "Road tractor", the following:—

Tractor
(prime mover
type)—

A motor vehicle which is a tractive unit designed for hauling a semi-trailer.

Tractor
(other than
prime mover
type)—

That class of motor vehicle, which not being designed for use primarily for the carriage on roads of passengers or goods, is designed for use primarily in industry, including, without limiting the meaning of the expression, "industry", agricultural pursuits, earth moving, forestry pursuits, industrial pursuits generally, and road making, maintenance, and cleansing, and including, without limiting the generality of the description of the class of vehicle, tractors, rollers, flushers, sweepers, sprayers, excavators, elevators, graders, dozers, fork lifts, and scoops.

6. The Third Schedule to the principal Act is amended—

Third
Schedule
amended.

- (a) by adding before the item heading, “For a locomotive or traction engine:—”, the following item heading and items—

For a Caravan—

- (a) being a caravan (motor propelled) fitted with pneumatic tyres—

	£	s.	d.
Not exceeding 30 power weights	5	0	0
Exceeding 30 but not exceeding 40 power weights	5	10	0
Exceeding 40 but not exceeding 50 power weights	6	0	0
Exceeding 50 but not exceeding 60 power weights	7	0	0
Exceeding 60 but not exceeding 70 power weights	8	0	0
Exceeding 70 but not exceeding 80 power weights	9	0	0
Exceeding 80 but not exceeding 90 power weights	10	0	0
For every additional power weight exceeding 90 power weights	0	5	0

- (b) being a caravan (trailer type) fitted with pneumatic tyres—

	£	s.	d.
Not exceeding 10 cwts. in weight	1	0	0
Exceeding 10 cwts. but not ex- ceeding 20 cwts. in weight	2	0	0
Exceeding 20 cwts. but not ex- ceeding 30 cwts. in weight	3	0	0
Exceeding 30 cwts. but not ex- ceeding 40 cwts. in weight	4	0	0
Exceeding 40 cwts. but not ex- ceeding 50 cwts. in weight	5	0	0
For every additional cwt. exceed- ing 50 cwts. in weight	0	5	0

- (b) by deleting the passage commencing with the item heading, “For a locomotive or traction engine:—” and ending with the item, “Over 7 tons in weight with load (if any), per ton per wheel £3 0 0”;
- (c) by substituting for the item heading, “For a road tractor fitted with pneumatic tyres:—” the item heading, “For a tractor (prime mover type) fitted with pneumatic tyres:—”;

(d) by adding before the item heading, "For a trailer or semi-trailer (including a semi-trailer type of omnibus):—", the following item heading and items—

For a Tractor (other than a prime mover type) fitted with pneumatic tyres—

	£	s.	d.
Not exceeding 10 cwts. in weight	2	0	0
Exceeding 10 cwts. but not exceeding 20 cwts. in weight	4	0	0
Exceeding 20 cwts. but not exceeding 30 cwts. in weight	6	0	0
Exceeding 30 cwts. but not exceeding 40 cwts. in weight	8	0	0
Exceeding 40 cwts. but not exceeding 50 cwts. in weight	10	0	0
Exceeding 50 cwts. but not exceeding 60 cwts. in weight	12	0	0
Exceeding 60 cwts. but not exceeding 70 cwts. in weight	14	0	0
Exceeding 70 cwts. but not exceeding 80 cwts. in weight	16	0	0
Exceeding 80 cwts. but not exceeding 90 cwts. in weight	18	0	0
Exceeding 90 cwts. but not exceeding 100 cwts. in weight	20	0	0
Exceeding 100 cwts. but not exceeding 110 cwts. in weight	22	0	0
Exceeding 110 cwts. but not exceeding 120 cwts. in weight	24	0	0
Exceeding 120 cwts. but not exceeding 130 cwts. in weight	26	0	0
Exceeding 130 cwts. but not exceeding 140 cwts. in weight	28	0	0
Exceeding 140 cwts. but not exceeding 150 cwts. in weight	30	0	0
Exceeding 150 cwts. but not exceeding 160 cwts. in weight	32	0	0
Exceeding 160 cwts. but not exceeding 170 cwts. in weight	34	0	0
Exceeding 170 cwts. but not exceeding 180 cwts. in weight	36	0	0
Exceeding 180 cwts. but not exceeding 190 cwts. in weight	38	0	0
Exceeding 190 cwts. but not exceeding 200 cwts. in weight	40	0	0
Exceeding 200 cwts. but not exceeding 210 cwts. in weight	42	0	0
Exceeding 210 cwts. but not exceeding 220 cwts. in weight	44	0	0
Exceeding 220 cwts. but not exceeding 230 cwts. in weight	46	0	0
Exceeding 230 cwts. but not exceeding 240 cwts. in weight	48	0	0
Exceeding 240 cwts. in weight	50	0	0

- (e) by adding after the word, "wheel" in both items under the item heading, "Passenger Vehicle and Carriers' Licenses." the words, "or per pair of dual wheels"; and
- (f) by substituting for the words, "locomotive, traction engine, road tractor" in the first item under the item heading, "Transfers.", the words, "tractor, whether a prime mover type or other than a prime mover type".

Cf. items as amended by No. 35 of 1952, s. 10.
