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PERTH: WEDNESDAY, 23rd JANUARY

[1963

TRAFFIC ACT, 1919 (AS AMENDED).

Office of the Commissioner of Police,
Perth, 21st January, 1963.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919 (as amended), has been pleased to make the regulations set out in the schedule hereunder.

J. M. O'BRIEN,
Commissioner of Police.

Schedule.
Regulations.

Principal regulations.

1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* on the 15th December, 1954, as amended by the regulations amending the same published in the *Gazette* on the 9th February, 1955, 1st April, 1955, 11th May, 1955, 17th June, 1955, 9th August, 1955, 30th September, 1955, 30th December, 1955, 24th April, 1956, 23rd October, 1956, 16th November, 1956, 23rd November, 1956, 21st December, 1956, 22nd February, 1957, 8th March, 1957, 1st April, 1957, 26th April, 1957, 17th May, 1957, 1st July, 1957, 30th August, 1957, 25th September, 1957, 5th November, 1957, 20th December, 1957, 23rd December, 1957, 24th January, 1958, 19th February, 1958, 17th April, 1958, 29th April, 1958, 13th May, 1958, 5th June, 1958, 25th June, 1958, 15th July, 1958, 18th July, 1958, 1st August, 1958, 12th September, 1958, 10th October, 1958, 24th November, 1958, 3rd March, 1959, 9th April, 1959, 15th May, 1959, 26th May, 1959, 12th June, 1959, 23rd June, 1959, 30th June, 1959, 30th September, 1959, 16th October, 1959, 29th October, 1959, 30th October, 1959, 21st December, 1959, 28th January, 1960, 12th February, 1960, 29th February, 1960, 1st April, 1960, 21st April, 1960, 20th May, 1960, 26th May, 1960, 31st May, 1960, 21st June, 1960, 15th July, 1960, 1st August, 1960, 28th September, 1960, 25th November, 1960, 8th December, 1960, 27th January, 1961, 31st January, 1961, 2nd March, 1961, 24th May, 1961, 29th June, 1961, 1st August, 1961, 20th September, 1961, 1st November, 1961, 12th December, 1961, 18th April, 1962, 21st June, 1962, 1st August, 1962, 18th October, 1962, and the 20th December, 1962, are referred to as the principal regulations.

Reg. 4 amended.

2. Regulation 4 of the principal regulations is amended by adding, immediately after the interpretation "official traffic sign", the following interpretation:—

"off-road vehicle" means a vehicle, including mobile machinery, plant or equipment—

- (a) so constructed, or having such weight carried by one or more axles, that it may not, without reconstruction, be made to comply with the relevant provisions of Part IV of these regulations; or

- (b) that is of a class not designed primarily for the carriage of passengers or goods on roads, but for use in the industrial pursuits of mining, quarrying, earth-moving, earth drilling, forestry, timber getting, the making, maintenance or cleansing of roads, or the construction of major works; .

Reg. 10A
amended.

3. Regulation 10A of the principal regulations is amended by substituting for subregulation (3) the following subregulation:—

(3) Upon making an application under subregulation (1) of this regulation, the applicant shall pay to the licensing authority—

- (a) a fee of two shillings and sixpence;
- (b) a premium of two shillings and sixpence, to obtain a policy of insurance under the Motor Vehicle (Third Party Insurance) Act, 1943; and
- (c) an amount of one shilling and eightpence, being the minimum surcharge payable on the policy of insurance, under the Motor Vehicle (Third Party Insurance Surcharge) Act, 1962.

Reg. 10B
substituted.

4. The principal regulations are amended by substituting for regulation 10B the following regulation:—

Permits for
movement
or use of
off-road
vehicles.

10B. (1) Upon the application of the owner of an off-road vehicle, made in the form of Form 17 in the Second Schedule to these regulations, the Commissioner of Police may, if in his opinion the circumstances so require, issue to that owner, subject to such conditions as the Commissioner of Police may impose, a permit—

- (a) for the movement of that vehicle on a road; or
- (b) for the use of that vehicle, for a limited period in a specified area;

and every such permit shall be in the form of Form 18 in the Second Schedule to these regulations and shall be indorsed with the conditions limiting the movement or use of the vehicle, the area (if any) specified for its use and the period to which the operation of the permit is limited, together with any other conditions that the Commissioner of Police may have imposed.

(2) The Commissioner of Police shall not issue a permit under this regulation, unless he is satisfied that the owner of the off-road vehicle is indemnified by a policy of insurance, in an amount of not less than one hundred thousand pounds, against liability at common law, in respect of the movement or use of that vehicle on a road, over the whole of the period of its proposed movement or use.

(3) The fee payable for a permit issued under this regulation shall—

- (a) where the permit is limited to a period not exceeding one month, be an amount of two pounds or twenty-five per centum of the fee that would be payable, if calculated for a period of one month, for the class of that vehicle, under the Third Schedule to the Act, whichever is the greater; and
- (b) where the permit is limited to a period exceeding one month, be an amount equal to twenty-five per centum of the fee that would be payable, if calculated for the number of months (reckoning part of a month as a whole month) of that period, for that class of vehicle, under the Third Schedule of the Act

(4) Where a permit has been issued under this regulation, a person shall not drive or use the vehicle to which it relates, or cause or permit it to be driven or used, on a road—

- (a) except in accordance with the provisions of, in the area specified in, and within the time limited by, the permit; or
- (b) while carrying any load, other than the equipment forming part of its construction or ordinarily used in connection with its operation.

Reg. 40 substituted.

Vehicles not complying with this Part not ordinarily to be licensed.

5. The principal regulations are amended, by substituting for regulation 40 the following regulation:—

40. (1) Except as provided by subregulation (2) of this regulation, a licensing authority shall not license, and, except as provided by subregulation (3) of this regulation, a person shall not cause, suffer or permit to be used, or shall not drive, on a road, a vehicle that is not constructed, equipped or fitted with appliances, in conformity with this Part.

(2) The Minister may, by special authority in writing, or by general authority published in the *Government Gazette*, having application to any particular, or any class or classes of—

- (a) vehicle, other than an off-road vehicle;
- (b) road or place;
- (c) occasion; or
- (d) circumstance,

and subject to such conditions as the Minister may by the authority impose, authorise a licensing authority to issue a license (in this regulation called "a limited license") for a vehicle not conforming with the provisions of this Part or for the purposes of section 46A of the Act.

(3) A licensing authority acting pursuant to an authority given under this regulation shall issue a limited license subject only to the payment of the appropriate fees and charges provided by the Act, the Motor Vehicle (Third Party Insurance) Act, 1943 and the Motor Vehicle (Third Party Insurance Surcharge) Act, 1962 and shall, in every case, indorse on the license the limitations to which the use of the vehicle is subject.

(4) A person to whom a limited license is issued pursuant to subregulation (2) of this regulation may cause, suffer or permit the vehicle to which it relates to be used, or may drive that vehicle, on a road, in accordance with the limitations provided by, and indorsed on, the license, but not otherwise; and the limited license shall be carried by the person using or driving the vehicle whilst so doing.

Reg. 75 amended.

6. Regulation 75 of the principal regulations is amended by substituting for the word, "Minister", in paragraph (c) of subregulation (2), the words, "Commissioner of Police".

Reg. 163 revoked.

7. Regulation 163 of the principal regulations is revoked.

Reg. 170A amended.

8. Regulation 170A of the principal regulations is amended—

- (a) by deleting paragraph (c) of subregulation (2); and
- (b) by substituting for subregulation (3) the following subregulation:—

(3) All fees payable under this regulation shall be paid to the licensing authority that licensed the vehicle.

Reg. 172 amended. 9. Regulation 172 of the principal regulations is amended by substituting for the passage, “, having regard to the special circumstances of each case, issue”, in lines one and two of paragraph (a) of the proviso, the passage, “issue, or authorise the appropriate local authority to issue.”.

Reg. 173 amended. 10. Regulation 173 of the principal regulations is amended by inserting immediately after the word, “issue”, in line three of subregulation (3), the passage, “, or authorise the appropriate local authority to issue”.

Second Schedule amended. 11. The Second Schedule to the principal regulations is amended by adding after Form 16 the following forms:—

Form 17.

Western Australia.

Traffic Act, 1919, and Regulations Thereunder.

APPLICATION FOR PERMIT TO MOVE OR USE AN UNLICENSED MOTOR VEHICLE.

I/We

Address

hereby apply to the Commissioner of Police for a permit to—

*Move the vehicle described hereunder from.....
to.....
Journey to commence on.....
and be completed on.....

*Use the vehicle described hereunder during the period from.....19..... to.....19..... (inclusive) in the area of.....

* Strike out whichever does not apply.

DESCRIPTION OF VEHICLE.

Make..... Length.....
Gross Axle Weight: Front..... Rear.....
Type..... Height.....
Engine No..... Width.....
No. and size of tyres: Front..... Rear.....
Weight.....
Horse Power.....

The above described vehicle is the subject of Insurance Policy No..... issued by..... Company indemnifying me/us, in an amount of not less than one hundred thousand pounds against liability at common law, in respect of its movement or use on a road until and including the.....19.....

Signature of Owner or Agent.

Date.....

Permit No.....issued.

Issuing Officer.

Date.....

Form 18.
Western Australia.

No.....
Traffic Act, 1919, and Regulations Thereunder.
PERMIT FOR THE MOVEMENT OR USE OF
UNLICENSED MOTOR VEHICLE.

Name
Address

is hereby authorised to—

*Move the motor vehicle described hereunder from
to
by the following route:—.....

This permit is valid until and including the
day of.....19.....

*Use the vehicle described hereunder during the
period from.....19..... to.....
19..... (inclusive) in the area of.....

* Strike out whichever does not apply.

DESCRIPTION OF VEHICLE.

Make..... Length.....
Gross Axle Weight: Front..... Rear.....
Type..... Height.....
Engine No..... Width.....
No. and size of tyres: Front..... Rear.....
Weight.....
Horse power.....

PARTICULARS OF INSURANCE POLICY.

Policy No.....
Name of Company.....

CONDITIONS TO BE OBSERVED.

1. This permit must be carried on the vehicle.
2. A pilot vehicle to precede the vehicle the subject of this permit at a distance of 50-150 yards, and bearing a sign:—
 - (a) "DANGER—OVERWIDTH VEHICLE FOLLOWING";
 - (b) "DANGER—OVERLENGTH VEHICLE FOLLOWING"; or
 - (c) "DANGER—OVERHEIGHT VEHICLE FOLLOWING",
 as the case may be.
3. Vehicle to travel during hours of daylight only.
4. Police escort, or escort by a Traffic Inspector to be provided.
5. Speed not to exceed.....m.p.h.
6. *Vehicle not to proceed by any route other than that abovementioned; or
*Vehicle not to be used in any area other than that abovementioned.
7.
8.

FURTHER CONDITIONS RELATING TO THIS PERMIT
ARE ON THE BACK HEREOF.

Issued at Police Department, Traffic Officer, Perth.

.....
Commissioner of Police.

Date.....

* Strike out whichever is not applicable.

Reverse of Form 18.

FURTHER CONDITIONS TO BE OBSERVED.

1. The maximum regulation sizes are: Length, 35 feet; width, 8 feet; height, 14 feet. If these are exceeded, the vehicle must carry the appropriate sign printed in red letters 5 in. high on a white background.

2. Vehicles over 14 feet in height must obtain a permit or escort from Postmaster General's Department and State Electricity Commission.

3. If vehicle is moving within a radius of 12 miles of G.P.O., Perth, or G.P.O., Fremantle, the movement must be completed before 8 a.m. or between 9.30 a.m. and 4 p.m.

4. Standing or parking on roadways is prohibited.

5. Maximum speed under the Traffic Regulations, or the speed as limited by restriction on the face of this permit must not be exceeded.