

**TRAFFIC.**

17° GEO V., No. XXII.

No. 22 of 1926.

**AN ACT to amend the Traffic Act, 1919.**

[Assented to 30th October, 1926.]

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

Short title

1. This Act may be cited as the *Traffic Act Amendment Act*, 1926, and shall be read as one with the Traffic Act, 1919, hereinafter referred to as the principal Act.

Amendment of  
section 4.

2. Section four of the principal Act is hereby amended, as follows:—

- (a) By inserting in the interpretation of "License," after the word "means" in line two, the words "and in Part V. includes."
- (b) By omitting all the words in the interpretation of "Local Authority" that follow the words "road board" and inserting in place thereof "and means the Commissioner of Police in respect of outlying land, and in the metropolitan area, and as the licensing authority therein."
- (c) By omitting from the interpretation of "Motor omnibus" (inserted by the Act No. 37 of 1924) all words after the word "used" and inserting in place thereof "as an omnibus."
- (d) By inserting an interpretation of "Omnibus" as follows:—"Omnibus" means and includes any vehicle used as a passenger vehicle to carry passengers at separate fares."
- (e) By adding to the interpretation of the word "owner" the words "and any person who has the use of a vehicle for a period of not less than three months under an agreement for the hire thereof, or under a hire-purchase agreement, or otherwise."

3. A subsection is added to section five of the principal Act, as follows:— Amendment of section 5.

(4) On a conviction for an offence under this or the next following section, the court shall order the defendant to pay the license fee that should have been paid in respect of the vehicle, in addition to the penalty imposed, and such order may be enforced as if the amount of such fee was a penalty imposed on the defendant.

4. In section six of the principal Act the words “or reward” are inserted after the word “hire” in subsections (1) and (3), and the words “hire or” are inserted before the word “reward,” in subsection (2); and the following words are added to subsection (2), namely, “and a passenger-vehicle license is also required for such vehicle if it is used for the carriage of passengers for hire or reward, except with the permission of the Local Authority on some special occasion to be stated”; and a subsection is added to the said section as follows:— Amendment of section 6.

(6.) The number of passengers to be carried in a vehicle licensed as a passenger vehicle shall be limited to the number stated in the license.

5. The first four lines of subsection (2) of section seven of the principal Act are hereby repealed. Repeal of part of subsection (2) of section 7.

6. The following words are added to section eight of the principal Act, namely:—“Provided that this section is subject to the provisions of section forty-one A relating to omnibuses.” Amendment of section 8.

7. Section ten of the principal Act is amended by inserting after the word “any” in line seven the words “vehicle used solely on a farm or pastoral holding and not on any road otherwise than in passing from one portion of the farm or holding to another portion thereof, such portions being separated only by a road, or for any”; by inserting after the word “engine” in line seven the words “or machine or other vehicle,” and by inserting after the word “engines” in line eleven the words “or machines,” and by adding to the section a further proviso, as follows:— Amendment of section 10.

Provided also that a local authority may, in exceptional circumstances, and with the approval of the Minister, grant a license to the owner of a particular vehicle therein mentioned without payment of the prescribed fee,

under and subject to such conditions, if any, as may be stated in the license.

*Amendment of  
section 13.*

8. Section thirteen of the principal Act is hereby amended by substituting for the word "Minister" in line two the words "Commissioner of Police," and by adding to paragraph (c) of subsection (2) thereof the words "and if so ordered by the Governor shall be expended on specified roads."

Section thirteen of the principal Act is hereby further amended as follows:—

- (a) By inserting after the word "and," at the beginning of the amendment to paragraph (b) of subsection two, made by the Act No. 16 of 1922, the following words:—"as to one-half of the net balance of said fees to deduct therefrom."
- (b) By adding to the said paragraph (b) of subsection two, as amended, the following words:—  
 "the roadway or decking (exclusive of the tramway) of the Perth Causeway;  
 "the roadway or decking (exclusive of the tramway) of the North Fremantle bridge;  
 "that portion of Railway Road abutting on the Karrakatta Cemetery;  
 "that portion of road (known as Guildford Road) starting at the present North-East boundary of the City of Perth and proceeding thence along roads Nos. 1448 and 2 to Johnson Street, along Johnson Street to James Street, along James Street to East Street, along East Street to the York Road (No. 28), and along York Road (No. 28) to the present Eastern boundary of the metropolitan area;  
 "that portion of the Perth-Albany Road (No. 122) from the present boundary of the City of Perth to the junction with the Bunbury Road at the Old Narrogin Inn; and  
 "that portion of road (known as Canning Road No. 124 and Lower Canning Road Nos. 760 and 9) from the present boundary of the City of Perth to the Eastern boundary of the Municipality of East Fremantle."
- (c) Paragraph (c) of subsection two of section thirteen of the principal Act is hereby repealed, and the following is inserted in lieu thereof:—

- (c) The remaining half of the net balance of said fees shall, together with any moneys remaining unexpended out of the said first-mentioned half of the net balance of the said fees, be annually paid to and divided amongst the local authorities of the districts and subdistricts comprised in the metropolitan area in such shares and proportions as the Minister may determine.
- (d) By adding a subsection as follows:—
- (5) If money is appropriated by Parliament for the construction, reconstruction, improvement, or widening of any main road within the Metropolitan Area which is not within the scope of the Federal Aid Roads Agreement Act, 1926, an amount sufficient to provide for interest and sinking fund on one-half of the amount so appropriated (but not to exceed nine per centum) shall be charged annually against the said one-half of the net balance of said fees, so far as the same shall be available after providing for the deductions aforesaid. Provided that the sum to be charged as aforesaid shall not exceed in any year one-fifth of the net amount available for distribution under paragraph (c) of subsection (2).

9. (1.) Section fourteen of the principal Act is amended by inserting at the commencement thereof the words "Except as hereinafter provided," and by inserting in paragraph (f) after the word "or," in the fourth line thereof, the words "in the opinion of the local authority," and by adding a proviso, as follows:—

Amendment of section 4.

Provided that this section is subject to the provisions of section forty-one A relating to omnibuses.

(2.) A subsection is added to section "fourteen of the principal Act, as follows:—

(2.) If in the opinion of the local authority any motor vehicle for which a license to carry passengers is held is so out of repair as to be unfit for use on a road, the local authority may, by complaint and summons in a court of summary jurisdiction, require the licensee to show cause why his license should not be cancelled, and the court may cancel the license, or suspend the license until the vehicle is repaired to the satisfaction of the court:

A license so suspended shall, during the period of suspension, be of no effect.

*Repeal of section 18.*

10. Paragraphs (c) and (d) of section eighteen of the principal Act are hereby repealed.

*Repeal of section 19.*

11. Section nineteen of the principal Act is hereby repealed.

*Amendment of section 20.*

12. Subsection (5) of section twenty of the principal Act is amended by deleting the words "of any Government road or of roads not within any district; any such inspector," and by inserting in place thereof the word "who."

Paragraph (a) of subsection (2) of section twenty is repealed.

The proviso to subsection (7) of section twenty of the principal Act is amended by inserting after the word "shall" the words "subject to the next following proviso"; and a further proviso is added to the said subsection (7), as follows:—

Provided also that the Minister may appoint officers of the Main Roads Board to regulate and control traffic within the metropolitan area, on roads under construction or maintained by the said Board under the provisions of the Main Roads Act, 1925.

*Amendment of section 21.*

13. Section twenty-one of the principal Act is amended by substituting the word "any" for the word "a," in the fourth line, and by inserting the words "or kinds" after the word "kind," in the fifth line thereof, and by the insertion of a subsection, as follows:—

(4.) Every applicant for a driver's license may be required by regulation to submit himself to a sight and hearing test, and in the case of an application for a license to drive a passenger vehicle, to such medical examination as may be prescribed.

*Amendment of section 22.*

14. (1.) Section twenty-three of the principal Act is amended by omitting the word "motor" in lines one and five, and by omitting the words "to drive such vehicle" in line three.

*Amendment of section 24.*

(2.) Section twenty-four of the principal Act is amended by omitting the word "motor" in line two.

*Driver of motor vehicle to pass horse-driven vehicles, etc., with caution.*

15. A section is inserted in the principal Act, as follows:—

24a. No driver of any motor vehicle shall pass any horse being driven, ridden, or led, or any drove of

animals, in such a manner or at such a rate as is likely to endanger the safety of such horse or drove of animals or the driver, rider, or leader thereof.

Penalty: Five pounds.

16. Section twenty-five of the principal Act is amended by <sup>Amendment of section 25.</sup> omitting the word "motor," in lines one and four respectively, and by omitting the words "twenty pounds," and inserting in place thereof "fifty pounds or imprisonment for any term not exceeding six months."

17. Section twenty-seven of the principal Act is amended by <sup>Amendment of section 27.</sup> inserting after the word "vehicle," in line one of subsection (1), and in line two of subsection (3) respectively, the words "or riding a horse or in charge of a horse or other animal or drove of animals on a road," and by substituting for the word "twenty," in line ten, the word "fifty."

18. Section thirty-one of the principal Act is amended by <sup>Amendment of section 31.</sup> inserting after the word "engine," in the second line, the words "or other vehicle."

19. Section thirty-three of the principal Act is amended by <sup>Amendment of section 33.</sup> inserting after the word "vehicle," in the third line, the words "or riding a horse, or in charge of a horse or other animal or drove of animals," and by inserting after the word "vehicle," in the fourth line, the words "horse, animal, or drove of animals," and by inserting after the word "engine," in the fourth line, the words "or such person as aforesaid signals that the vehicle that has been stopped may pass."

20. Section forty-one of the principal Act is amended, as <sup>Amendment of section 41.</sup> follows:—

- (1) By inserting in sub-paragraph (e) of paragraph (i) of subsection (1) after the word "issue," the words "at a prescribed charge," and by adding to the said sub-paragraph the words "and enabling an officer duly authorised by the local authority to take possession of an identification tablet or number plate if the officer has reason to believe that it was not issued by a local authority in connection with a current license, or is in use on a vehicle for which it was not issued"; and by adding to sub-paragraph (g) of paragraph (i) of subsection (1) the words "and regulate, prohibit, or restrict the driving or hauling of agricultural machines (including

tractors and ploughs) on roads"; and by adding to sub-paragraph (m) the words "and authorising unattended vehicles or horses in streets or public places to be seized and taken charge of, and for the recovery of any expense thereby incurred."

- (2) By omitting sub-paragraph (p) of paragraph (i) of subsection (1) (inserted by the Act No. 16 of 1922), and inserting in lieu thereof:—
- (p) Prohibiting the use of any specified road by any vehicle, or by any person riding, driving, or in charge of any animal.
  - (q) Prohibiting the use of any specified road by any vehicle, or by any person riding, driving, or in charge of any animal, except when proceeding in a prescribed direction.
  - (r) Prescribing the routes to be followed by all classes of traffic, or of any particular class of traffic or vehicle, from one specified point to another, either generally or between any specified times.
  - (s) Regulating the relative position in the roadway of traffic of different speeds or types.
  - (t) Prescribing the places where vehicles or vehicles of any particular class or description may not be turned so as to face in the opposite direction to that in which they were proceeding, or where they may only be so turned under the conditions prescribed.
  - (u) Prohibiting the driving on any road of a vehicle exceeding seven feet six inches in width or containing a load exceeding such width.
  - (v) Prohibiting the use for heavy traffic of all roads within a defined area, except certain defined roads on which by such regulation heavy traffic is permitted, and the use on any road of a vehicle the weight of which exceeds a prescribed weight.
- (3) By adding to sub-paragraph (i) of paragraph (ii) of subsection (1) the following words:—"and require the licensee of the vehicle to have a route indorsed on his license, and prohibit the use of

vehicles as omnibuses on any route other than that indorsed on the license."

- (4) By adding to sub-paragraph (m) of paragraph (ii) of subsection (1) the following words:—"and provide that any fare shall be recoverable summarily before justices either in proceedings to inflict punishment or otherwise."
- (5) By adding to sub-paragraph (b) of paragraph (vii) of subsection (1) the words "either generally or during certain months in the year."
- (6) By adding to sub-paragraph (i) of paragraph (vii) of subsection (1) the following words:—"and prohibiting the use of jinkers and whims on any road or portion of a road either generally or during certain months in the year."
- (7) By inserting in paragraph (vii) of subsection (1) a sub-paragraph as follows:—

(m) regulate the maximum weight of the load that may be carried by any vehicle (inclusive of the weight of the vehicle) on roads other than such roads as are specifically prescribed in any prescribed area, and prohibiting the carriage of any such load exceeding the prescribed maximum weight.

And by inserting in the said paragraph a sub-paragraph as follows:—

- (n) Prohibit the carriage by any vehicle on the roads or any specified roads in a prescribed area, of a load (including the weight of the vehicle) exceeding the weight prescribed as the maximum load that may be lawfully carried on such roads or specified roads.
- (8) By omitting sub-paragraphs (k) and (l) of paragraph (vii) of subsection (1).
- (9) By inserting paragraphs as follows:—
  - (xa) Prescribing that any manufacturer of or dealer in vehicles shall, within a prescribed time after any sale or purchase, give to the local authority notice thereof, with a description of the vehicle and the name and address of the purchaser or seller, as the case may be.
  - (xb) Enabling a license obtained by misrepresentation or fraud to be cancelled, and its return to be required or enforced.

(10) By inserting in paragraph (xiv) of subsection (1), after the word "regulate," the words "the driving or leading of cattle (within the meaning of that word in the Municipal Corporations Act, 1906) on roads, and."

**Regulations as to  
motor omnibuses.**

21. A section is inserted in the principal Act, as follows:—

41a. (1.) The Governor, by regulations made under this Act, may prescribe the routes within the metropolitan area, or in any other defined parts of the State, to be observed by omnibuses, and prohibit the use of omnibuses elsewhere than along a prescribed route; and may prescribe:—

- (a) sections and terminal points of such routes;
- (b) that timetables, approved by the local authority, shall be framed and observed by owners and drivers of omnibuses plying for hire on prescribed routes or sections thereof;
- (c) the maximum fares for prescribed routes or sections thereof to be charged for passengers carried by omnibuses;
- (d) the maximum number of omnibuses which may be licensed to ply for hire on any prescribed route; and
- (e) stopping places on such routes, and prohibit the taking up or setting down of passengers elsewhere than at a prescribed stopping place, or within a prescribed distance from the junction or intersection of prescribed roads:

Provided that before any route as aforesaid is so prescribed, the Minister—

- (i) shall take into consideration the maximum number of omnibuses proposed to be licensed for the route;
- (ii) shall confer with any local authority concerned; and
- (iii) shall satisfy himself that the condition of the roads to be included in the route is such as to be capable of carrying omnibus traffic thereon without unreasonable damage to the roads, and that there are not sufficient other facilities for the conveyance of passengers to, from, or within the district proposed to be served.

(2.) The Governor may, by regulations under this Act, prohibit the use of vehicles as omnibuses within the metropolitan area, or in any other defined part of the State, unless a prescribed route is specified in or indorsed on the license for the vehicle by the local authority, and on any route other than the route so specified in or indorsed on the license.

(3.) The Governor may, by regulations under this Act, prescribe—

- (a) that a passenger-vehicle license for an omnibus shall be a “regular service” license or a “special service” license;
- (b) that a “regular service” license shall authorise the omnibus for which it is granted to ply for hire for the purpose only of maintaining a regular service upon a prescribed route to be specified in the license (including any authorised temporary deviation from such a route), except in cases where the local authority may consent in writing to such omnibus plying for hire for the purpose only of maintaining a regular service on such other prescribed route and for such period, as specified in the consent; and except where a special consent is granted by the local authority to authorise the omnibus to ply elsewhere on specified days;
- (c) that in any case where such a consent is granted, the omnibus shall not ply for hire during the period so specified on any route other than the prescribed route specified in the consent;
- (d) that a “regular service” license shall not be granted, and a consent as aforesaid under such a license shall not be granted, in respect of any prescribed route for any omnibus in excess of the number of omnibuses prescribed for that route;
- (e) that a “special service” license shall authorise the omnibus for which it is granted to ply for hire in accordance only with permits in writing to be issued from time to time by the local authority, permitting the omnibus to ply for hire to and from such places, and on such special occasions, and on such dates as are speci-

fied in the permit; and that no such permit shall be granted more than twenty-one days before the date of the special occasion for which it is granted;

- (f) that a license shall not be granted for any omnibus unless the provisions of this Act or of any regulations under this Act, so far as they apply to such omnibus, have been complied with;
- (g) that a permit under a "special service" license shall not be granted unless the local authority is satisfied that there are not other sufficient facilities for the conveyance of passengers; and
- (h) that any license, consent, or permit granted pursuant to such regulations may be granted subject to such further conditions (if any) as the local authority thinks fit.

(4.) The Governor may, by regulations under this Act,—

- (a) prescribe that the owner of an omnibus for which a "regular service" license is granted shall (except with the permission in writing of the local authority) maintain a regular service in accordance with the license and any relevant regulation, unless such failure is due to circumstances which could not reasonably have been avoided by him; and that if such service is not maintained, the license shall be liable to forfeiture; and
- (b) enable permission to be granted by the local authority for temporary deviations from prescribed routes, and temporary alterations of any sections or terminal points thereof or stopping places thereon.

(5.) The Governor may, by regulations under this Act, prescribe—

- (a) the maximum height, length, and breadth of omnibuses and motor wagons;
- (b) the maximum weight of and the maximum load for omnibuses and motor wagons;
- (c) that tyres other than rubber tyres shall not be used on motor omnibuses, and the thickness and condition of tyres used on motor omnibuses and motor wagons;

- (d) the design and construction of omnibuses so as to secure the safety, comfort, and convenience of passengers and the public, and to minimise damage to roads;
- (e) for the maintenance and repair of omnibuses;
- (f) for the provision and regulation of efficient brakes and steering gear on motor omnibuses;
- (g) for the supply to the Minister by owners of omnibuses of such statistics as are prescribed;
- (h) the limit of speed that shall not be exceeded whether generally or in any specified locality or any specified street or road or part thereof by omnibuses; and
- (i) generally, all such matters and things as are authorised or permitted to be prescribed for carrying this Act into effect.

(6.) The Governor, by regulations made under this section,—

- (a) may prescribe that the holder of a passenger vehicle license for an omnibus in force at the commencement of the first regulations made under this section shall surrender such license, and may be granted in lieu thereof a passenger vehicle license to be issued in accordance with such regulations on payment of a proportional part of the additional fee prescribed by Part II. of the Third Schedule to this Act; and
- (b) may impose a penalty not exceeding twenty pounds, or imprisonment not exceeding one month with or without hard labour, for the breach of any regulation.

(7.) When routes within the Metropolitan Area or other defined part of the State have been prescribed under this section as the routes to be observed by omnibuses, and the use of vehicles as omnibuses has been prohibited unless a prescribed route is specified in or indorsed on the license for the vehicle, any owner of, or person in charge of, a vehicle who uses the vehicle or suffers or permits the vehicle to be used within the Metropolitan Area or other defined part of the State as an omnibus without a prescribed route being specified in or indorsed on the license, or on any route other than that

specified in or indorsed on the license, or in a consent granted by the local authority under a regulation prescribed pursuant to subsection (3) of this section, or on any road within the Metropolitan Area or such defined part of the State as aforesaid which is not a prescribed route, shall be guilty of an offence against this Act and shall be liable on conviction to a penalty not exceeding twenty pounds, or to imprisonment with or without hard labour for not exceeding one month.

(8.) This section shall apply to all vehicles used as omnibuses in the metropolitan area as prescribed by regulation or other defined part of the State as aforesaid, notwithstanding that the license for the vehicle may have been obtained in any other part of the State.

*Substitution of  
vehicle for licensed  
passenger vehicle  
while under repair.*

22. Any license granted in respect of an omnibus or passenger vehicle shall, during such time or times as such omnibus or vehicle is under repair, authorise the holder of such license, with the previous consent in writing of the Commissioner of Police or any officer acting for him, to substitute another omnibus or vehicle for the bus or vehicle under repair, and to ply for hire therewith without being required to pay a further license fee, during only such period or periods as the first-mentioned omnibus or vehicle is under repair and not plying for hire or otherwise being used for profit.

*Amendment of  
section 43.*

23. Section forty-three of the principal Act is amended by inserting after the word "shall" in the fourth line the words "subject to this Act, and the regulations made by the Governor."

*Amendment of  
section 44.*

24. Section forty-four of the principal Act is amended by substituting the words "local authority" for the word "Minister" in lines two and four, and by omitting the proviso.

*Amendment of  
section 45.*

25. Section forty-five of the principal Act is amended by omitting the word "motor" in lines three and four respectively.

*Amendment of  
section 48.*

26. Section forty-eight of the principal Act is amended by substituting the word "vehicle" for the words "motor wagon or a locomotive or traction engine" throughout the section.

27. Section forty-nine of the principal Act is amended by omitting the words "by a certificate of an inspector" in the first line thereof, and all the words after the word "fund" in subsection (2).

28. A section is inserted in the principal Act, as follows:—

Amendment of  
section 49.

Insurance by  
owners of motor  
omnibuses.

See Vic. No. 3378,  
s. 10.

49a. (1.) The owner of any motor vehicle used for the carriage of passengers for hire or reward shall insure himself, and at all times keep himself insured during the currency of the license therefor, with an insurance office doing business within the State which has complied with the provisions of the Insurance Companies Act, 1918, against liability for damages in respect of such vehicle in case of injury to persons.

(2.) The amount of insurance against such liability in respect of every such vehicle shall be one hundred pounds for each passenger the vehicle is licensed to carry, and not less than one thousand pounds, during the currency of the license therefor: Provided that in the case of an owner of more than one vehicle, if such owner during the currency of his licenses insures himself and keeps himself insured for not less than five thousand pounds in the aggregate, such insurance shall be deemed a compliance with the requirements of this section.

(3.) Before or on the granting or the renewal of any license for a motor vehicle used for the carriage of passengers for hire or reward, and forthwith after any further insurance is effected during the currency of the license, the owner of the vehicle shall deposit with the Minister a policy of insurance together with a receipt for all premiums payable thereon during the currency of the license.

(4.) If any owner of a motor vehicle used for the carriage of passengers for hire or reward neglects to effect an insurance in accordance with this section, or fails to deposit with the Minister the policy of insurance and the receipt for the premiums, the Minister may, by notice served on such owner and published in the *Gazette*, suspend any license under this Act held by such owner until the requirements of this section are complied with by him; and during such period of suspension the license

shall be of no effect, and the person whose license is suspended shall, during the period of suspension, be disqualified from obtaining a license.

*Amendment of section 50.*

29. Section fifty of the principal Act is amended by substituting the word "vehicle" for the words "motor vehicle or locomotive or traction engine."

*Amendment of section 52.*

30. Section fifty-two of the principal Act is amended by deleting the word "motor."

*Amendment of subsection (2) of section 53.*

31. Subsection (2) of section fifty-three of the principal Act is amended by inserting after the word "authority" the words "for a period of one month," and by adding to the subsection the following words:—"but the exercise of such power shall not extend beyond such period, except with the approval in writing of the Minister."

*Amendment of section 58.*

32. Section fifty-eight of the principal Act is amended by inserting after the word "person" in line two the words "is or was the owner of a vehicle or," and by inserting after the word "vehicle" in line four the words "or that the vehicle was used on a road."

*Amendment of section 61.*

33. Section sixty-one of the principal Act is amended by inserting after the word "Minister," in lines one and four, the words "or any person acting with the authority of the Minister, or by the Commissioner of Police."

*Amendment of Second Schedule.*

34. The Second Schedule to the principal Act is amended, as follows:—

- (a) By adding the following words to the description of "locomotive or traction engine," namely, "and not being a motor wagon as defined, and any other road tractor not within the meaning of the term 'motor wagon.' "
- (b) By adding the following words to the description of "motor wagon," namely, "and includes a wagon driven by steam if fitted with wheels similar to those of a motor vehicle, or a 'sentinel' or similar vehicle."
- (c) By adding to the definition of "Cart" the following words:—"The term includes jinker and whim."

(d) By inserting:—

“Motor Omnibus.”—A motor vehicle used as an omnibus.

“Omnibus.”—A vehicle used as a passenger vehicle to carry passengers at separate fares.

35. A proviso is inserted in Part I. of the Third Schedule to the principal Act under the heading “Passenger Vehicles and Carriers’ Licenses” after the words “fee for a carrier’s license per wheel £0 10 0,” as follows:—

*Amendment of  
Part I. of Third  
Schedule.*

Provided that if the owner of several vehicles for which carriers’ licenses have been obtained, proves to the satisfaction of the licensing authority that the number of drivers employed (including himself if a driver) was at no time during the currency of such licenses equal to the number of such licensed vehicles, the licensing authority shall allow a rebate of the fees paid for any licenses in excess of the drivers employed.

36. A paragraph is added to Part II. of the Third Schedule to the principal Act, as amended by the Traffic Act Amendment Act, 1924, as follows:—

*Amendment of  
Part II. of Third  
Schedule.*

This part shall apply notwithstanding that the passenger vehicle license for the motor omnibus is a “regular service license”; but in the case of a motor omnibus for which a passenger vehicle license is granted as a “special service” license, such fee for the license and for every permit issued thereunder shall be payable as prescribed by regulations made under this Act.

37. A paragraph is added to Part III. of the Third Schedule to the principal Act, as amended by the Traffic Act Amendment Act, 1924, as follows:—

*Amendment of  
Part III. of Third  
Schedule.*

The horse-power of any mechanically propelled vehicle deriving its power wholly from a steam engine shall be taken to be proportional to the effective heating surface of the boiler supplying steam to such engine, at the rate of one horse-power for every three square feet in such effective heating surface, and the effective heating surface shall be taken to be—

(a) In the case of a boiler having horizontal or approximately horizontal tubes, the whole of that surface of the tubes which is exposed to the flame or hot gases;

Repeal of section  
5 of No. 37 of  
1924,

(b) In the case of a boiler having vertical or approximately vertical tubes, half of that surface of the tubes which is exposed to the flame or hot gases.

38. Section five of the Traffic Act Amendment Act, 1924, is hereby repealed, and such Act shall continue in operation as if that section had not been enacted.

Reprinting of  
principal Act with  
amendments.

39. All copies of the principal Act hereafter printed by the Government Printer shall be printed as amended by the Traffic Act Amendment Act, 1921, the Traffic Act Amendment Act, 1924, the Traffic Act Amendment Act, 1925, and by this Act, under the supervision of the Clerk of Parliaments, and all necessary reference to the Act shall be made in the margin, and in any such reprint the short title shall be the *Traffic Act, 1919-1926*; and the sections may be renumbered in arithmetical order and cross-references adjusted.