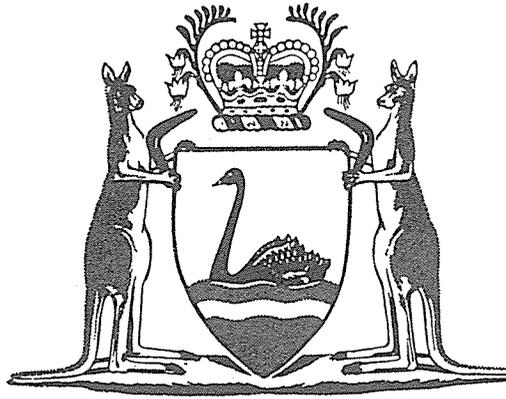


[3631]



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

No. 76]

PERTH: THURSDAY, 3rd OCTOBER

[1974

TRAFFIC ACT, 1919-1973

ROAD TRAFFIC CODE, 1974

TRAFFIC (INFRINGEMENTS) REGULATIONS, 1974

BLOOD SAMPLING AND ANALYSIS REGULATIONS, 1974

BREATH ANALYSIS REGULATIONS, 1974

TRAFFIC (OMNIBUS) REGULATIONS, 1974

TRAFFIC (VEHICLE WEIGHTS) REGULATIONS, 1974

TRAFFIC (DRIVERS' LICENSES) REGULATIONS, 1974

TRAFFIC (LICENSING AUTHORITIES) REGULATIONS, 1974

TRAFFIC (TAXI-CARS) REGULATIONS, 1974

TOW TRUCK REGULATIONS, 1974

VEHICLE STANDARDS REGULATIONS, 1974

TRAFFIC ACT, 1919-1973.

Police Department.

Perth, 17th September, 1974.

T.O. 585/74.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased—

- (a) to revoke the regulations, cited as the Road Traffic Code, 1965, published in the *Government Gazette* on the 30th December, 1965, and all amendments thereto; and
 (b) to make the regulations set out in the Schedule hereto.

so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. L. M. WEDD,
 Commissioner of Police.

SCHEDULE.

ROAD TRAFFIC CODE, 1974.

PART I.—PRELIMINARY.

101. These regulations may be cited as the Road Traffic Code, 1974. Citation.
102. These regulations are divided into Parts, as follows:— Arrange-
ment.
- Part I.—Preliminary.
 Part II.—Scope and Effect of Regulations.
 Part III.—Erection and Operation of Traffic-control Signals and Traffic Signs.
 Part IV.—Obedience to Traffic-control Signals and Traffic Signs.
 Part V.—Driving on the Left and Overtaking.
 Part VI.—Right of Way.
 Part VII.—Pedestrians and Pedestrian Crossings.
 Part VIII.—Turning, Starting, Stopping and Signals.
 Part IX.—Railway Level Crossings.
 Part X.—Speed Restrictions.
 Part XI.—Stopping and Parking Vehicles.
 Part XII.—Lighting, Warning Signs, Equipment, etc.
 Part XIII.—Bicycles, Toy Vehicles and Horses.
 Part XIV.¹
 Part XV.²
 Part XVI.—Miscellaneous.
 Part XVII.³—Unattended and Unauthorised Animals and Vehicles on Roads.
 Part XVIII.³—Special Regulations Applying to Specific Localities.
 Part XIX.³—Penalties.
103. (1) In these regulations, unless the context requires otherwise,— Reg. 103.
Definitions.
- “articulated vehicle” means a motor vehicle having at its rear a portion on wheels that is pivoted to, and part of which is superimposed on and supported by, the front portion of the vehicle;
 “bicycle” means any two-wheeled, or three-wheeled, vehicle that is designed to be propelled solely by human power;

¹ The provisions relating to passing stationary trams and safety zones contained in Part XIV of the draft National Road Traffic Code are not applicable in this State.

² Part XV of the draft National Road Traffic Code concerning careless and dangerous driving and driving under the influence of liquor or drugs is contained in the Traffic Act, 1919, ss. 31-32.

³ Parts XVII, XVIII and XIX are additional to the provisions of the draft National Road Traffic Code.

- “carriageway” means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the standing or parking of vehicles; and, where a road has two or more of those portions divided by a median strip, the expression means each of those portions, separately;
- “centre”, in relation to a carriageway, means a line or a series of lines, marks, or other indications placed at, or near, the middle of the carriageway or, in the absence of any such lines, marks or other indications, the middle of the main, travelled portion of the carriageway;
- “children’s crossing” means a portion of a carriageway between two parallel broken or unbroken lines, each approximately 300 millimetres wide and not more than five metres apart, marked across, or partly across the carriageway and near which a fluorescent red-orange flag or sign bearing the words, “CHILDREN CROSSING—STOP”, in black letters, is displayed and, where the lines are so marked partly across a carriageway, includes the portion of the carriageway between the prolongations of those lines;
- “control area” means the area comprised in the Perth Region Control Area or in any town, township or village constituted, defined, declared, reserved or laid out as such, under the provisions of any Act;
- “de-restriction sign” means a rectangular sign that—
(a) is erected near the left boundary of a carriageway; and
(b) consists of a black circle crossed by a black diagonal bar set upon a white background;
- “dipped” in relation to the main beam of light projected by the headlamp of a motor vehicle, means directed downwards, as prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time;
- “dipping device” means a device by which the driver of a motor vehicle, while retaining his normal driving position, can cause the main beam or beams of light from the headlamp or headlamps of his vehicle to be dipped;
- “emergency vehicle” means a motor vehicle—
(a) conveying a member of the police force or a traffic inspector on urgent official duty;
(b) of a fire brigade travelling to, or on duty at, any place, in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger;
(c) being an ambulance, answering an urgent call or conveying to hospital any injured or sick person urgently requiring treatment;
(d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorised to carry a siren or bell for use as a warning instrument; or
(e) duly authorised as an emergency vehicle for the purposes of these regulations, by the Commissioner of Police;
- “footway” includes every footpath, lane or other place intended for the use of pedestrians, only, or habitually used by pedestrians and not by vehicles;
- “freeway” means a road or portion of a road that is designated as a freeway by signs erected thereon or adjacent thereto;
- “hours of darkness” means the hours falling between sunset, on one day, and sunrise, on the succeeding day;
- “intersection” means the area contained within the prolongation or connection of the lateral boundaries of two carriageways that meet one another at, or approximately at, right angles, or the area within which vehicles, travelling by, on or from different carriageways that meet at any other angle, may come into conflict;
- “laned carriageway” means a carriageway divided by lines into two or more marked lanes for vehicular traffic;
- “marked cross-walk” means a portion of a carriageway between two parallel broken or unbroken lines marked across, or partly across, the carriageway and, where the lines are so marked partly across the carriageway, includes the portion of the carriageway between the prolongations of the lines;
- “median strip” means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two one-way carriageways for vehicles proceeding in opposing directions;

- “Metropolitan Traffic Area” means the area from time to time prescribed as such, under the Act⁴;
- “motor cycle” means a motor vehicle that has two wheels or, where a sidecar is attached thereto, has three wheels;
- “No Parking Area” means a portion of a carriageway that lies—
- (a) between two consecutive white signs inscribed with the words, “No Parking”, in red lettering, and each with an arrow pointing generally towards the other of them; or
 - (b) between a white sign, inscribed with the words “No Parking”, in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;
- “No Standing Area” means a portion of a carriageway—
- (a) between two consecutive white signs inscribed with the words, “No Standing”, in red lettering, and each with an arrow pointing generally towards the other of them; or
 - (b) between a white sign inscribed with the words, “No Standing”, in red lettering, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;
- “one-way carriageway” means a carriageway on which vehicles are permitted to travel in one direction, only;
- “park” means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with the provisions of any law or of immediately taking up or setting down persons or goods;
- “parking area” means a portion of a carriageway—
- (a) between two consecutive white signs inscribed with the word, “Parking”, in green lettering, and each with an arrow pointing generally towards the other of them; or
 - (b) extending, from a white sign inscribed with the word, “Parking”, in green lettering, in the general direction indicated by an arrow inscribed on the sign to any other sign inscribed with the words, “No Parking”, or, “No Standing”, in red lettering, or to a dead end or an area in which the parking or standing of vehicles is prohibited;
- “pedestrian” means any person on foot or on or in a toy vehicle or in a perambulator;
- “pedestrian mall” means any road or portion of a road that is designated as a pedestrian mall by signs erected thereon or adjacent thereto;
- “pedestrian crossing” means a portion of a carriageway—
- (a) defined—
 - (i) by alternate black and white stripes; or
 - (ii) by white or yellow stripes (according to the colour of the carriageway) and the portions of the carriageway lying between those stripes, in such a manner that each stripe is approximately parallel to the centre of the carriageway; and
 - (b) near each end of which may be erected, on each side of the carriageway, so as to be clearly visible to an approaching driver, a pedestrian crossing (walking legs) sign, as specified in Australian Standard No. E.36-1960, R.12, of the Standards Association of Australia;
- “Perth Region Control Area” means the area from time to time prescribed as such in the schedule to these regulations.
- “property line” means a lateral boundary of a road;
- “regulation” means one of these regulations;
- “restriction sign” means a rectangular sign that—
- (a) is erected near the left boundary of a carriageway; and
 - (b) consists of black numerals set within a red circle upon a white background;
- “roundabout” means an intersection that is laid out for the movement of vehicular traffic, in one direction, around a traffic island;

⁴ See Traffic (Licensing Authorities) Regulations, 1974.

“service vehicle” means a vehicle used or intended to be used for the purpose of picking up or setting down goods or merchandise in a pedestrian mall.

“sign-erecting authority”, in relation to a road—

- (a) within the Metropolitan Traffic Area, means—
 - (i) The Commissioner of Main Roads; and
 - (ii) to such extent only as may be necessary for the exercise of those powers, a local authority exercising the powers relating to the parking or standing of vehicles, conferred by any Act;
- (b) outside the Metropolitan Traffic Area, but not within an area referred to in paragraph (c) of this definition, means—
 - (i) the Commissioner of Main Roads, where the care and management of the road is vested in him, under the Main Roads Act, 1930, and at all railway level crossings; or
 - (ii) except at railway level crossings, the local authority that has the care, control and management of the road, under the provisions of the Local Government Act, 1960; and
- (c) outside the Metropolitan Traffic Area and within a district in which the Director is the local authority, means—
 - (i) the Commissioner of Main Roads where the care and management of the road is vested in him under the provisions of the Main Roads Act, 1930, and at all railways level crossings; or
 - (ii) where the local authority has the care, control and management of the road under the provisions of the Local Government Act, 1960, the Commissioner of Main Roads in respect of all railway level crossings and elsewhere in respect of any sign specified in subregulation (2) of this regulation and the local authority in respect of any sign not so specified except at railway level crossings.

“special purpose vehicle” means a public utility service truck, a tow truck, a motor break-down service vehicle or a vehicle being used by a governmental or local authority in connection with its functions, but does not include an emergency vehicle;

“speed zone” means a length of carriageway defined by means of a restriction sign, at its beginning, and a de-restriction sign or a restriction sign bearing different numerals, at its end;

“stand”, in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law;

“stop line” means a line marked across, or partly across, a carriageway near a traffic-control signal, stop sign, children’s crossing or railway level crossing flashing light signals;

“stop sign” means an octagonal sign inscribed with the word “Stop”;

“the Act” means the Traffic Act, 1919, as amended, or any other Act for the regulation of traffic, for the time being in force;

“traffic-control signal” means any device, however operated, for the control or regulation of traffic by the use of a word or words, a symbol or symbols, a coloured light or coloured lights or any combination of those things;

“traffic island” means any physical provision, other than lines marked on a carriageway, made at or near an intersection, to guide vehicular traffic;

“traffic sign” means a sign, mark, structure or device placed, or erected, on or near a road, for the purpose of regulating, guiding or directing traffic;

“trailer” means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side-car;

“train” means a railway locomotive or rolling stock;

“two-way carriageway” means any carriageway that is not a one-way carriageway;

“U turn” means a turn by which a vehicle, facing or travelling on a carriageway in one direction, is made to face or travel in the opposite, or substantially in the opposite, direction, whether on the same or on another carriageway; and

“vehicle” has the same meaning as that term has in the Act, and, in Parts IV to XI, inclusive and in Part XVIII of these regulations, includes an animal driven or ridden.

(2) The following signs are those specified for the purpose of subparagraph (ii) of paragraph (c) of the definition, "sign-erecting authority"—

Stop
 Give way
 One way
 Keep left
 No entry
 No exit
 No U turn
 No right turn
 No left turn
 No turns
 Pedestrian crossing
 Speed limit
 Speed limit on bridge . . . km/h
 No overtaking or passing
 No overtaking on bridge
 Bridge load limit . . . tonnes gross
 Gross load limit . . . tonnes
 Stop here on red signal

(3) Any reference in regulation 202, regulation 205 or regulation 1618 to a Traffic Inspector shall be construed as including a reference to any person who—

- (a) has been appointed by the Commissioner under subsection (6) of section 22 of the Act;
- (b) is authorised by the Traffic (Licensing Authorities) Regulations, 1974, as in force from time to time under the Act to perform the duties of controlling vehicles and pedestrians at children's crossings and pedestrian crossings; and
- (c) is at the relevant time performing any of the duties referred to in paragraph (b) of this subregulation.

104. A reference in regulation 103 to a portion of a carriageway between two traffic signs, or between a sign and a dead end, is a reference to the space extending towards its centre, marked on the adjacent carriageway; or, where a space is not so marked, if the sign is, or the signs are,—

Delineation
of parking
areas, etc.

- (a) erected at or near the boundary of a carriageway and not inscribed with the words, "angle parking", the reference is limited to the area of the carriageway that is within three metres of its boundary; and
- (b) erected at or near the boundary of a carriageway and inscribed with the words "angle parking", the reference is limited to the area of the carriageway within five metres of its boundary.

105. For the purposes of the application of the definitions "No Parking Area", "No Standing Area", and "Parking Area" in regulation 103, an arrow inscribed on a traffic sign erected at an angle to the boundary of a carriageway is deemed to be pointing in the direction in which it would point, if the sign were turned through an angle of less than 90 degrees, until parallel to the boundary.

Direction
of arrows
on signs.

PART II.—SCOPE AND EFFECT OF REGULATIONS.

201. Unless the context requires otherwise, these regulations apply to persons, vehicles and things on roads, only, and where a provision of these regulations requires, or prohibits, the doing of any act or thing, that requirement or prohibition relates to the doing of that act or thing, on a road.

Scope of
regulations.

202. (1) Every pedestrian and driver shall obey the signal by hand or the reasonable oral direction given by—

- (a) a member of the police force;
- (b) a traffic inspector; or
- (c) a uniformed fireman, if the signal or direction given by him is given for the purpose of facilitating the movement of a fire engine or emergency vehicle,

Obedience to
members of
police force
traffic
inspectors
or firemen.

notwithstanding that the signal or oral direction given by any of them appears to require the pedestrian or driver to act in contravention of these regulations.

(2) It is a defence to any complaint of a breach of these regulations that the defendant was, at the time of the alleged offence, acting in conformity with a signal or direction given under subregulation (1) of this regulation.

203. Except for regulation 202, these regulations do not apply to drivers operating vehicles on the site of road construction and maintenance works, while the vehicles are actually engaged in work upon the road surface.

Construction traffic exempt from regulations.

204. (1) Notwithstanding anything to the contrary in these regulations the driver of an emergency vehicle may, in the course of his duties and when it is expedient and safe to do so,—

Exemptions for emergency vehicles and certain special purpose vehicles.

- (a) on reducing speed and sounding a warning device, proceed past a traffic control signal displaying a red or amber signal or past a stop sign, without stopping or proceed contrary to the directions of a traffic sign;
- (b) on sounding a warning device, drive in any direction on any part of a road or overtake or pass on either side of another vehicle;
- (c) stop, stand or park the vehicle, at any place, at any time; or
- (d) exceed the speeds prescribed by Part X of these regulations.

(2) Notwithstanding anything to the contrary in these regulations, the driver of a special purpose vehicle may, in the course of his duties and when it is expedient and safe to do so—

- (a) stop, stand or park the vehicle at any place, at any time, or
- (b) exceed the speeds prescribed by Part X of these regulations whilst engaged in speed zoning activities authorised by the Minister.

205.⁵ A person shall not obstruct any member of the police force or traffic inspector who is exercising any of the powers vested in him, or performing any of the duties imposed upon him, under the provisions of the Act or these regulations, or of any by-laws under the Act.

No obstruction of members of police force or traffic inspectors.

PART III.—ERECTION AND OPERATION OF TRAFFIC CONTROL SIGNALS AND TRAFFIC SIGNS.

301. (1) A sign erecting authority acting with the approval of the Road Traffic Safety Authority, and a person authorised in that regard by such a sign-erecting authority so acting, may erect, establish or display, and may alter or take down any traffic sign or traffic control signal.

Power to erect traffic-control signals and traffic signs.

(2) For the purposes of subregulation (1) of this regulation, the Road Traffic Safety Authority may approve of the erection, establishment, display, alteration or taking down of any particular traffic sign or traffic control signal or of traffic signs or traffic control signals of a class or type of classes or types specified in its instrument of approval.

(3) A person shall not, without the consent of the sign-erecting authority, remove, take down, damage, deface or interfere with any traffic sign or traffic control signal.

(4) A person shall not erect, establish, place, maintain or display, on a road, or in the view of any person on a road, anything that—

- (a) is a false representation of, or a colourable imitation of, a traffic sign or traffic-control signal;
- (b) interferes with the effectiveness of, or of any part of, a traffic sign or traffic-control signal;
- (c) prevents an approaching driver from clearly distinguishing the whole, or part, of a traffic sign or traffic-control signal;
- (d) distracts his attention from a traffic sign or traffic-control signal; or
- (e) not being a traffic sign, displays a word or direction ordinarily associated with a traffic sign.

(5) Notwithstanding any other provision of these regulations, a traffic sign or traffic control signal that was, prior to the coming into operation of this subregulation, erected at or in the vicinity of a railway level crossing by or with the authority of the Commissioner of the Western Australian Government Railways shall be a valid and effective traffic sign or traffic control signal for the purposes of these regulations.

(6) The provisions of this regulation do not apply to the erection of road direction signs by any duly incorporated association or union of motorists approved by the Minister.

⁵ The provisions of this regulation are not included in the draft National Road Traffic Code.

302. (1) Traffic signs associated with a No Parking Area, No Standing Area, Parking Area or a sign of a kind referred to in regulation 402, is limited in its operation and effect in respect of days, periods of the day, classes of persons, classes of vehicles or circumstances, to the extent, if any, shown on the sign.

Limits on operation of signs.

(2) The first three letters of any day of the week, when used on a traffic sign, indicate that day of the week.

303. (1) Where a traffic sign or traffic-control signal of a kind referred to in these regulations is in existence on a road, it takes effect and operates as a traffic sign or traffic-control signal duly established for the purposes of these regulations.

All traffic control signals and traffic signs to be operative.

(2) A traffic sign or traffic-control signal marked, erected, established or displayed on or near a road is, in the absence of evidence to the contrary, presumed to be a traffic sign or traffic-control signal marked, erected, established or displayed by a sign-erecting authority, with the authority of the Road Traffic Safety Authority.

304. An inscription on a traffic sign operates and has effect according to its tenor and a person who contravenes the directions of the inscription on a traffic sign commits an offence.

Inscriptions on signs to have effect according to their tenor.

305. Where a traffic sign of a type referred to in these regulations indicates that an instruction applies on any particular day or days of the week, then that instruction does not apply on a day appointed to be observed as a public holiday in the district in which the sign is erected, unless the sign specifically indicates that it applies on public holidays.

Operation of signs on holidays.

306.⁶

Display of dazzling lights, etc.

307. Where, for the more effective control of traffic, it appears to that authority necessary or expedient to close a road or portion of a road or to set apart a road or portion of a road for traffic travelling in one direction or for traffic of a particular class, the Commissioner of Police may, in the Metropolitan Traffic Area, and a sign-erecting authority may, with the authority of the Minister and after giving such notice as the Minister may direct, do any of those things by means of traffic signs.

Temporary closure of, or restriction on the use of roads.

PART IV.—OBEDIENCE TO TRAFFIC-CONTROL SIGNALS AND SIGNS.

401. (1) Every person shall comply with the directions of a traffic control signal that is applicable to him.

Obedience to traffic-control signals.

(2) A traffic control signal facing a driver and displaying—

- (a) a circular green signal is a direction that he may proceed straight ahead or, unless prohibited by a lighted sign bearing the words, "NO RIGHT TURN", or, "NO LEFT TURN", in red lettering, turn right or turn left;
- (b) a steady circular amber signal or an amber arrow, is a direction that he may not proceed beyond the stop line associated with the signal or the stop line of the lane associated with the signal, unless his vehicle is so close to the stop line, when the circular amber signal or amber arrow first appears, that he cannot safely stop his vehicle before passing over the stop line;
- (c) a flashing circular amber signal is a direction that he may not proceed beyond the stop line associated with the signal unless he can do so without conflicting or interfering with pedestrians crossing the road way;
- (d) a circular red signal, alone, is a direction that he may not proceed beyond the stop line associated with the signal and a red arrow signal is a direction that he may not proceed beyond the associated stop line in the direction indicated by the arrow;
- (e) a green arrow, in conjunction with a circular red or amber signal, is an indication that oncoming traffic has been required to come to a halt and is a direction that he may proceed, but only in the direction indicated by the arrow.

⁶ The provisions of regulation 306 of the draft National Road Traffic Code concerning the display of dazzling lights are contained in section 58 of Traffic Act, 1919.

(3) The display of a green arrow on a traffic control signal is a direction to a driver facing it that opposing traffic has been stopped to enable him to proceed, or that traffic does not conflict with his proceeding, in the direction indicated by the arrow; and, where the arrow has not come into operation, the display of a circular green signal, alone, is a direction to a driver facing it that he may make the turn that would otherwise be indicated by the arrow, but only if the movement can be made with safety, in the face of oncoming traffic.

(4) Where separate traffic control signals are erected over each lane of a laned carriageway, then, irrespective of the location of the centre of the carriageway with respect to lane markings, a driver shall drive only in those lanes over which a green signal is displayed, and shall not drive in any lane over which a red signal is displayed.

- (5) A traffic control signal facing a pedestrian and displaying—
- (a) the word, "WALK" in green or white lettering, or a circular green signal unaccompanied by the words, "DON'T WALK", in red lettering, is a direction that he may proceed across the carriageway;
 - (b) the words, "DON'T WALK", in red lettering, whether flashing or steady, is a direction that he may not enter upon the carriageway and, if the words appear while he is on the carriageway, that he is to proceed, at once, to the nearest footway;
 - (c) a red or an amber circular signal, unaccompanied by the words, "DON'T WALK", in red lettering, is a direction that he may not enter upon the carriageway, unless he can do so without obstructing the passage of vehicular traffic, and that, having entered on the carriageway, he is to quit it with reasonable despatch.

402. (1) A driver shall not turn his vehicle at an intersection contrary to the instruction on a traffic sign or a traffic control signal erected to face an approaching driver, at or near the intersection, and inscribed with the words, "No Turns", "No Left Turn", "No Right Turn" or "No U Turn".

Obedience
to traffic
signs.

(2) Where a traffic sign inscribed with an arrow and the words "One Way", is erected to face a driver entering a carriageway, the driver shall drive along that carriageway only in the direction indicated by the arrow on the sign.

(3) Where a traffic sign inscribed with the words, "No Entry", is erected over or adjacent to a carriageway, to face an approaching driver, the driver shall not proceed on that carriageway beyond the sign.

(4) Where a marked lane at an approach to an intersection—

- (a) has the words, "Right Turn Only", or, "Left Turn Only", marked on a traffic sign by the side of, or over, the lane; or
 - (b) has an arrow or arrows marked on the surface of the lane,
- a driver entering the intersection from that lane shall drive only in the direction indicated by the words, arrow or arrows.

(5) Where a traffic sign inscribed with the words, "No Overtaking or Passing", is erected to face an approaching driver, the driver shall not—

- (a) pass the sign while any vehicle travelling in the opposite direction is between the sign and a similar sign facing in the opposite direction; or
- (b) while between the sign and a similar sign facing in the opposite direction, overtake or pass a vehicle travelling in the same direction.

(6) Where a traffic sign is erected near a bridge to face an approaching driver, then,—

- (a) if the sign is inscribed with the words, "No Overtaking on Bridge", the driver shall not overtake a vehicle, while between the sign and the far end of the bridge;
- (b) if the sign is inscribed with the words, "Bridge Load Limit...Tonnes Gross" or "Bridge Load Limit... Tonnes Axle", together with numerals before the word, "Tonnes", the driver shall not drive his vehicle upon the bridge, if the weight of the vehicle and its load, together with the weight of any attached trailer and its load, exceeds the weight indicated on the sign; and
- (c) if the sign is inscribed with the words, "Speed Limit on Bridge", followed by numerals and the letters "km/h", the driver shall not exceed the speed in kilometres per hour indicated by the sign, while he is between it and the far end of the bridge.

(7) Where a traffic sign, erected to face an approaching driver is inscribed either with the words, "Keep Left", or with the words, "Keep Right", a driver shall pass to the left or to the right of that sign, as the case may require.

(8) Where a stop sign is erected to face a driver approaching an intersection, such a driver shall stop his vehicle as nearly as possible to, but without passing over, the stop line associated with the sign or, in the absence of a stop line, shall stop his vehicle, without entering the intersection, at the point nearest to it from which he has a clear view of traffic approaching on the intersecting road; and in proceeding therefrom shall give way to every vehicle travelling along, or turning from, the intersecting road.

(9) Where a traffic sign inscribed with the words "Give Way"⁷, is erected to face a driver approaching an intersection, the driver shall give way to every vehicle travelling along, or turning from, the intersecting road.

(10) Where a traffic sign inscribed with the words, "No U Turn", is erected adjacent to a carriageway to face an approaching driver, the driver shall not make a U turn while he is between the sign and the far side of the first intersection beyond the sign; and a driver who enters the carriageway between the sign and the intersection and travels towards the intersection shall not make a U turn, before he has passed over the intersection.

PART V.—DRIVING ON THE LEFT AND OVERTAKING.

501. Except where these regulations provide otherwise, a driver shall keep his vehicle as close as practicable to the left boundary of the carriageway, except where two or more lanes marked on the carriageway are available exclusively for vehicles travelling in the same direction.

Keeping as far left as practicable.

502. (1) When overtaking a moving vehicle, a driver shall, except as provided in subregulations (2) and (3) of this regulation, pass to the right of that vehicle, at a safe distance.

Overtaking.

(2) Where a carriageway is a one-way carriageway, or has two or more marked lanes for vehicles travelling in the same direction, a driver may overtake and pass to the left of another vehicle, if conditions permit him to do so with safety.

(3) A driver overtaking a vehicle making, or apparently about to make, a right turn shall pass to the left of it and of any vehicle that may be stationary behind it.

(4) After overtaking a vehicle, a driver shall not drive in front of it, until his vehicle is safely clear.

(5) When a driver overtakes a vehicle on a two-way carriageway, he shall not drive to the right of the centre of the carriageway, unless the right side of the carriageway is free of oncoming traffic sufficiently far ahead to permit the overtaking movement to be completed with safety.

(6) The driver of a vehicle on a road shall not race with, or endeavour, by unnecessarily fast driving, to pass any other vehicle.

503.⁸

Use of centre and right lanes of three-lane carriage-ways.

504. A driver passing a vehicle travelling in the opposite direction shall keep to his left of that vehicle.

Passing vehicles.

505. (1) Except where overtaking on the left is permitted, the driver of a vehicle being overtaken shall move to the left in favour of the overtaking vehicle, and shall not increase the speed of his vehicle, until it has been completely passed by the overtaking vehicle.

Moving to left for overtaking vehicles.

(2) A driver shall not drive a vehicle on a road in such a manner as to prevent another vehicle from overtaking and passing him.

⁷ For the meaning of giving way, see regulation 601.

⁸ The provisions of this regulation to be found in the draft National Traffic Code are not applicable in this State.

506. (1) A driver shall drive his vehicle as nearly as practicable entirely within a single marked lane or in a single line of traffic and shall not move laterally from any such lane or line of traffic until he can do so with safety.

Driving in lanes on carriage-ways.

(2) Where, on the approach side of an intersection, a portion of the road is divided longitudinally by single, continuous lines, into two or more lanes, a person shall not drive a vehicle across any of those lines.

(3) The provisions of subregulation (2) of this regulation do not apply to a driver intending to make a left turn, if his vehicle is more than eight metres, in length.

507. A driver passing through a traffic roundabout shall drive to the left of the central traffic island.

Driving through roundabouts.

508. Where a carriageway is marked with a double longitudinal line comprising—

Keeping left of double lines.

(a) two continuous lines; or

(b) a continuous line on the left of a broken or dotted line,

a driver shall not permit any portion of his vehicle to travel on, over, or to the right of, the double longitudinal line, except for the purpose of making a right turn or a U turn, where permissible.

509. (1) In this regulation, "long vehicle" means a vehicle of more than eight metres in length, inclusive of any projection and of its load, or a vehicle with dual wheels on any axle or a vehicle towing another vehicle.

Following too closely.

(2) Except when overtaking and passing, the driver of a long vehicle when following another long vehicle shall, wherever conditions permit, keep his vehicle not less than sixty metres behind the other vehicle.

(3) This regulation does not apply to a long vehicle in a control area or to a long vehicle on a carriageway provided with two or more marked lanes available exclusively for vehicles travelling in the same direction as that in which the long vehicle is travelling.

(4) Except when overtaking and passing, the driver of any vehicle shall, when following another vehicle, keep such distance behind it, as will enable him to stop his vehicle in an emergency with safety and without running into the vehicle in front of him.

510. Where a road is divided by a median strip, a driver shall not drive his vehicle upon the carriageway on his right.

Driving on divided road.

511. Except where these regulations otherwise provide, a driver on a two-way carriageway shall not permit any portion of his vehicle to travel on or over or to the right of the centre of the carriageway when—

Passing when road ahead is obscured.

(a) approaching a crest of a gradient; or

(b) approaching, or upon, a curve,

unless he can see ahead for a distance sufficient to enable him to do so with safety or without interfering with the progress of any oncoming vehicle.

PART VI.—RIGHT OF WAY AND GIVING WAY.

601. Where any of these regulations require a driver to give way to a person or vehicle, the requirement takes effect when there is a reasonable possibility that, if he proceeded, his vehicle would collide or come into conflict with, or create any other dangerous situation with regard to, that person or vehicle; and, in that event, he is obliged to slow down to such an extent, or, as the circumstances may require, stop and remain stationary for such time, as may be necessary to allow the person or vehicle to continue on his or its course.

Requirement of giving way.

602. Subject to subregulations (8) and (9) of regulation 402 and to regulation 603 the driver of a vehicle that is approaching, or has arrived at, an intersection shall give way to a vehicle on his right that is approaching, or has arrived at, that intersection, by or from another road.

Right of way at intersections.

603. (1) Subject to subregulations (8) and (9) of regulation 402 and to regulation 608, a driver who intends to turn, is turning or has turned at an intersection shall, if turning to the right, give way to any other vehicle that has entered, or is approaching, the intersection, from the opposite direction.

Right of way during turns.

(2) A driver turning to the right or left at an intersection shall give way to all pedestrians.

(3) A driver making a U turn shall give way to all other vehicles and to all pedestrians.

(4) Except as provided by this regulation, the provisions of regulation 602 apply to turning vehicles.

604. (1) A driver who is about to drive, or is driving, a vehicle into, or out from, a parking area or the boundary of a carriageway shall give way to all other vehicles and to all pedestrians.

Movements to or from parked position.

(2) A driver shall not drive a vehicle in reverse out of a parking area established across the centre of a carriageway, if the carriageway or parking area in front of his vehicle is free from obstruction.

605. A driver shall give way to, and make every reasonable effort to give a clear and uninterrupted passage to, every emergency vehicle sounding or flashing a warning device.

Action on approach of emergency vehicles.

606. (1) A driver entering a road or carriageway from land abutting the road or carriageway shall give way to—

Entering or leaving a road or carriageway.

(a) all vehicles travelling in either direction along the carriageway; and

(b) all vehicles turning or intending to turn preparatory to leaving the carriageway at the point that the driver is entering that carriageway,

unless instructed to the contrary by a traffic control signal.

(2) A driver turning or intending to turn preparatory to leaving a carriageway shall give way to all vehicles travelling in the opposite direction along that carriageway.

(3) A driver entering or leaving a road or carriageway shall give way to all pedestrians, unless instructed to the contrary by a traffic control signal.

607. (1) A driver shall not enter upon, or attempt to cross, an intersection, whether or not it is controlled by a traffic-control signal, if the intersection or the carriageway beyond it is blocked by vehicles.

No entry to choked intersection.

(2) The provisions of subregulation (1) of this regulation apply notwithstanding the instruction of a traffic-control signal to proceed.

608. The driver of a vehicle entering a roundabout shall give way to a vehicle that is within the roundabout.

Right of way in roundabouts.

PART VII.—PEDESTRIANS AND PEDESTRIAN CROSSINGS.

701. (1) A driver shall give way to a pedestrian who is on a pedestrian crossing.

Pedestrian crossings.

(2) A driver shall not permit any portion of his vehicle to enter upon a pedestrian crossing if a vehicle headed in the same direction is stopped on the approach side of, or upon, the pedestrian crossing, apparently for the purpose of complying with subregulation (1) of this regulation.

702. (1) A pedestrian shall keep to the left side, when on a footway, marked cross-walk or pedestrian crossing.

Duties of pedestrians on footways and crossings.

(2) When a pedestrian crosses a carriageway or portion of a carriageway, he shall—

(a) keep left of pedestrians crossing in the opposite direction; and

(b) cross as nearly as practicable by the shortest and most direct route to the carriageway boundary, except where there is a marked crosswalk, in which case he shall keep within the boundaries of that marked crosswalk.

703. A person shall not—

- (a) impede or prevent the free passage of any other pedestrian or a vehicle upon a footway or carriageway;
- (b) proceed from a footway towards a vehicle for the purpose of boarding it, until it has stopped;
- (c) alight from, or board, a moving vehicle; or
- (d) remain on a pedestrian crossing, children's crossing or marked cross-walk longer than is necessary for the purpose of passing over the carriageway with reasonable despatch.

Restriction of pedestrians on carriageways and crossings.

704. (1) A pedestrian shall not proceed along a carriageway where a footway exists on the road and is in a fit condition for use.

Pedestrians on carriageways.

(2) A pedestrian proceeding along a carriageway shall, where practicable, travel on the carriageway or side of the carriageway used by vehicles travelling in the opposite direction, and shall keep as close as possible to the boundary of the carriageway on his right.

(3) Notwithstanding the provisions of subregulation (2) of this regulation where a vehicle approaches a pedestrian on a carriageway, on the same side as the pedestrian, then the pedestrian shall, if possible, immediately move off the carriageway, and shall not move back onto the carriageway, until the vehicle has passed him.

(4) A pedestrian shall not proceed along a carriageway abreast of more than one other pedestrian, except in a procession or parade authorised by the local authority.

(5) A pedestrian shall not enter upon any portion of a carriageway within twenty metres of—

- (a) a marked cross-walk adjacent to a traffic-control signal in operation;
- (b) a pedestrian crossing; or
- (c) a children's crossing,

except for the purpose of alighting from or boarding an omnibus at an authorised stopping place.

(6) Nothing in the foregoing provisions of this regulation applies in respect of a carriageway from which vehicles are for the time being excluded.

(7) Where—

- (a) an underpass or overpass is provided specifically for the purpose of enabling pedestrians to cross a carriageway; and
- (b) access to both entrances to the underpass or overpass may be gained from the road of which the carriageway is a portion,

a pedestrian shall not, except by using the underpass or overpass—

- (c) cross any portion of the carriageway; or
- (d) enter any portion of the carriageway for the purpose of crossing the carriageway,

within 120 metres of any entrance to the underpass or overpass.

705. (1) A driver shall stop his vehicle before it reaches a children's crossing or a pedestrian crossing, if a fluorescent red-orange flag or sign bearing the legend "CHILDREN CROSSING—STOP", in black lettering, is displayed to face approaching drivers; and shall not permit any portion of his vehicle to enter upon the children's crossing or pedestrian crossing, while any pedestrian is on it or while the sign is displayed.

Children's crossings.

(2) Where there is a stop line on the approach side of a children's crossing, any stop made under the provisions of this regulation, shall be made before reaching, and as nearly as practicable to, the stop line.

(3) A driver shall not permit any portion of his vehicle to enter upon a children's crossing, or to cross any stop line on the approach side of a children's crossing, if any vehicle headed in the same direction is stopped on the approach side of, or upon the children's crossing, apparently for the purpose of complying with the provisions of this regulation.

706.⁹ A person on a footway shall not propel a perambulator or children's stroller abreast of any other vehicle on the footway, while other pedestrians are using the footway. Obstruction
by
pedestrians.

707. (1) Every person shall give way to a pedestrian displaying a walking stick or cane that is predominantly white. Blind
pedestrian.

(2) A person, other than a blind person, shall not display a walking stick or cane that is predominantly white.

PART VIII.—TURNING, STARTING AND STOPPING.

801. (1) A driver who is about to make a left turn at an intersection shall except where driving a vehicle that exceeds eight metres in length, so drive his vehicle that, when it reaches the intersection, it is to the left of any vehicle that is abreast of his own and travelling in the same direction. Left turns.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, a driver who, on a laned carriageway, is immediately to the right of a vehicle that is in a lane set aside exclusively for left-turning vehicles may turn his vehicle to the left, at an intersection, if that movement can be made with safety.

802. (1) A driver who is about to make a right turn at an intersection shall— Right turns.

(a) where he is travelling on a two-way carriageway, approach and enter the intersection so that his vehicle is to the left of, parallel with, and as near as practicable to, the centre of the carriageway; and

(b) where he is travelling on a one-way carriageway approach and enter the intersection so that the vehicle is parallel with, and as near as practicable to, the right boundary of the carriageway,

but this regulation does not apply where the vehicle is in a marked lane that has a sign alongside or over it or markings on its surface indicating that a right turn shall, or may be, made by vehicles in that lane.

(2) A driver making a right turn at an intersection shall make the turn so that, wherever practicable, his vehicle passes to his right of the centre of the intersection, and so that—

(a) where the carriageway being entered is a two-way carriageway, his vehicle enters it to his left of the centre of the carriageway; and

(b) where the carriageway being entered is a one-way carriageway, his vehicle enters it as nearly as practicable to the boundary of the carriageway on his right.

(3) For the purposes of subregulation (2) of this regulation, a vehicle is deemed to enter a carriageway at the point where the front of the vehicle crosses the prolongation of the edge of the carriageway it is leaving.

(4) Notwithstanding the foregoing provisions of this regulation, a driver who is about to make, or is making, a right turn at an intersection—

(a) where markers, marks or signs are so placed as to indicate that a different course from that specified in this regulation is to be travelled, shall not turn his vehicle at the intersection otherwise than as indicated by the markers, marks or signs; and

(b) where a member of the police force or a traffic inspector is controlling or directing traffic, shall make the turn before reaching the middle of the road into which he is turning by passing either to the front, or to the rear of, the member of the police force or inspector, as he may be directed.

803. (1) A driver shall not turn right or left, or diverge right or left, or make a U turn, or stop or suddenly decrease speed, without giving warning of his intentions, by a signal as prescribed by this regulation. Drivers
to give
signals.

(2) A driver shall give the signal prescribed by this regulation, where he intends—

(a) to turn right or left or make a U turn—

(i) if his vehicle is travelling—continuously for thirty metres immediately before making the turn; and

⁹ The provisions of this regulation are not included in the draft National Road Traffic Code.

14

- (ii) if his vehicle is stationary—continuously before making the turn;
- (b) to diverge to the right or left—continuously for thirty metres immediately before so diverging; and
- (c) to stop or suddenly reduce speed—while his brakes are being applied.

(3) A driver who is required to give a signal of intention to turn, or diverge, right or left, or to make a U turn, shall, where the vehicle is equipped with the appropriate flashing lamp signalling device or illuminated indicator in working order, give the signal by means of that flashing lamp signalling device or illuminated indicator.

(4) A driver who is required to give a signal of intention to turn, or diverge, right, or to make a U turn, shall, where the vehicle is not equipped with an appropriate flashing lamp signalling device or illuminated indicator in working order, give the signal—

- (a) by means of a hand-shaped signalling device; or
- (b) by fully extending his right arm and hand horizontally beyond the right side of his vehicle and approximately at right angles to the centre line of the vehicle.

(5) A driver who is required to give a signal of intention to stop or to reduce speed suddenly shall, where the vehicle is equipped with a stop lamp or lamps in working order, give the signal by means of that stop lamp or those lamps.

(6) A driver who is required to give a signal of intention to stop or to reduce speed suddenly shall, where the vehicle is not equipped with a stop lamp or lamps in working order, give the signal—

- (a) by means of a hand-shaped signalling device; or
- (b) by extending his right arm beyond the right side of his vehicle with the upper arm horizontal and the forearm and fingers pointing upwards.

(7) Nothing in this regulation—

- (a) prevents a driver who complies with subregulation (3) or (5) of this regulation from also giving an additional signal in the manner prescribed by subregulation (4) or (6) of this regulation, as the case requires; or
- (b) requires the driver of a vehicle to give a signal of intention to turn or diverge left if his vehicle is not equipped with a flashing lamp signalling device or illuminated indicator capable of being used to give such a signal.

804. (1) A driver shall not permit a signalling device to be operated, except for the purpose of giving a signal in accordance with the provisions of these regulations.

Use of
signalling
devices.

(2) A driver shall not permit a signalling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put into operation.

805. A driver shall not drive his vehicle so as to make a U turn—

U turns.

- (a) unless the turn can be made with safety or without interfering with the movement of other traffic; or
- (b) on any intersection at which a traffic control signal is operating.

PART IX.—RAILWAY LEVEL CROSSINGS.

901. (1) A driver approaching a railway level crossing shall stop his vehicle so that the front of it is on the approach side of, and safely clear of, the nearest rail of the railway, where—

Stopping
at level
crossings.

- (a) he is directed or instructed to stop by a railway employee;
- (b) an approaching train is visible within a distance of 400 metres or emits an audible signal;
- (c) a stop sign facing the driver is erected at or near the level crossing; or
- (d) twin alternating red lights are flashing, or a wig-wag signal is moving, or a warning bell is ringing, at or near the level crossing;

and shall not proceed, unless and until—

- (e) directed by the railway employee;
- (f) the train has passed, or has stopped clear of, the crossing;

(g) he has ascertained that he may do so without danger of conflict with a train; or

(h) the lights cease, or the signal or bell ceases, to flash, move or ring, as the circumstances of the case may require.

(2) The driver of a vehicle that is carrying any explosive, inflammable, corrosive or poisonous gas, liquid or material of any kind (other than fuel in the fuel tank of the vehicle) shall stop the vehicle before passing over a railway level crossing that is not equipped with twin alternating red lights, a wig-wag signal or gates, booms or other barriers for closing the crossing to road traffic and shall not proceed until he has ascertained that he may do so without danger of conflict with a train.

(3) A person shall not drive a vehicle through, around or under any gate, boom or barrier at a railway level crossing or enter upon the crossing while the gate, boom or barrier is closed or is being opened or closed to road traffic.

PART X.—SPEED RESTRICTIONS.

1001. (1) A person shall not drive a vehicle at a speed exceeding 110 kilometres per hour and shall not drive a vehicle,— Speed limits.

(a) in a control area, at a speed exceeding 60 kilometres per hour, except within a speed zone in which a higher speed is permitted; or

(b) in a speed zone, at a speed exceeding, in kilometres per hour, that indicated by the numerals on the restriction sign, at the beginning of the speed zone.

(2) Subject to any other provisions of these regulations, prescribing a maximum speed for any vehicle lower than that prescribed by this subregulation, a person shall not—

(a) drive a goods vehicle, the weight of which together with any load carried is not more than three tonnes, at a speed exceeding 100 kilometres per hour;

(b) drive a goods vehicle, the weight of which together with any load carried, is more than three tonnes but is not more than seven tonnes, at a speed exceeding 80 kilometres per hour;

(c) drive a goods vehicle, the weight of which together with any trailer attached including the total load carried, is more than seven tonnes, at a speed exceeding—

(i) 50 kilometres per hour, within a control area; or

(ii) 70 kilometres per hour, elsewhere;

(d) Drive a vehicle to which a trailer or other vehicle is attached at a speed exceeding—

(i) where the weight of the trailer or other vehicle including any load is not more than 750 kilograms, 100 kilometres per hour; or

(ii) where the weight of the trailer or other vehicle including any load is more than 750 kilograms, 80 kilometres per hour;

(e) drive a vehicle licensed for the carriage of eight or more passengers at a speed exceeding 80 kilometres per hour.

(3) The several speeds prescribed by subregulation (2) of this regulation apply to the respective classes of vehicle therein mentioned, notwithstanding the existence of speed zones that permit higher speeds for other classes of vehicles.

(4) The provisions of this regulation do not justify the driver of a vehicle driving at a speed that—

(a) may constitute driving carelessly, recklessly or at a speed, or in a manner, that is dangerous to the public, having regard to all the circumstances; or

(b) exceeds any maximum speed applicable to the vehicle and fixed by, or under, the Act or any regulation.

(5) In this regulation "goods vehicle" means any motor vehicle constructed, equipped or fitted, primarily, for the conveyance of goods or merchandise, and includes a tractor that is designed and used for drawing other vehicles, although not constructed or designed for carrying any load independently or for carrying any part of the load of the vehicle that it draws.

(6) For the purposes of this regulation, a freeway is deemed to be outside a control area.

(7) Notwithstanding the existence of speed zones that permit higher speeds, a person, being obliged by regulations made under the Act to display, on a motor vehicle driven by him, plates, issued by the Director, bearing the letter "P", in red on a white ground, shall not drive any motor vehicle at a speed exceeding 80 kilometres per hour.

Motor cyclist
with pillion
passenger.

1002.¹⁰

1003.¹⁰ Where portion of a road is subject to work being done on, over or under it, by a competent authority, the driver of a vehicle that is approaching or passing the place at which the work is being done shall—

Restriction
where road
under
repair, etc.

- (a) comply with a direction given by a person who is, apparently, a servant of the authority; and
- (b) not drive the vehicle over or past any portion of the road that lies between a sign bearing the direction, "Slow—30 kilometres per hour" and a sign bearing the direction, "End of 30 km/h limit", at a speed exceeding 30 kilometres per hour.

1004.¹⁰ A person shall not, during the hours of darkness,—

Restriction
on speed
of certain
motor
cycles.

- (a) drive a motor cycle or a three wheeled vehicle having an engine capacity not exceeding 100 c.c., at a speed exceeding 40 kilometres per hour; or
- (b) drive a motor cycle or a three wheeled vehicle having an engine capacity exceeding 100 c.c. but not exceeding 200 c.c., at a speed exceeding 50 kilometres per hour, unless the motor cycle or the three wheeled vehicle is fitted with a headlamp that would render a person in dark clothes readily discernible,—
 - (i) where the engine capacity does not exceed 100 c.c. at a distance of twenty-three metres; and
 - (ii) where the engine capacity exceeds 100 c.c. but does not exceed 200 c.c. at a distance of thirty-seven metres.

PART XI.—STOPPING AND PARKING VEHICLES.

1101. (1) A person shall not stand a vehicle—

Vehicles
not to be
left in
certain
areas.

- (a) in a No Standing Area;
- (b) in a parking area, except in a manner indicated by the inscription on the sign or signs associated with the parking area;
- (c) in a parking area contrary to any limitation in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the area; or
- (d) in a defined area marked, "M/C", unless it is a motor cycle without a side-car.

(2) The provisions of paragraph (a) of subregulation (1) of this regulation do not apply to a person in charge of an omnibus who stops or stands the omnibus within eighteen metres of the approach side, or nine metres of the departure side, of a sign inscribed with the words "Bus Stop" or "Hail Bus Here" for the sole purpose of taking up or setting down passengers.

(3) A person shall not stand a vehicle in a Loading Zone unless it is—

- (a) a motor wagon engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers; and then, only, if it does not have a trailer attached.

(4) A person shall not park a vehicle in a No Parking Area.

(5) A person shall not park a vehicle, on any portion of a road—

- (a) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
- (b) if the vehicle is exposed for sale.

¹⁰ Regulation 1002 of the draft National Road Traffic Code relates to the speed of motor cycles carrying a pillion passenger and is not applicable in this State. The draft National Road Traffic Code does not contain the provisions here inserted as regulations 1003 and 1004.

(6) A person shall not stand a motor cycle without a side-car in a parking stall unless the traffic sign, "M/C", is marked on that stall.

1102. Subject to the provisions of regulation 1103, a person standing a vehicle on a carriageway shall stand it—

Method of parking vehicles.

- (a) on a two-way carriageway, so that it is as near as practicable to, and parallel with, the left boundary of the carriageway;
- (b) on a one-way carriageway, so that it is as near as practicable to, and parallel with, either boundary of the carriageway;
- (c) so that it is not less than 1.2 metres from any other vehicle, except a motor cycle parked in accordance with these regulations;
- (d) so that at least three metres of the width of the carriageway, between the vehicle and the farther boundary of the carriageway, or between it and a vehicle standing on the far side of the carriageway, is available for the passage of other vehicles;
- (e) so that it does not cause undue obstruction on the carriageway; and
- (f) so that it is entirely within the confines of any parking bay marked on the carriageway.

1103. (1) A person shall not stand a vehicle partly within and partly outside a parking area.

Method of parking in parking areas.

(2) Where the traffic sign or signs associated with a parking area not inscribed with the words, "Angle Parking", then—

- (a) where the parking area is adjacent to the boundary of a carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to, and parallel with, that boundary; and
- (b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway, unless a sign associated with the parking area, indicates or marks on the carriageway indicate, that vehicles are to stand in a different position.

(3) Where a traffic sign associated with a parking area is inscribed with the words "Angle Parking", a person standing a vehicle in the parking area, shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway, unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.

(4) Subregulation (3) of this regulation does not apply to a person standing a motor cycle in a parking area.

1104. (1) A person shall not stand a vehicle so that any portion of the vehicle is—

Prohibited standing places.

- (a) between any other standing vehicle and the centre of the carriageway;
- (b) on or adjacent to a median strip;
- (c) in front of a right-of-way, passage or private drive or so close thereto as to deny vehicles reasonable access to, or egress from, the right-of-way, passage or private drive;
- (d) in front of a footway constructed across a reservation;
- (e) alongside, or opposite, any excavation in, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;
- (f) on, or within nine metres of, any portion of a carriageway bounded on one or both sides by a traffic-island;
- (g) on any footway or pedestrian crossing;
- (h) upon a bridge or other elevated structure or within a tunnel or underpass;
- (i) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of the carriageway nearer to the continuous line, unless there is a distance of at least three metres clear between the vehicle and the double longitudinal line; or
- (j) upon an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

18.

(2) The provisions of paragraphs (c), (f) and (h) of subregulation (1) of this regulation do not apply to a motor vehicle that stands in a bus stand marked on the carriageway, for the purpose of setting down or taking up passengers.

(3) A person shall not stand a vehicle so that any portion of the vehicle is—

- (a) within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or
- (b) within three metres of a public letter pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the pillar box.

(4) A person shall not stand a vehicle so that any portion of the vehicle is within six metres of the nearer property line of any road intersecting the road on the side on which the vehicle is standing.

(5) A person shall not stand a vehicle so that any portion of the vehicle is within nine metres of the departure side of—

- (a) a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless the vehicle is an omnibus stopped to take up or set down passengers; or
- (b) a children's crossing established on a two-way carriageway.

(6) A person shall not stand a vehicle so that any portion of the vehicle is within eighteen metres of—

- (a) the approach side of a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless the vehicle is an omnibus stopped to take up or set down passengers;
- (b) the approach side of a pedestrian crossing or children's crossing; or
- (c) the nearest rail of a railway level crossing.

(7) The provisions of paragraph (c) of subregulation (6) of this regulation do not apply to a person engaged on the installation or maintenance of warning devices at a railway level crossing, where the standing of the vehicle is necessary for that purpose.

1105.¹¹

Restrictions on standing on tramcars.

1106. (1) A person shall not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is more than eight metres in length—

Restriction on parking of long vehicles.

- (a) on a carriageway in a control area, for any period exceeding one hour; or
- (b) on a carriageway outside a control area, except in a truck bay or other area set aside for the parking of goods vehicles.

(2) Nothing in this regulation mitigates the limitations or conditions imposed by any other regulation or by any by-law or traffic sign relating to the parking or standing of vehicles.

1107.¹² A person shall not stand a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of fifty metres, within a control area, and from a distance of 150 metres, outside a control area.

Restriction on standing vehicle on crests, curves, etc.

1108. Where, in any particular case, the parking or standing of a vehicle constitutes an offence against by-laws in force in a municipal district under the provisions of section 231 of the Local Government Act, 1960, the parking or standing of that vehicle shall not constitute an offence against this Code.

Offence against by-law not offence against this Code.

PART XII.—LIGHTING, WARNING SIGNS, EQUIPMENT, ETC.

1201. A person shall not drive a motor vehicle or a combination of a motor vehicle and trailer, during the hours of darkness, unless it is equipped with such lamps and reflectors as are prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time, as those to be carried by that vehicle or combination, and the lamps are alight.

Lights on moving motor vehicles.

¹¹ The provisions of this regulation to be found in the draft National Road Traffic Code are not applicable in this State.

¹² The provisions of this regulation are not included in the draft National Road Traffic Code.

1202. (1) The driver of a motor vehicle equipped with a dipping device shall cause the main beams of light projected by the headlamps of the motor vehicle to be dipped where the motor vehicle is approached by any other vehicle travelling in the opposite direction—

Dipping of headlamps.

- (a) when the other vehicle reaches a point 200 metres from the motor vehicle; or
- (b) immediately the main beams of light projected by the headlamps of the other vehicle are dipped,

whichever is the sooner, and shall cause the beams of his vehicle to remain dipped until the other vehicle has passed.

(2) A person shall not drive a motor vehicle that is not equipped with a dipping device, during the hours of darkness, unless the main beams of light projected by the headlamps are adjusted to the dipped position and, then only, at a speed not exceeding 60 kilometres per hour.

1203. (1) Subject to the provisions of regulations 1209 and 1210, a person shall not leave a lamp, having a power exceeding seven watts and showing to the front, lighted on a vehicle that is stationary on a carriageway, unless the vehicle is stationary for the purpose of avoiding conflict with other traffic, of complying with the provisions of any law or of taking up or setting down passengers.

Lights on stationary motor vehicles.

(2) A person shall not stand a motor vehicle or a trailer, on, or partly on, a carriageway, during the hours of darkness, unless there are fitted to the motor vehicle or the trailer such lamps and reflectors as are prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time, and the lamps so fitted are alight.

(3) Subregulation (2) of this regulation does not apply in respect of the lighting of lamps—

- (a) where the streetlighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of 200 metres; or
- (b) on a motor cycle not connected to a side-car, forecar or trailer, standing as near as practicable to, and parallel with, the boundary of the carriageway.

1204. (1) In this regulation "heavy vehicle" means a vehicle of which the weight, together with any attached trailer and the total load carried (if any), exceeds four tonnes.

Portable warning signs for disabled heavy vehicles.

(2) A person shall not drive a heavy vehicle on a road outside a control area, or cause or permit a heavy vehicle to be so driven, unless there are carried on the vehicle three portable warning signs complying with the standard specification for portable warning signs set out in Australian Standard No. E.38-1962 of the Standards Association of Australia and the signs are in good order.

(3) Whenever a disabled heavy vehicle is stationary on a carriageway, outside a control area, during the hours of darkness, the driver or person in charge of the vehicle shall immediately place, and leave, on the carriageway three portable warning signs such as are mentioned in subregulation (2) of this regulation, one in advance of the vehicle, one to the rear of it and one beside it, on the side nearer to the centre of the carriageway.

(4) The portable warning signs placed on the carriageway in compliance with subregulation (3) of this regulation shall be placed so as to give reasonable warning to an approaching driver and, wherever practicable, so that at least one sign is visible to such a driver, at a distance of not less than 200 metres.

(5) The signs placed in advance and to the rear of the vehicle, in compliance with subregulation (3) of this regulation, shall be placed at a distance, of between fifty metres and 150 metres, from the vehicle.

(6) Nothing in this regulation affects—

- (a) any duty imposed by these regulations to display lighted lamps on stationary vehicles;
- (b) motor omnibuses of the Metropolitan (Perth) Passenger Transport Trust; or
- (c) fire brigade vehicles.

1205. (1) A person shall not ride or push a bicycle, during the hours of darkness, unless it is fitted with the lamps, and where required, a reflector, as prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time, and the lamps are alight.

Lights and other equipment on bicycles.

(2) A person shall not ride a bicycle, unless it is equipped with a brake and a bell, as prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time.

1206. A person shall not drive an animal-drawn vehicle, or permit it or any trailer drawn by it to be, upon a carriageway, during the hours of darkness, unless the vehicle or trailer is equipped with appropriate lamps and reflectors as prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time, and the lamps are alight.

Lights on animal-drawn vehicles.

1207. (1) In fog or mist or under other abnormal atmospheric conditions restricting visibility, the display of light from a fog lamp or fog lamps is sufficient compliance with any obligation to display a light from a head lamp or head lamps under regulation 1201.

Fog lamps.

(2) A person shall not drive a motor vehicle, other than a motor cycle, displaying light from a single fog lamp, unless two lighted lamps, complying with the requirements of the Vehicle Standards Regulations, 1974, as amended from time to time, are fitted to the front of the vehicle.

(3) A person shall not drive a motor vehicle displaying light from a fog lamp or fog lamps, if any other lamp of a power exceeding seven watts and capable of showing a white light to the front is alight.

(4) In this regulation "fog lamp" means a fog lamp as prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time.

1208.¹³ A person shall not tow a vehicle, during the hours of darkness, unless it is equipped with the appropriate lights as prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time, and the lamps are alight.

Lights on towed vehicles.

1209. (1) A person shall not cause or permit a spot lamp or search lamp fitted or connected to any vehicle to be lighted, unless—

Spot lamps.

- (a) the vehicle is stationary and the lamp is used only for the purpose of examining or making adjustments or repairs to a vehicle and the light from the lamp is projected not more than six metres from its source; or
- (b) the vehicle is outside a control area and the lamp is lighted and used only for the purpose of reading a road sign.

(2) The provisions of subregulation (1) of this regulation do not apply to an emergency vehicle or a special purpose vehicle being used in connection with its functions.

1210. (1) Subject to subregulation (2) of this regulation, the use, on a vehicle, of a lamp displaying intermittent flashes is prohibited, but the prohibition does not extend to—

Restriction on flashing warning lights.

- (a) the use, upon an emergency vehicle, other than an emergency vehicle conveying a traffic inspector, of a lamp displaying intermittent red or blue flashes; or
- (b) the use of a lamp or lamps displaying intermittent amber flashes, upon—
 - (i) an emergency vehicle conveying a traffic inspector, or a vehicle conveying a person who is authorised by the Commissioner of Transport under section 49 of the Transport Commission Act, 1966 or regulation 37 of the Transport Commission Regulations, 1967, and who is acting in the course of his duties;
 - (ii) a special purpose vehicle occupying a hazardous position on a road, while stationary or manoeuvring at a speed not exceeding 10 kilometres per hour; and
 - (iii) a disabled motor vehicle (not being a motor cycle) that is stationary on the main travelled portion of the carriageway and is displaying the flashes from both sides of the front and of the rear of the vehicle by means of a flashing lamp turn signalling device fitted in compliance of the Vehicle Standards Regulations, 1974.

(2) This regulation does not prohibit the use of a flashing lamp signalling device on a vehicle, in accordance with regulation 804.

¹³ For the towing of vehicles, generally, see regulation 1610.

1211.¹⁴ (1) In this regulation the expression "heavy vehicle", has the same meaning as it has in regulation 1204.

Fallen loadings from heavy vehicles.

(2) Where the load or any portion of the load that has fallen from a heavy vehicle is lying upon a carriageway, during the hours of darkness, the driver shall, if unable to comply with the provisions of subregulation (4) of regulation 1609, forthwith place, and leave, on the carriageway three portable warning signs such as are mentioned in subregulation (2) of regulation 1204, in such positions as to give reasonable warning to drivers approaching from either direction, and so that, where practicable, at least one sign, is visible to any such driver, at a distance of 200 metres.

(3) A driver is not required to place the signs referred to in subregulation (2) of this regulation, where street lighting in the vicinity renders the fallen object clearly visible to a driver approaching in either direction, at a distance of 200 metres.

1212.¹⁵ A person shall not drive or stand a vehicle—

Mascots or toys prohibited on vehicles.

- (a) having a mascot, toy or similar article attached to the windshield, or to the rear or other window of the vehicle; or
- (b) having a mascot, toy or similar article attached to the interior of the vehicle in such a position as to obstruct or be likely to obstruct the vision, or to distract or to be likely to distract the attention, of a person while driving the vehicle.

PART XIII.—BICYCLES, TOY VEHICLES AND ANIMALS.

1301. (1) A person riding a bicycle shall not ride otherwise than astride a permanent and regular seat attached to it.

Riding bicycles.

(2) A person shall not use a bicycle to carry, at any one time, more persons than the number for which it is designed and equipped.

(3) A person shall not ride a bicycle without having at least one hand on the handle-bars.

(4) Wherever a separate carriageway or a separate portion of a carriageway is provided exclusively for the use of cyclists and is in a reasonable condition for use, a rider of a bicycle shall use that carriageway or portion of a carriageway and no other.

(5) A person shall not ride a bicycle within two metres of the rear of a motor vehicle, over a distance of more than 200 metres.

(6) A person shall not leave a bicycle in or upon a road so as to become an obstruction.

1302. (1) A person riding a bicycle or a toy vehicle shall not attach himself to, or permit himself to be drawn by, any other vehicle.

Towing of bicycles, etc.

(2) The driver of a vehicle shall not permit a person riding a bicycle or a toy vehicle to attach himself to, or be drawn by, the vehicle.

1303. (1) Except on a carriageway or a portion of a carriageway set aside exclusively for bicycles, a person shall not ride a bicycle so that it is travelling abreast of more than one other bicycle.

Riding more than two abreast.

(2) Subregulation (1) of this regulation does not prevent a cyclist from overtaking and passing other persons riding bicycles abreast.

(3) A bicycle is deemed to be abreast of another bicycle if any part of it is by the side of any part of the other.

1304. (1) A person riding an animal shall not lead more than one other animal.

Leading animals.

(2) A person shall not lead an animal, while riding in a motor vehicle, or more than two animals while riding in any other vehicle.

(3) A person shall not tie an animal to a moving vehicle for the purpose of making it walk or run behind or alongside the vehicle.

¹⁴ The provisions of this regulation are not included in the draft National Road Traffic Code.

¹⁵ See note 12, page 24.

- 1305.¹⁶ A person shall not—
- (a) play any game; or
 - (b) ride on a roller skate or any vehicle that is mounted on small wheels or rollers and not fitted with an efficient mechanism for braking, on any part of a road.
- Games and roller skates.

PART XIV.¹⁷—PASSING SAFETY ZONES.PART XV.¹⁸—CARELESS AND DANGEROUS DRIVING AND DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS.

PART XVI.—MISCELLANEOUS.

1601. (1) A driver of a motor vehicle shall not permit it to stand unattended without first—
- (a) stopping the engine;
 - (b) locking the ignition, if any;
 - (c) removing the ignition key, if any;
 - (d) effectively applying the brake; and
 - (e) when the motor vehicle is standing upon a grade, turning the front wheels to the kerb or the side of the carriageway nearer to the motor vehicle, in such a manner as would prevent the vehicle rolling downhill.
- (2) A person having the control of, or being in charge of, a vehicle to which is fitted any appliance capable of being raised or lowered shall not permit the vehicle to stand unattended unless—
- (a) the appliance has been placed in its lowest practicable position; and
 - (b) every precaution has been taken to prevent injury to persons or damage to property arising from the inherent nature of the appliance and the fact of the vehicle being unattended.
- (3) For the purposes of subregulation (2) of this regulation, “appliance” includes a fork lift, loader, push-bar, scraper, blade, jib or similar device.
1602. A person shall not drive a motor vehicle in reverse—
- (a) unless he can do so with safety; or
 - (b) for a greater distance than is reasonable, having regard to the circumstances.
- Driving backwards.
1603. (1) A person shall not drive a vehicle on a footway, except to cross it by the shortest route on entering or leaving a lane or driveway.
- Driving on footways and median strips.
- (2) Where a road is divided by a median strip, a driver shall not cross over the median strip from one carriageway to the other, except at a place improved, designed or ordinarily used for vehicular traffic.
1604. (1) A person shall not drive a vehicle, unless—
- (a) he is in such a position behind the steering wheel that he has full control over the vehicle;
 - (b) he can obtain a full and uninterrupted view of the road and any traffic ahead and on each side of him; and
 - (c) he can obtain, in a rear-vision mirror or mirrors attached to the vehicle, a clear reflected view of every overtaking vehicle.
- Positions of drivers and passengers.

¹⁶ The provisions of this regulation are not included in the draft National Road Traffic Code.

¹⁷ The provisions of Part XIV of the National Road Traffic Code relating to tram-cars and safety zones are not applicable in this State.

¹⁸ The provisions of Part XV of the National Road Traffic Code are to be found under sections 31 to 32C (both inclusive) of the Traffic Act, 1919.

(2) A person shall not act in any manner or occupy such a position on a moving vehicle as will occasion him—

- (a) to interfere with or impede the driver in controlling the vehicle; or
- (b) to prevent the driver and his signals from being clearly seen by the drivers of vehicles, or by pedestrians, in the immediate vicinity.

1605. (1) A person while driving, or travelling in or on, a motor vehicle other than a motor cycle, shall not permit any part of his body or limbs—

- (a) to be upon or in contact with any external part of the vehicle;
- (b) to extend or protrude beyond or through any external door, window or other opening of the vehicle; or
- (c) to extend or protrude beyond or hang over any side or the front, rear or any other external portion of the vehicle.

Body or limbs protruding from vehicles.

(2) This regulation does not prevent a driver from giving any signal authorised or prescribed by these regulations.

1606¹⁹ (1) A motor cycle shall not be used upon a road for the carriage of more than one person in addition to the driver.

Pillion riding on motor cycles.

(2) A motor cycle shall not be used upon a road for the carriage of a passenger, unless—

- (a) the motor cycle is provided with foot-rests and a seat, as prescribed by the Vehicle Standards Regulations, 1974, as amended from time to time, for use by the passenger; and
- (b) the passenger is sitting upon the prescribed seat, astride the motor cycle, facing forward and using the prescribed foot-rests.

1607. (1) A person shall not drive a motor cycle unless—

- (a) he is wearing securely on his head a protective helmet of a type and standard prescribed in subregulation (2) of this regulation; and
- (b) where any other person of or over the age of six years is riding or being carried on the motor cycle, that other person is wearing securely on his head a protective helmet of a type and standard prescribed in subregulation (2) of this regulation.

Drivers and pillion passengers upon motor cycles to wear protective helmets.

(2) For the purposes of subregulation (1) of this regulation a protective helmet shall—

- (a) be of a type and standard specified in Australian Standard E33-1968 (Protective Helmets for Motor Cyclists) published and reprinted in 1968 by the Standards Association of Australia as amended by Amendment No. 1 so published by the Standards Association of Australia in November, 1968; or
- (b) be of a type and standard specified in Australian Standard E43-1968 (Protective Helmets for Racing Motor Cyclists) published in 1968 by the Standards Association of Australia as amended by Amendment No. 1 so published by the Standards Association of Australia in November, 1968.

(3) In this regulation "motor cycle" means any motor vehicle that has two wheels, or, where a sidecar is attached thereto, has three wheels.

(4) The provisions of subregulation (1) of this regulation do not apply so as to require the wearing of a protective helmet by a person who has for reasons relating to his medical condition or for any other reason which the Director considers sufficient; been exempted in writing by the Director from that requirement.

1608. A person shall not—

- (a) open, or leave open, a door of a vehicle; or
- (b) alight from a vehicle onto a carriageway,

so as to endanger other persons using the road or impede the passage of traffic.

Opening doors and alighting from vehicles.

¹⁹ The provisions of this regulation are not included in the draft National Road Traffic Code. See note to regulation 1612.

1609. (1) A person shall not throw, drop, place or leave or cause or allow to be thrown, dropped, placed or left upon a road any bottle, glass, nail, tack, wire, can, destructive or injurious material or any substance or thing likely to endanger any person, animal or vehicle. Putting glass, etc. on roads.

(2) A person who throws, drops, places or leaves anything, or who causes or allows anything to be thrown, dropped, placed or left upon a road, in contravention of subregulation (1) of this regulation, shall, as soon as practicable thereafter, remove it or cause it to be removed.

(3) A person removing a wrecked or damaged vehicle from a road shall remove any glass or other destructive, injurious or dangerous substance or thing that has fallen upon the road from that vehicle.

(4)²⁰ Where the load or any portion of the load of a vehicle falls from the vehicle to the carriageway, the driver of that vehicle shall immediately—

- (a) reload the fallen object on the vehicle; or
- (b) remove the fallen object from the carriageway to such a position on the side of the road as will, as far as possible, reduce the danger to vehicles and pedestrians.

1610. A person shall not drive a vehicle carrying a load, unless the load is so arranged, contained, fastened or covered that the load or any part of it cannot fall or otherwise escape from the vehicle. Securing of loads.

1611.²¹ (1) A person shall not, while on a carriageway or median strip,—

- (a) solicit contributions, employment or a ride from an occupant of a vehicle; or
- (b) offer a newspaper, periodical or magazine for sale, to the occupant of a vehicle.

(2) A person in a vehicle shall not buy or offer to buy a newspaper, periodical or magazine from a person who is on a carriageway or median strip. Obstructing roads.

1612.²² (1) A person shall not drive—

- (a) an articulated vehicle to which any other vehicle is attached; or
- (b) any vehicle to which more than one other vehicle is directly or indirectly attached,

except in conformity with such special or general directions as the Commissioner of Main Roads may from time to time give, either directly or by notice in the *Government Gazette*. Towed vehicles, trailers, etc.

(2) A person shall not drive a vehicle towing another vehicle if the towed vehicle is of such weight or dimensions as do not comply with the Vehicle Standards Regulations, 1974, and the Vehicle Weights Regulations, 1974, as amended from time to time.

(3) A person shall not drive a vehicle that is towing another vehicle, on a road, unless—

- (a) the space between the two vehicles does not exceed four metres or, where either vehicle is a motor cycle, 2.5 metres;
- (b) any rope, chain or wire used for the purposes of the tow has a flag or other suitable object attached to it, so as to render it clearly visible to traffic approaching the tow, laterally; and
- (c) a competent and qualified person is in charge of the towed vehicle, to control it, while on tow.

(4) The provisions of subregulation (3) of this regulation do not apply where a vehicle is being towed in such a manner that some of its wheels are not on the ground; and the Director may, by a permit in writing, waive the requirements of that subregulation, subject to such conditions as he may impose and, in that event, a person shall not cause the vehicle to be towed, except in conformity with those conditions.

²⁰ As to dealing with loads falling from heavy vehicles see regulation 12.1.

²¹ The matters covered by this regulation in the draft National Road Traffic Code are those that fall to be dealt with in by-laws under the Local Government Act, 1960.

²² This regulation appears in the draft National Road Traffic Code as regulation 1606.

(5) A person shall not drive a vehicle towing a trailer, while a person is in or upon the trailer.

(6) A person shall not ride—

(a) in or upon a trailer while it is being towed; or

(b) in a towed vehicle, unless all wheels of that vehicle are on the ground.

1613. (1) A person shall not, without the authority in writing of the proper authority, conduct a procession or parade; and a person shall not take part in a procession or parade that has not been authorised pursuant to this regulation.

Processions
and Public
Meetings.

(2) The proper authority shall authorise the conduct, subject to such lawful conditions and limitations as it sees fit to impose, of a lawful procession or parade unless it is satisfied that the procession or parade will—

(a) give rise to an obstruction that is too great or too prolonged, in the circumstances;

(b) occasion damage to a road; or

(c) create a public nuisance.

(3) Every person who conducts a procession or parade, or who takes part in a procession or parade that is, to his knowledge, conducted contrary to any condition or limitation imposed by the proper authority pursuant to subregulation (2) of this regulation commits an offence.

(4) A person shall not hold or address any public meeting upon any roads or address any public meeting assembled on any road, from any public or private place adjacent thereto, unless he has first obtained written permission from the proper authority and except on the date and at the time and place specified in such written permission.

(5) For the purposes of this regulation “the proper authority” in relation to—

(a) a road within the Metropolitan Traffic Area or any district for which the Director is the local authority, means the Commissioner of Police; and

(b) a road that is not within the areas referred to in paragraph (a) of this subregulation, means the local authority of the district.

1614. A person shall not sound the horn or any other warning instrument on a vehicle, except in a case of emergency or for the purpose of preventing injury to a person or property.

Use of
horns, etc.

1615. (1) A person who is learning to drive a motor vehicle shall not drive it on a road, and the person in charge of a motor vehicle in which a person is learning to drive shall not permit or suffer it to be driven on a road, unless there is conspicuously displayed on the front and the rear of the motor vehicle a plate measuring not less than 150mm by 150mm and bearing a black letter “L” clearly marked on a yellow background.

Learners to
display “L”
sign.

(2) A person shall not drive a motor vehicle displaying a plate bearing a letter “L”, unless he is learning to drive the motor vehicle or unless the person sitting beside him is learning to drive it.

1616.²³

Duties of
drivers after
accidents.

1617.²⁴

Production
of driver's
licence to
police.

1618. A person shall not drive or draw a vehicle, tractor, machine, implement or other thing or cause it to be driven or drawn, unless—

Vehicles,
etc., to be
wheeled.

(a) provision is made for its movement on wheels and no part of it, other than the wheels, comes into contact with the road; and

(b) its wheels, rims or tyres, as the case may be, conform with the requirements of Part VIII of the Vehicle Standards Regulations, 1974, as amended from time to time.

²³ Provisions similar to those of regulation 1614 of the National Road Traffic Code are contained in sections 29 and 30 of the Traffic Act, 1919.

²⁴ Provisions similar to those of regulation 1615 of the National Road Traffic Code are contained in section 26 (2) of the Traffic Act, 1919.

1619. A person shall not drive a vehicle in a control area, residential area, or past a hospital, in such a manner as to create or cause any undue or excessive noise.

Creating excessive noise.

1620. (1) Where a member of the police force or a traffic inspector regulating traffic gives a signal to stop, then—

Directions of member of police force or traffic inspector.

- (a) a driver approaching the person giving the signal, from the direction towards which the palm of that person's hand is facing, shall stop his vehicle at a stop line, or the edge of the intersection, or at a reasonable distance from that person, and shall not drive forward, until given the signal to proceed; and
- (b) a pedestrian shall not cross the carriageway—
 - (i) at an intersection, except in the direction in which vehicular traffic is then permitted to proceed; or
 - (ii) at a place, other than at an intersection, until given the signal, or otherwise directed, to proceed.

(2) For the purposes of this regulation—

- (a) a signal to stop may be given with either hand, with the upper arm horizontal, the forearm and fingers pointing upwards, and the open palm of the hand facing the traffic that is required to stop; and
- (b) a signal to proceed may be given by extending the arm and fingers horizontally to the body, and then moving the forearm in the direction, with the palm facing towards the direction in which the traffic is required to proceed.

(3) Notwithstanding the provisions of subregulation (1) of this regulation, a driver approaching a member of the police force or traffic inspector from that person's front or rear shall, where no signal is given, stop his vehicle and not drive forward, until given the signal to proceed.

1621. (1) In this regulation—

Drivers and passengers of motor vehicles to wear seat belts.

- “goods vehicle” means a motor vehicle constructed, equipped or fitted principally for the conveyance of goods or merchandise;
- “omnibus” means a motor vehicle equipped to seat more than eight persons (including the driver) used for the carriage of passengers for hire or reward;
- “passenger car” means a motor vehicle, other than a motor cycle, constructed principally for the conveyance of persons;
- “passenger car derivative” means a motor vehicle of the same make as a factory produced passenger car and in which the forward part of the body form and the greater part of the mechanical equipment are the same as those in the passenger car.

(2) In subregulations (3), (4), (5), and (6) of this regulation—

“motor vehicle” means—

- (a) a passenger car;
- (b) a passenger car derivative; or
- (c) a goods vehicle of which the gross weight does not exceed 4.5 tonnes, but does not include an omnibus;

“seat belt” means a belt or similar device that is fitted to a motor vehicle and designed to restrain or limit the movement of a person who is seated in the vehicle and wearing the belt or device, if the vehicle suddenly accelerates or decelerates, but does not include—

- (a) a seat belt solely or principally designed to restrain or limit the movement of a person of less than eight years of age; or
- (b) a seat belt which is damaged, or which is defective and is not capable of being worn or of being properly adjusted or securely fastened.

(3) A person shall not, while occupying a seat position in a motor vehicle to which a seat belt has been fitted for that seat position, drive or travel upon a road unless he is wearing that seat belt and the seat belt is properly adjusted and securely fastened.

(4) Subject to subregulation (5) of this regulation, a person who is travelling upon a road as a passenger in a motor vehicle fitted with one or more seat belts shall not occupy a seat position which is not fitted with a seat belt unless each seat position for which a seatbelt is fitted is occupied by another person.

(5) A person who is travelling upon a road as a passenger in a motor vehicle—

- (a) which is equipped with front and rear seat positions; and
- (b) in which a front seat position fitted with a seat belt is unoccupied by another person,

may lawfully occupy a rear seat position for which a seat belt is not fitted if there is no other rear seat position unoccupied for which a seat belt is fitted.

(6) Subject to subregulation (7) of this regulation, the provisions of subregulations (3) and (4) of this regulation do not apply so as to require a person to wear a seat belt if that person—

- (a) is driving or travelling in a motor vehicle that is travelling backwards;
- (b) is in possession of a certificate signed by a legally qualified medical practitioner certifying that the person is unable for medical reasons to wear a seat belt, or that because of the person's size, build or other physical characteristic, it would be unreasonable to require him to wear a seat belt, while driving or travelling in a motor vehicle;
- (c) is actually engaged on work which requires him to alight from and re-enter a motor vehicle at frequent intervals and does not, while so engaged, drive or travel in that motor vehicle at a speed exceeding twenty-five kilometres per hour;
- (d) is under the age of eight years; or
- (e) is travelling as a passenger in a motor vehicle and is of or over the age of seventy years.

(7) Where a certificate of the kind referred to in paragraph (b) of subregulation (6) of this regulation is expressed to be of effect for a specified period, the certificate shall cease to have effect for the purposes of that subregulation at the expiration of the period so specified.

PART XVII²⁵—UNATTENDED AND UNAUTHORISED VEHICLES AND ANIMALS ON ROADS.

1701. (1) A traffic inspector or member of the police force, may remove an unattended vehicle or cause it to be removed, from a road to the nearest police station, if—

Removal of unattended vehicles.

- (a) he has reasonable cause to believe it is an unlicensed vehicle, or is fitted with an identification tablet or plate that was not issued by the licensing authority for the vehicle;
- (b) it is not fitted with an identification tablet or plate;
- (c) it is apparently abandoned;
- (d) it is so parked as to cause an obstruction, or to constitute a danger to traffic; or
- (e) he has reasonable cause to believe it has been involved in an accident, on the road.

(2) Where a vehicle is moved under the provisions of this regulation, the cost of removing the vehicle may be recovered from the owner on complaint, in a Court of Petty Sessions.

1702. (1) The owner or the person for the time being in charge of an animal shall not allow it to—

Unattended animals on roads.

- (a) stray onto, or along, a road;
- (b) be unattended on a road; or
- (c) obstruct any portion of a road.

²⁵ See Note 3, regulation 102.

(2) It is a defence to a complaint under subregulation (1) of this regulation that the owner or person for the time being in charge of the animal took all reasonable precautions to prevent the animal from straying onto, or along, being unattended on, or obstructing any portion of, the road.

(3) Any animal that is straying on, unattended on or obstructing any portion of, a road, may be seized by a member of the police force or an officer of the local authority of the district and placed in a public pound.

1703. (1) A person shall not drive a herd of cattle or a flock of sheep into, or along, a road or public place within a town, without first having obtained the permission in writing therefor, from the local authority of the district in which the road or public place is situated. Restrictions on driving of cattle.

(2) A local authority granting permission for the purposes of this regulation may restrict the operation of the permit to such times and places as it thinks fit.

(3) A person shall not drive animals in respect of which a permit has been issued under this regulation, except in accordance with the terms and conditions of the permit.

PART XVIII.²⁶ —SPECIAL REGULATIONS APPLYING TO SPECIFIC LOCALITIES.

1801. (1) A person shall not, between the hours of 8 a.m. and 12.30 p.m. on Saturdays, and between the hours of 8 a.m. and 6 p.m. on any other day of the week, except Sunday, drive a vehicle in reverse into, or out of, any road or any private lane, driveway, right of way or premises— Restrictions on reversing in City Block.

- (a) situated within the City Block, Perth; or
- (b) giving access to any road situated between St. George's Terrace and the Swan River.

(2) This regulation does not apply to a vehicle exempted from its provisions by a permit in writing, issued on the authority of the Minister, while the vehicle is being used for the purpose or purposes and during the hours specified, in the permit.

(3) For the purposes of this regulation "City Block, Perth" means all that portion of the municipal district of the City of Perth contained within and bounded by the furthestmost property lines of—

- (a) Wellington Street between George Street and Lord Street;
- (b) Lord Street between Wellington Street and Victoria Square;
- (c) that portion of Victoria Square west of the eastern property lines of Lord Street and Victoria Avenue;
- (d) Victoria Avenue between Victoria Square and St. George's Terrace;
- (e) St. George's Terrace between Victoria Avenue and St. George's Place; and
- (f) St. George's Place and George Street between St. George's Terrace and Wellington Street.

1802. (1) A person shall not drive or ride, on the Narrows Bridge or on any approach road to it,— Restrictions on driving on Narrows Bridge.

- (a) a cycle or an animal; or
- (b) except with the consent of the Commissioner of Police, a vehicle that is over-weight, over-length or over-width.

(2) For the purposes of subregulation (1), "approach road" means any of the roads used or intended to be used for the purpose of entering upon or departing from the Narrows Bridge and that portion of the road known as South Perth Esplanade between the Kwinana Freeway and the southern boundary of the road known as Queen Street.

1803. A person shall not, on any freeway,—

- (a) drive a vehicle at less than 60 kilometres per hour;
- (b) drive a vehicle, while being the holder of a learner's permit;
- (c) drive a vehicle that is over-weight, over-length or over-width, except with the consent of the Commissioner of Police;

Restrictions on driving on freeways.

²⁶ See Note 3, regulation 102.

- (d) drive a tractor, other than the prime-mover type, unless the vehicle is used by a government department or a municipality for maintenance and construction work on that road; or
- (e) drive or ride a cycle or an animal.

1804. (1) Except in the event of an emergency or breakdown, or to assist a person apparently in need of assistance, a person shall not—

Restrictions on standing etc., on freeways.

- (a) stand a vehicle on, or on any approach road to, or on the median strip or any consolidated shoulder of, a freeway; or
- (b) walk within the enclosure of a freeway.

(2) The provisions of this regulation do not apply to persons carrying out inspections or maintenance work for a competent authority.

1805. (1) A person shall not drive a vehicle into a pedestrian mall unless that vehicle is—

Restrictions on traffic in a pedestrian mall.

- (a) an omnibus;
- (b) an emergency vehicle;
- (c) a special purpose vehicle;
- (d) being used by a medical practitioner in the practice of his profession;
- (e) a taxi conveying a lodger to or from premises to which access is ordinarily gained from the pedestrian mall and in respect of which a hotel licence is in force under the Liquor Act, 1970;
- (f) a service vehicle which is being driven during a period when such service vehicles are permitted to enter the pedestrian mall as designated by signs erected at the entrance thereto; or
- (g) a vehicle in respect of which the Commissioner of Police has issued his approval in writing, authorising the use of the vehicle in the pedestrian mall.

(2) A person shall not drive a vehicle in a pedestrian mall at a speed in excess of 10 kilometres per hour.

1806. (1) In this regulation—

“King’s Park” means all the land set apart as Reserve No. A 1720 under the Land Act, 1933.

(2) Notwithstanding any other provision in these regulations, a person shall not, in King’s Park—

- (a) drive a vehicle at a speed in excess of 40 kilometres per hour; or
- (b) except with the approval of the King’s Park Board, drive a goods vehicle with an unladen weight in excess of 1 524 kg or a tractor.

PART XIX.²⁷ —PENALTIES.

1901. (1) A person who contravenes or fails to comply with any of the provisions of these regulations, commits an offence. Penalties.

(2) A person who commits an offence against these regulations is liable to a penalty not exceeding \$100 and, for a subsequent offence, to a penalty not exceeding \$200.

(3) For the purposes of subregulation (2) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations or against the Road Traffic Code, 1965, as amended at any time.

Schedule.

Schedule.

PERTH REGION CONTROL AREA.

All that portion of land bounded by lines starting at a point on the high water mark of the Indian Ocean situate in prolongation westerly of the southern boundary of Land Titles Office Lot M1513 of Swan Location 1370 as shown on Land Titles Office Diagram 6817 and extending easterly to and along that boundary to the northwestern corner of Land Titles Office Lot 8 as shown on Land Titles Office Diagram 38757; thence southeasterly along the southwestern boundary of that lot to the northern side of Road Number 1609; thence generally northeasterly along that side to a point situate in prolongation northeasterly of the northwestern boundary of

²⁷ See Note 3 regulation 102.

Location 8278 (Reserve 28971); thence southwesterly to and southwesterly and southerly along boundaries of that location and the western boundary of Locations 7007 and 7550 (Reserve 25746) to the northern side of Road Number 9780; thence easterly along that side and onwards along the southern boundary of Location E1 to a point situate in prolongation northerly of the western boundary of Land Titles Office Lot 95 of Location 1315 as shown on Land Titles Office Plan 4617 sheet 3; thence southerly to and along that boundary and the eastern side of Road Number 7354 to the southern boundary of Location H, a point on the present boundary of the City of Stirling; thence easterly and southerly along that boundary to the southern side of Truganina Road; thence generally easterly along that side to the western side of Malaga Road (Road Number 5805); thence southerly along that side to the northern side of Widgee Road (Road Number 8145); a point on the northern boundary of the Shire of Bayswater; thence easterly and southerly along that boundary to the southern side of Benara Road (Road Number 791); thence generally easterly along that side and onwards to the eastern side of West Swan Road (Road Number 4288); thence southerly along that side to the northern side of De Burgh Road (Road Numbers 5807 and 5808); thence easterly, northeasterly and again easterly along sides of that road and onwards to the northern corner of Land Titles Office Lot 15 of Swan Locations M and M1 as shown on Land Titles Office Plan 2173; thence southeasterly along the northeastern boundary of that lot to the right bank of the Swan River; thence generally northerly, easterly, again northerly and westerly upward along that bank to a point situate south of the intersection of the left bank of the Swan River aforesaid and the right bank of the Jane Brook; thence north to that intersection and generally northerly and easterly upward along that bank to a point situate in prolongation northerly of the eastern side of Viveash Road; thence southerly to and along that side to the southern side of Tunnel Road (Road Number 10452); thence easterly along that side to the northeastern corner of Swan View Suburban Area Lot 25; thence southerly along the eastern boundary of that lot, the eastern boundary of Suburban Lots 112 and 24 and onwards along the western boundary of Suburban Lot 118 and onwards to the northeastern corner of Suburban Lot 19; thence southerly along the eastern boundary of that lot to the northwestern corner of Suburban Lot 18; thence easterly along the northern boundary of that lot and onwards to the northwestern corner of Suburban Lot 44; thence generally southerly along the eastern side of Throssell Road (Road Number 7504) to the northern side of the Old York Road (Road Number 28); thence generally easterly along that side and the northern side of the Great Eastern Highway (Road Number 28) to the southern corner of Suburban Lot Part 91 (Class "A" Reserve 11396); thence south to the southern side of the Great Eastern Highway aforesaid; thence generally easterly along that side to the eastern side of Bailey Road; thence southerly along that side and the western boundary of Swan Location 376 to the northern side of Road Number 2912; thence easterly along that side and onwards to the western boundary of Location 122; thence southerly along that boundary and the eastern side of Moola Road and onwards to the left bank of the Helena River; thence generally southwesterly downward along that bank to a point situate in prolongation northerly of the western boundary of Canning Location 982; thence southerly to and along that boundary and the western boundary of Location 379 and onwards to a point situate in prolongation easterly of the northern boundary of Location 191; thence westerly along that prolongation to the eastern side of Road Number 12680; thence southerly and southeasterly along that side and onwards to the southern alignment of Road Number 1839; thence generally southwesterly along that alignment and the southern side of that road to the westernmost northwestern corner of Location 902; thence southerly along the western boundary of that location to the northwestern corner of Location 393; thence southerly along the western boundary of that location to the southern side of Mundaring Weir Road (Road Number 8038); thence generally southwesterly along that side to the eastern side of Hinkler Road; thence southerly along that side to the northern side of Stanhope Road (Road Number 6754); thence easterly, generally southerly and southwesterly along sides of that road to the eastern side of Road Number 6547; thence generally southeasterly along that side to a point situate in prolongation easterly of the northern boundary of Location 570; thence westerly to and along that boundary and the northern boundary of Location 270 and the northern boundary of Walliston Lot 81 to the eastern side of Canning Road (Road Number 1837); thence generally southerly along that side to the southern side of Pomeroy Road (Road Numbers 1949 and 10199); thence westerly and generally southwesterly along that side and onwards to the southern side of Welshpool Road (Road Numbers 1949, 2525 and 2773); thence generally westerly and generally southwesterly along that side and onwards to the northwestern boundary of Land Titles Office Lot 97 of Location 451 as shown on Land Titles Office Plan 5176 sheet 1; thence southwesterly along that boundary and a northwestern boundary of Land Titles Office Lot 10 as shown on Land Titles Office Diagram 7983; to the

northwestern boundary of Location 451 aforesaid; thence southwesterly and southeasterly along boundaries of that location and southeasterly along the southwestern boundary of locations 121, 156 and 302 to the northern side of Hardinge Road (Road Number 11339); thence generally easterly along that side to a point situate north of the northeastern corner of Location 1179; thence south to that corner; thence easterly along the southern boundary of Location 466 to the northeastern corner of Location 981; thence southerly along the eastern boundary of that location and onwards to the northern side of Chevin Road (Road Number 2051); thence generally easterly along that side to a point situate in prolongation northerly of the eastern side of Heath Road (Road Number 9128); thence southerly to and along that side to the northwestern side of the Brookton Highway (Road Numbers 1230 and 183); thence generally southwesterly and westerly along that side to the eastern boundary of Kelmscott Townsite; thence southerly and westerly along that boundary to the eastern side of Paterson Road; thence southerly along that side and southerly along the northeastern side of Salter Road (Road Number 9728) and onwards to the southeastern side of Road Number 4242; thence generally southwesterly along that side to the westernmost corner of Land Titles Office Lot 23 of Location 31 as shown on Land Titles Office Plan 9046; thence southerly along the southwestern boundary of that lot and onwards to the southern side of Carradine Road (Road Number 1479); thence generally southwesterly along that side to the northern side of the Albany Highway (Road Number 6963); thence easterly and generally southerly along that side to the southeastern boundary of Location 31 aforesaid; thence southwesterly, northwesterly and northeasterly along boundaries of that location to the right bank of the Wungong River; thence generally northerly downwards along that bank and the right bank of the Southern River to the southern side of Chamberlain Street (Road Number 3156); thence northwesterly along that side and onwards to the southeastern boundary of Location 17; thence southwesterly and northwesterly along boundaries of that location to the northern corner of Location 100; thence southwesterly along the northwestern boundary of that location to the northern side of Hughes Street (Road Number 6243); thence northwesterly along that side to the southeastern side of the Kwinana-Woodbridge Railway Reserve; thence generally southwesterly and southerly along that side to the northeastern side of Hope Valley Road; thence generally easterly along that side of the westernmost, southwestern corner of Cockburn Sound Location 669; thence southerly to the northernmost northwestern corner of Peel Estate Lot 1295; thence southerly and southwesterly along boundaries of that lot and generally southerly along the eastern side of Johnson Road to the northern side of the Kwinana-Mundijong-Jarrahdale Railway Reserve; thence generally southwesterly and northwesterly along that side to a point situate north of the northernmost northwestern corner of Cockburn Sound Location 283; thence south to that corner and generally southerly along the eastern side of the Mandurah Road (Road Number 6104); to a point situate in prolongation easterly of the northern boundary of Peel Estate Lot 661; thence westerly to and along that boundary and onwards along the southern boundary of Safety Bay Townsite to the high water mark of the Indian Ocean aforesaid; thence generally northerly along that mark to the starting point.

TRAFFIC ACT, 1919-1973.

Police Department,
Perth, 17th September, 1974.

T.O. 102/74.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased to make the regulations set out in the schedule hereunder to have effect on and after the day that the regulations are published in the *Government Gazette*.

A. L. M. WEDD,
Commissioner of Police.

SCHEDULE.

TRAFFIC (INFRINGEMENTS) REGULATIONS, 1974.

1. These regulations may be cited as the Traffic (Infringements) Regulations, Citation, 1974.
2. In these regulations, unless a contrary intention appears—
 - “Act” means the Traffic Act, 1919, as amended;
 - “Schedule” means a Schedule to these regulations.
3. The offences described in the First Schedule are those prescribed for the purposes of section 74 of the Act and the amount appearing in the final column of that Schedule, directly opposite an offence, is the prescribed penalty in respect of that offence, if dealt with under that section.
4. For the purposes of subsections (3) and (5) of section 74 of the Act, a prescribed officer—
 - (a) within the Metropolitan Traffic Area and any district where traffic is controlled by the Commissioner of Police, is any commissioned officer of the Police Force; and
 - (b) within a district where traffic is not controlled by the Commissioner of Police, is the inspector or, where there is more than one, the senior inspector for the district.
5. (1) Subject to subregulation (2) of this regulation, an officer specified in an infringement notice as an officer to whom payment of a prescribed penalty may be made shall not accept payment of the prescribed penalty unless it appears to him that the number and particulars of the offender's motor driver's license have been indorsed on the infringement notice by a member of the Police Force or an inspector.
 - (2) Subregulation (1) of this regulation does not apply to an infringement notice issued in respect of—
 - (a) an offence of which the standing, parking or leaving of a vehicle is an element; or
 - (b) an offence committed by a pedestrian.
6. A person who, not being a member of the Police Force or an inspector, makes any indorsement on, or alteration to, an infringement notice commits an offence.
 - Penalty: One hundred dollars.
7. The several forms set out in the Second Schedule are prescribed for the respective purposes for which forms are required by the provisions of section 74 of the Act.
8. (1) The Traffic (Infringements) Regulations, 1969, and all amendments thereto are revoked.
 - (2) Notwithstanding the revocation provided by subregulation (1) of this regulation, a prescribed officer, within the meaning of the Traffic (Infringements) Regulations, 1969, may inflict and collect penalties under those regulations in respect of offences committed before the commencement of these regulations.

Interpretation.

Offences and penalties.

Prescribed officers.

Payment of penalties not to be accepted in respect of incomplete infringement notices.

Offence of adding to, or altering infringement notices.

Forms.

Revocation and saving.

FIRST SCHEDULE.

Item	Regulation or Section	Nature of Offence	Penalty
	Road Traffic Code		\$
1	Regulation 702.....	Pedestrian—not keeping left; jay walking, etc.	2
2	Regulation 703.....	Pedestrian—obstructing; boarding or alighting from moving vehicle; not clearing crosswalks, etc.	2
3	Regulation 704.....	Pedestrian—walking on carriageway where footway exists; walking on wrong side of carriageway, failing to move off on approach of vehicle; walking abreast or crossing at wrong place.	2
4	Regulation 706.....	Pedestrian propelling perambulator, etc. abreast of another vehicle on footway	2
5	Regulation 1101 (1) (b), (c) and (d)	Standing vehicle contrary to sign or contrary to limitations on standing	2
6	Regulation 1101 (3).....	Standing vehicle in loading zone unlawfully	2
7	Regulation 1101 (6).....	Standing motor cycle without sidecar in space set aside for other vehicles	2
8	Regulation 1102 (a), (b), (c), (d) and (f)	Standing a vehicle in an improper manner; too closely to another vehicle or too far out from the boundary of a carriageway	2
9	Regulation 1103	Standing a vehicle partly within and partly outside parking area or not in conformity with signs	2
10	Regulation 1106	Standing overlength vehicle contrary to limitation; in wrong position, etc.	2
11	Regulation 1305	Playing games or riding roller skates or vehicles with small wheels and no efficient brakes on a road	2
12	Regulation 1802 (1) (a)	Riding or driving cycle or animal on, or on approach to, Narrows Bridge	2
13	Regulation 1803 (e)	Riding or driving cycle or animal on a freeway	2
	Traffic Act		
14	Section 21.....	Offences relating to certificate of registration	5
15	Section 27.....	Offences relating to number plates	5
16	Section 35 (3).....	Failure of visiting motorist to carry or produce driver's license or permit	5
17	Section 57A (2).....	Unlawfully parking on land not in a road	5
18	Section 65.....	Failure to produce driver's license in court	5
	Road Traffic Code		
19	Regulation 202.....	Pedestrian disobeying signal or direction of police officer or inspector	5
20	Regulation 401 (1), read with Regulation 401 (5)	Pedestrian walking contrary to "don't walk" sign	5
21	Regulation 604 (2).....	Driving vehicle in reverse unnecessarily out of parking area	5
22	Regulation 607.....	Driver entering or attempting to cross blocked intersection	5
23	Regulation 804.....	Improper use of signalling devices	5
24	Regulation 1101 (1) (a).....	Standing vehicle in No Standing area	10
25	Regulation 1101 (4) and (5)	Parking vehicle in No Parking area; parking on a road for repairs unnecessarily or to expose vehicle for sale	5
26	Regulation 1102 (e).....	Standing vehicle so as to cause undue obstruction	5
27	Regulation 1104.....	Standing a vehicle in a prohibited place	5

FIRST SCHEDULE—continued.

Item	Regulation or Section	Nature of Offence	Penalty
28	Regulation 1301.....	Riding a bicycle in a prohibited manner, place or proximity to another vehicle or leaving a bicycle so as to cause obstruction	\$ 5
29	Regulation 1302.....	Riding a bicycle towing or being towed by another bicycle	5
30	Regulation 1303.....	Riding bicycle so that more than two are abreast	5
31	Regulation 1304.....	Leading an animal from a motor vehicle or leading more than one animal from, or tying an animal to, a moving vehicle	5
32	Regulation 1601.....	Leaving vehicles unattended without taking precautions for safety or security	5
33	Regulation 1602 (b).....	Driving vehicle in reverse for an unreasonable distance	5
34	Regulation 1612 (5) and (6)...	Driving a vehicle towing a trailer while a person is in or upon the trailer or riding in or upon a trailer while being towed	5
35	Regulation 1614.....	Sounding horn, etc., other than in emergency	5
36	Regulation 1615.....	Failure to display "L" plate when learner is driving or displaying "L" plate when learner not driving	5
37	Regulation 1620 (1) (b).....	Pedestrian crossing carriageway contrary to signal of member of police force or inspector	5
38	Regulation 1803 (a).....	Driving vehicle on freeway at less than 60 km/h	5
39	Regulation 1804.....	Standing vehicle on, or on approaches to, a freeway, or walking in the enclosure of a freeway, unnecessarily	5
	Vehicle Standards Regulation 105 as read with—		
40	Part 2.....	Offences relating to lighting equipment, lamps and reflectors	5
41	Part 3.....	Offences relating to additional lamps and reflectors on large vehicles	5
42	Part 4.....	Offences relating to optional lamps and reflectors	5
43	Part 5.....	Offences relating to optional lamps and reflectors	5
44	Part 7.....	Offences relating to the provision of mudguards	5
45	Part 9.....	Offences relating to provision and fitting of signalling devices	5
46	Part 10, less Regulation 1010	Offences relating to the provision of miscellaneous equipment	5
47	Regulation 1703.....	Vehicle without windscreen not fitted with holder for registration label	5
48	Regulation 1802.....	Motor cycle not fitted with proper device or devices for holding number plates	5
	Regulation 1803.....	Motor cycle not fitted with holder for registration label	5
49	Part 20, less Regulations 2008, 2009 and 2010	Offences relating to lights and reflectors on animal drawn vehicles	5
50	Part 30.....	Offences relating to the equipment of bicycles	5
	Traffic (Drivers' Licenses) Regulations		
51	Regulation 13.....	Driving with "P" plate displayed when not the holder of a driver's license issued on probation for less than 12 months	5

FIRST SCHEDULE—*continued.*

Item	Regulation or Section	Nature of Offence	Penalty
	Traffic (Licensing Authorities) Regulations		\$
52	Regulation 24 (9).....	Failing to surrender identification tablet or number plate to licensing authority after service of notice	5
	Traffic Act		
53	Section 25 (1).....	Driving, or permitting a person to drive, a motor vehicle without renewing an expired driver's license, where the renewal has not been refused, the license has not been suspended or cancelled or the driver has not been disqualified from holding a driver's license.	10
54	Section 26 (2).....	Failure to produce a driver's license within a reasonable time after demand, or at all	10
55	Section 66.....	Failure to produce a forfeited license on demand	10
	Road Traffic Code		
56	Regulation 202.....	Disobedience by driver of signal or direction of member of police force or inspector	10
57	Regulation 304.....	Disobeying a direction on a traffic sign	10
58	Regulation 401 (1) as read with Regulation 401 (2) (b)	Failure to comply with direction of a traffic control signal displaying amber signal	10
59	Regulation 402 (1), (4), (7) and (11)	Turning or driving contrary to direction of road traffic signs	10
60	Regulation 501.....	Not keeping left on carriageway except where two or more lanes marked on carriageway, etc.	10
61	Regulation 608.....	Failing to give way to vehicles on a roundabout	10
62	Regulation 801.....	Driver failing to keep left when turning left	10
63	Regulation 1107.....	Standing vehicle in a position where it is not sufficiently visible to driver overtaking	10
64	Part XII.....	Offences relating to lights, warning signs and equipment	10
65	Regulation 1604.....	Driving a vehicle without being in position to have full control or uninterrupted view, etc.	10
66	Regulation 1605.....	Driver or passenger permitting portion of body to be upon external part of, or to protrude from vehicle	10
67	Regulation 1606.....	Offences relating to the carrying of passengers on motor cycles	10
68	Regulation 1607.....	Offences relating to the wearing of protective helmets by motor cyclists and passengers	10
69	Regulation 1608.....	Opening doors of, or alighting from, a vehicle so as to cause danger or obstruction	10
70	Regulation 1612 (1), (2), (3) and (4)	Offences relating to the towing of vehicles	10
71	Regulation 1619.....	Driving a vehicle in certain areas so as to create or cause undue or excessive noise	10
72	Regulation 1702.....	Allowing animals to stray or be unattended on roads	10
73	Regulation 1703.....	Driving herds of animals within a town without a permit	10

FIRST SCHEDULE—*continued.*

Item	Regulation or Section	Nature of Offence	Penalty
			\$
74	Regulation 1801.....	Driving vehicle in reverse out of a lane, etc. in central Perth during prohibited hours	10
75	Regulation 1802 (1) (b).....	Driving overweight or oversized vehicle on Narrows Bridge without permit	10
76	Regulation 1803 (b), (c) and (d)	Driving on a freeway under learner's permit or driving overweight or oversized vehicle or a tractor on freeway without a permit	10
	Vehicle Standards Regulation 105 as read with—		
77	Regulation 114.....	Offences relating to television receivers in vehicles	10
78	Regulation 115.....	Offences relating to engine numbers	10
79	Part 6.....	Offences relating to braking equipment	10
80	Part 8.....	Offences relating to tyres, rims and distribution of loads on vehicles	10
81	Part 12.....	Offences relating to fittings and equipment on vehicles occasioning danger or annoyance	10
82	Part 17, excluding Regulation 1703	Offences against the equipment and constructing of particular classes of vehicles	10
83	Regulation 1801.....	Offences relating to the attachment of sidecars to motor cycles	10
84	Regulation 1804.....	Offences relating to equipment of motor cycles for the carrying of passengers	10
85	Regulation 2010.....	Offences relating to the provision of brakes on animal drawn vehicles	10
	Traffic (Licensing Authorities) Regulations		
86	Regulation 10.....	Using or permitting the use of, vehicle licensed as C class without the license being carried on vehicle or failure to produce the license on demand	10
87	Regulation 12.....	Driving, or permitting the driving of, a vehicle permitted to carry an oversize load without the permit being carried on the vehicle	10
88	Regulation 12 (7).....	Offences relating to the displaying on vehicles of certain signs	5
89	Regulation 15 (2).....	Failure to deliver up a suspended or cancelled vehicle license	10
90	Regulation 22 (3).....	Failure to return to the appropriate Licensing authority the number plates of a vehicle — forthwith upon the cancellation of the vehicle license; forthwith upon the disqualification of the licensee from holding a vehicle license; within 15 days of the expiry of the vehicle license	10
91	Regulation 23.....	Failure to give notice of lost number plate or to replace number plate so damaged as to be illegible	10
92	Regulation 27.....	Painting or interfering with number plate, except for purposes of re-instatement	10
93	Regulation 28 (6).....	Altering, obliterating or defacing engine number	10
94	Regulation 34.....	Failure to hand over vehicle license on disposing of used vehicle	10

FIRST SCHEDULE—*continued.*

Item	Regulation or Section	Nature of Offence	Penalty
	Road Traffic Code		\$
95	Regulation 1001.....	Exceeding speed limit by not more than 15 km/h	15
96	Regulation 401 as read with Regulation 401 (2) (d)	Failure to comply with traffic control signal displaying red signal	20
97	Regulation 402 (5).....	Overtaking contrary to direction of a traffic sign	20
98	Regulation 402 (6).....	Overtaking, driving heavy vehicle, or driving at a speed on a bridge contrary to direction of a traffic sign	20
99	Regulation 402 (8).....	Failure to stop at a STOP sign	20
100	Regulation 402 (9).....	Failure to give way at a GIVE WAY sign	20
101	Regulation 502 (1), (3) and (4)	Offences relating to overtaking	20
102	Regulation 506.....	Driving from one lane to another unsafely or at the approach side of an intersection	20
103	Regulation 507.....	Driving to the right of a traffic island on a roundabout	20
104	Regulation 508.....	Crossing double lines, except for the purpose of making a lawful turn	20
105	Regulation 509.....	Following another vehicle too closely	20
106	Regulation 511.....	Crossing centre line of carriageway when there is insufficient visibility ahead	20
107	Regulation 603 (2) and (3).....	Failing to give way to pedestrians when turning at an intersection or to pedestrians and other vehicles when making a U turn	20
108	Regulation 602.....	Failing to give way to a vehicle on the right at an intersection	20
109	Regulation 604 (1).....	Failing to give way when driving into or out from a parking area or carriageway boundary	20
110	Regulation 606.....	Failing to give way to vehicles and pedestrians when entering a road from, or leaving a road to enter, land abutting on the road	20
111	Regulation 701 (1) and (2).....	Failing to give way to a pedestrian on a pedestrian crossing, or overtaking and passing a vehicle that is stopped at a pedestrian crossing	20
112	Regulation 705 (1) and (3).....	Failing to stop at a children's crossing, or overtaking a vehicle that is stopped at a children's crossing	20
113	Regulation 707 (1).....	Failure to give way to a blind person carrying a white stick or cane	20
114	Regulation 802.....	Making a right turn from the wrong position or making a right turn so as to enter the other carriageway wrongly	20
115	Regulation 803.....	Making a right or left turn or diverging to the right or left or stopping or suddenly decreasing speed without making the prescribed signal or without making it in time	20
116	Regulation 805.....	Making a U turn when movement cannot be made safely or without obstruction or making a U turn on an intersection at which a traffic control signal is operating	20
117	Regulation 901 (1) (c) and (2)	Failing to stop at a STOP sign at railway level crossing when carrying certain dangerous goods	20
118	Regulation 1003.....	Failing to comply with direction of a person apparently employed on, or exceeding 30 km/h when passing, road work being done by a competent authority	20

FIRST SCHEDULE—*continued.*

Item	Regulation or Section	Nature of Offence	Penalty
			\$
119	Regulation 1004.....	Exceeding speed limit prescribed for certain motor cycles, by night	20
120	Regulation 1602 (a).....	Driving vehicle in reverse when unsafe to do so	20
121	Regulation 1603.....	Driving on or across a footway, except to enter or leave a lane or driveway, by shortest route, or driving on or over a median strip	20
122	Regulation 1609.....	Throwing, dropping, placing or leaving dangerous material or substances on a road, or failing to remove any such thing or any object being part of a load that has fallen onto a road	20
123	Regulation 1610.....	Driving a vehicle of which the load can fall or escape	20
124	Regulation 1618.....	Driving or drawing an implement or thing on a road or causing that to be done, unless the implement or thing has prescribed wheels, tyres and rims	20
125	Regulation 1620 (1) (a) and (3)	Failing to comply with the signal to stop given by a member of the police force or an inspector or not stopping where approaching such a person from his front or rear, while he is controlling traffic	20
126	Regulation 1617.....	Offences relating to the wearing of seat belts and the occupying of seat positions in vehicles	20
	Vehicle Standards Regulation 105 as read with—		
127	Part 11.....	Offences relating to the loading and dimensions of vehicles	20
128	Part 13.....	Offences relating to couplings, safety chains, and limitation on weights of towed vehicles	20
129	Regulation 1011.....	Offences relating to seat belts and anchorages	20
130	Regulation 2008.....	Offences relating to dimensions of animal drawn vehicles	20
131	Regulation 2009.....	Offences relating to projecting loads on animal drawn vehicles	20
	Road Traffic Code		
132	Regulation 1001.....	Exceeding speed limit by more than 15 km/h but not more than 25 km/h	30
133	Regulation 605.....	Failure to give way to an emergency vehicle	40
134	Regulation 901 (1) (a), (b) and (d) and (3)	Crossing a railway level crossing contrary to a direction or signal or when approaching train is visible within 400 metres or driving around or under a gate, boom or barrier	40

SECOND SCHEDULE

Traffic Infringement Notice

DRIVING OFFENCES

.....
This space for cash register imprint

WESTERN AUSTRALIA NO.
TRAFFIC INFRINGEMENT NOTICE MD

"P" Plates Attached Traffic Act, Section 74 Date
YES/NO Regn. No.

M.....
Surname (Block letters) Other Names in full

Address.....
Number and Street

.....
Town and Suburb Post Code

M.D.L. No. Prob./Ord. Class..... Expiry Date

Date of Birth..... Vehicle Make..... C/R

it is alleged that at.....m ; on the.....day of.....19.....

at

you committed the offence indicated hereunder by a cross (X). You are/are not required to produce your Motor Driver's license and this Notice to any Police Station to enable details to be endorsed hereon, before payment is made.

Station or Police Officer
Local Authority..... or Inspector..... No.....

Offence Penalty

.....		\$
	Penalty	
<input type="checkbox"/> Speeding: exceeding speed limit by more than 15 km/h but not more than 25 km/h	\$30	You may dispose of this matter either— (a) By payment of the penalty as shown within 21 days on the date of this notice at the places specified on back of this form ; or (b) By having it dealt with by a Court. If the prescribed penalty is not paid within the time specified, Court proceedings may be taken against you. (see over)
<input type="checkbox"/> Improper right turn	\$20	
<input type="checkbox"/> Turn or diverge without proper signal	\$20	
<input type="checkbox"/> Failing to comply with traffic control signal (red)	\$20	
<input type="checkbox"/> Failing to comply with traffic control signal (amber)	\$10	
<input type="checkbox"/> Failing to obey a stop or give way sign	\$20	
<input type="checkbox"/> Crossing double lines	\$20	
<input type="checkbox"/> Changing lanes when unsafe	\$20	
<input type="checkbox"/> Speeding: exceeding speed limit by 15 km/h or less	\$15	
<input type="checkbox"/> Turn or drive contrary to signs	\$10	
<input type="checkbox"/> Inefficient silencer	\$10	
<input type="checkbox"/> Insufficient tread on tyres	\$10	

Traffic Infringement Notice
STANDING, PARKING OR LEAVING OFFENCES.

This space for cash register imprint.

Western Australia.

TRAFFIC INFRINGEMENT NOTICE MS No.

Traffic Act, Section 74. Date/...../.....

To the owner of motor vehicle make..... Type.....

Plate No..... C/R...../...../.....

It is alleged that about..... a.m./p.m. on the.....day of
..... 19....., the above vehicle stood or parked upon

Street,Town or Suburb, so that you committed the
offence indicated hereunder by a cross(X).

Station or Police Officer
Local Authority.....or Inspector..... No.

Offence Penalty
..... \$

- Standing: 1. In No Standing Area \$10
Standing: 2. Prohibited place \$5
Parking: Prohibited area or place \$5
Standing: Undue obstruction \$5
Parking: Unlawfully on land \$5
Parking: Contrary to restrictions \$5
Standing: Freeway or approaches \$5
Leaving: Vehicle without security or safety precautions \$5
Standing: Contrary to signs or limitations \$2
Standing: Unlawfully in Loading Zone \$2
Standing: Motor cycle incorrect space \$2
Standing: Improper manner \$2
Standing: Overlength vehicle contrary to signs or limitations \$2

You may dispose of this matter
either—
(a) by payment of the penalty
as shown within twenty-
one days of the date of this
notice to the Officer named
on the back; or
(b) by having it dealt with by
a Court.
If the prescribed penalty is not
paid within the time specified,
Court proceedings may be taken
against you.
(See over.)

Name..... No. and Street.....

Town or Suburb..... Post Code

To enable a receipt to be forwarded, please complete above.

10.

Traffic Infringement Notice
PEDESTRIAN OFFENCES

.....
This space for cash register imprint

Western Australia
TRAFFIC INFRINGEMENT NOTICE No. MP
Traffic Act, Section 74. Date / /

.....
SURNAME (Block Letters) Other names in full
Address.....
Number and Street
.....
Town or Suburb Post Code

Date of Birth / /
It is alleged that at..... on the / / upon
.....you committed the offence indicated hereunder by a cross (X)

No.	Offence	Penalty \$
<input type="checkbox"/>	Disobeying signal or direction.....	\$5
<input type="checkbox"/>	Walking contrary to "Don't Walk" Sign.....	\$5
<input type="checkbox"/>	Not keeping left ; jaywalking.....	\$2
<input type="checkbox"/>	Obstructing.....	\$2
<input type="checkbox"/>	Using carriageway where footway exists.....	\$2
<input type="checkbox"/>	Walking wrong side of carriageway.....	\$2
<input type="checkbox"/>	Crossing wrong place.....	\$2

Station or Police Officer
Local Authority..... or Inspector..... No.....

You may dispose of this matter (a) by payment of the penalty as shown, within twenty-one days of the date of this Notice to the Officer named on the back; or (b) by having it dealt with by a Court.

If the prescribed penalty is not paid within the time specified, Court proceedings may be taken against you. (See over.)

11

Traffic Act, 1919.
Section 74 (5).

WITHDRAWAL OF TRAFFIC INFRINGEMENT NOTICE

No. MW
Date / /

.....
SURNAME (BLOCK LETTERS) (Other names in full)
ADDRESS

.....

(Number and Street)

.....

(Town or suburb) (Postcode)
Traffic Infringement Notice No.Date / /
for the alleged offence of
..... Penalty \$
is hereby withdrawn.

- (a) No further action will be taken.
- (b) It is proposed to institute court proceedings for the alleged offence.

Strike out
that not
applicable.

Station or
Local Authority..... Signature of
prescribed
officer
Rank.....

TRAFFIC ACT, 1919-1973.

Police Department,
Perth, 17th September, 1974.

T.O. 187/74.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased—

- (a) to revoke the regulations, cited as the Blood Sampling and Analysis Regulations, 1966 published in the *Government Gazette* on the 26th September, 1966, and all amendments thereto; and
 - (b) to make the regulations set out in the Schedule hereto,
- so that both the revocation and the regulations have effect on and after the day the regulations are published in the *Government Gazette*.

A. L. M. WEDD,
Commissioner of Police.

SCHEDULE

BLOOD SAMPLING AND ANALYSIS REGULATIONS, 1974.

1. These regulations may be cited as the Blood Sampling and Analysis Regulations, 1974. Citation.
2. In these regulations unless the context otherwise requires— Interpre-
tation.
 - “Act” means the Traffic Act, 1919, as amended;
 - “analyst” has the same meaning as the term “properly qualified analyst” has in, and for the purposes of, the Act;
 - “Form” means one of the forms set out in the Schedule to these regulations;
 - “member of the Police Force” includes inspector appointed under the Traffic Act, 1919;
 - “regulation” means one of these regulations;
 - “subject” means a person required, or electing, to submit himself and allow a sample of his blood to be taken or from whom a sample of blood is caused to be taken, for analysis for alcohol, pursuant to section 32B of the Act.
3. These regulations apply whenever a blood sample is taken for the purposes of the Act. Application.
4. A blood sample taken in pursuance of these regulations shall be taken by means of equipment (in these regulations called “the sampling equipment”) provided for that purpose by the Public Health Department of Western Australia and by no other means. Sampling.
5. The sampling equipment shall comprise— Sampling
equipment.
 - (a) a dry syringe, sterilised by autoclaving, boiling or dry sterilising;
 - (b) two sterile bottles, each numbered with the serial number of the package mentioned in paragraph (c) of regulation 6 and containing approximately 25 milligrams of potassium oxalate and approximately 10 milligrams of sodium fluoride and closed with a cork, stopper, plug or cap and rubber disc;
 - (c) one bottle or other receptacle containing a quantity of mercury bichloride solution, 1 : 1,000; and
 - (d) two swabs of cotton wool.
6. The sampling equipment shall be prepared by a technologist of the Public Health Department who shall— Preparation
of sampling
equipment.
 - (a) indicate the latest date at which the equipment may be used, having regard to the continuance of its sterility;

2

- (b) complete and sign a certificate in the form of Form A; and
- (c) seal the equipment in a serially numbered package by signing his name over the sealed portion or flap of the package.

7. A certificate issued under regulation 6, if admitted in evidence, is *prima facie* evidence of the matters stated with regard to the sampling equipment to which it relates; and evidence that a package containing sampling equipment was sealed in conformity with that regulation and intact is, unless the indicated expiry date has passed, *prima facie* evidence that the equipment contained in the package was, when the package was opened, in the same condition as that in which it was when prepared.

Evidence as to sampling equipment.

8. (1) A blood sample shall be taken by a medical practitioner by veni-puncture, with the syringe provided in the sampling equipment and no other.

Method of sampling.

(2) The medical practitioner shall—

- (a) examine the package containing the sampling equipment produced to him, and in the presence of the person producing it, ensure that—
 - (i) the package is sealed and intact; and
 - (ii) the indicated expiry date for the use of the equipment has not passed;
- (b) not use any sampling equipment contained in a package that is not sealed and intact or in respect of which the indicated expiry date has passed;
- (c) cleanse the proposed site of the veni-puncture by means of the mercury bichloride solution and cottonwool contained in the sampling equipment and by no other means;
- (d) withdraw as much as possible up to 15 millilitres of blood;
- (e) discharge approximately one-half of the blood withdrawn into one of the two bottles supplied in the sampling equipment and the balance of the blood into the second of those bottles;
- (f) securely close each bottle by means of the cork, stopper or plug supplied, or, where the bottle is sealed by a cap and rubber disc seal, by withdrawing the syringe needle from the rubber disc seal; and
- (g) shake each bottle thoroughly and in so doing invert it at least thirty times, to mix the contents.

9. (1) Upon a blood sample being taken and dealt with in accordance with the provisions of regulation 8—

Certification of blood samples.

- (a) the medical practitioner shall complete and sign Part I; and
- (b) a member of the Police Force who was present when the sample was taken shall complete and sign Part II,

of two copies of Form B.

(2) Upon the completion of two copies of Form B, each of the bottles containing a portion of the blood sample shall be sealed in a separate package (the cover of which comprises that form) by the medical practitioner and the member of the Police Force in this regulation mentioned, each signing his name over the sealed portion or flap of the package.

(3) Evidence that a package containing a portion of a blood sample was sealed in conformity with this regulation and intact is *prima facie* evidence that the contents were, when the package was opened, in the same condition, for the purposes of these regulations, as when the package was sealed.

10. (1) When a blood sample has been dealt with in accordance with regulation 9, a member of the Police Force shall cause one of the packages referred to in that regulation to be delivered, as soon as may be practicable, to an analyst at the Government Chemical Laboratories.

Disposal of blood samples.

(2) The second of the packages referred to in regulation 9 shall—

- (a) where the subject is not in custody and is capable of receiving it, be handed to the subject; or
- (b) where the subject is held in custody or is not capable of receiving it, be handed to some person acting in his behalf or, failing that, be kept in a cool, safe place, until such time as it can be handed to the subject, on his release from custody or, if he is not in custody, on his being capable of receiving it.

11. The analytical method by which blood samples shall be analysed for alcohol by an analyst is—
- (a) by ascertaining the change in concentration of a solution of a dichromate; or
 - (b) by gas chromatography.
12. (1) The analyst shall be guided in his assessment of the percentage of alcohol in the blood of a subject, at a time prior to the taking of the blood sample, by the factors set out in subregulation (2) of this regulation and he shall apply such of those factors as are known to him in making his finding of the percentage of alcohol present in the blood of a suspected person at the time in question.
- (2) The factors referred to in subregulation (1) of this regulation are—
- (a) the time that the subject consumed his last drink containing alcohol;
 - (b) that the variation of concentration of alcohol in the blood is to increase at the rate of 0.016 per centum per hour for the period of two hours after the last drink containing alcohol was consumed by the subject, and after that period of two hours the variation of concentration of alcohol in the blood is to decrease at the rate of 0.016 per centum per hour; and
 - (c) the time that elapsed between the time of the occurrence of the event giving rise to the requirement and the time that the blood sample was taken by a medical practitioner.
13. When the analyst at the Government Chemical Laboratories has made his analysis, assessment, and finding, in relation to a blood-sample, in accordance with these regulations, he shall give his certificate in the form of Form C and cause the form together with the Form B that was delivered to him in accordance with the provisions of subregulation (1) of regulation 10 of these regulations to be delivered to the Commissioner of Police or to the shire clerk or town clerk of the local authority concerned, as the case may require.
14. (1) The fees prescribed for the attendance of a medical practitioner for the purpose of these regulations are—
- (a) on any public holiday, or a Sunday or at any time between 1 p.m. and midnight on a Saturday, or during the period between 8 p.m. and 8 a.m. commencing on any day—\$7; and
 - (b) at any other time—\$5.
- (2) The fee for an analysis of a blood sample for alcohol by an analyst at the Government Chemical Laboratories is \$5.
- (3) The fees payable under subregulation (1) of this regulation shall be paid, as the case may require, by the Commissioner of Police or the local authority concerned to the medical practitioner.
- (4) Where a person is convicted of an offence under section 32 of the Act and the payment of a fee provided by subregulation (1) or (2) of this regulation has been incurred for the purposes of section 32B of the Act, by reason of the occurrence of an event concomitant with the offence, the court convicting that person shall order him to pay the amount of the fee and that amount may, thereupon, be recovered as if it were a penalty imposed under the Act.
15. Where a sample of a person's blood is required to be taken, for the purposes of the Act, and that person is incapable of submitting himself and allowing a sample to be taken, the member of the Police Force requiring the sample shall make his request for it to be taken in writing, addressed to a medical practitioner, in accordance with Form D.
16. The Director of the Government Chemical Laboratories may certify by Form E that the person named in the form has the qualifications necessary for the determination of the amount of alcohol contained in bodily substances.

Analytical method.

Method of assessing percentages of alcohol in blood, at a time prior to sampling.

Certificate of analyst.

Fees payable to medical practitioners and analysts.

Request for taking of blood sample.

Certificate of qualification of analysts.

SCHEDULE.

Schedule.

Serial No.....

Western Australia.

TRAFFIC ACT, 1919.

Regulation 6: Blood Sampling and Analysis Regulations, 1974.

FORM A.

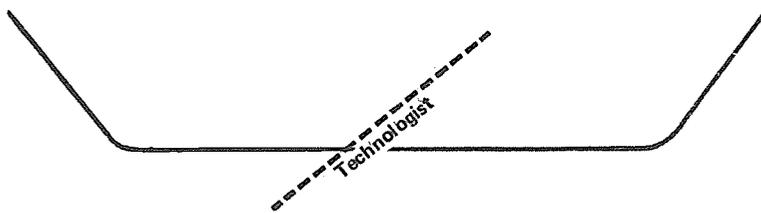
I.....of Laboratory Services, Public Health Department, Perth, in the State of Western Australia, Technologist, do hereby certify that the sampling equipment contained in package Serial No. comprises the items set forth in regulation 5 of the Blood Sampling and Analysis Regulations, 1974, and that those items were prepared by me, are sterile and fit for the purpose of taking a blood sample.

The said equipment should not be used for blood sampling later than

Dated at Perth this.....day of.....19.....

.....
Signature.

(Reverse Side.)



Note: This package should be opened by cutting along this fold.

Western Australia.

TRAFFIC ACT, 1919.

Regulation 9: Blood Sampling and Analysis Regulations, 1974.

FORM B.

Part I.

By Medical Practitioner:

I.....of.....duly qualified medical practitioner hereby certify that:

- 1. At the hour of.....m. on the.....day of19..... I took a sample of the blood of.....ofportion of which sample is now contained in the enclosed bottle numbered.....
2. The equipment used for the purpose of taking that blood sample was contained in a package serially numbered.....handed to me byand that package was sealed and intact prior to being opened by me.
3. In taking the blood sample I complied with regulation 8 of the Blood Sampling and Analysis Regulations, 1974.

.....
Signature and Qualifications.

(Reverse Side.)

Part II.

By a member of Police Force:

Name of subject.....
 Doctor.....
 Time and date of taking blood sample.....m. on.....
 Time of occurrence of event giving rise to requirement of blood sample:
m. on the.....
 Alleged time of last drink containing alcohol consumed by subject:.....m.
 on.....



Note: Open by cutting along this edge, leaving signatures intact.
 *Where signed by a member of the Police Force add rank and number.

Western Australia.

TRAFFIC ACT, 1919.

Regulation 13: Blood Sampling and Analysis Regulations, 1974.

FORM C.

I.....of the Government Chemical Laboratories, Perth, a properly qualified analyst within the meaning of section 32A of the Traffic Act, 1919 (as amended), hereby certify that:

1. On the.....day of.....19..... I received a sealed package, comprising Form B of the Blood Sampling and Analysis Regulations, 1974, then intact from.....containing a sample of blood in a bottle numbered.....

2. The certificate (Form B) appearing on the cover of the said package was indorsed (inter alia) as follows:—

Name of subject.....
 Doctor.....
 Time and date of taking blood sample.....

3. I have analysed that sample and have found it to contain.....per centum of alcohol.

4. From the information supplied, namely—
 Time and date of taking blood sample.....m. on.....
 Time of occurrence of event giving rise to requirement of blood sample:
m. on the.....
 Alleged time of last drink containing alcohol consumed by subject:
m. on.....

I have estimated, and my finding is, that the alcohol content of the blood of the said.....would have been.....per centum at.....m. on.....

.....
 Analyst.

6

Western Australia.

TRAFFIC ACT, 1919.

Regulation 15: Blood Sampling and Analysis Regulations, 1974.

FORM D.

To: 1
at 2.....

Acting pursuant to the provisions of section 32B(4) of the Traffic Act, 1919, as amended, I, the undersigned member of the Police Force/Inspector appointed under that Act*, hereby request you the said 1..... to take a sample of the blood of 3..... presently at 4....., in accordance with the abovementioned regulations.

Dated at.....this.....day of.....19.....

.....
Signature⁵

- ¹ Insert name of medical practitioner or the words Medical Superintendent, Medical Officer in Charge or Medical Registrar, as the case may require.
- ² Address or name of hospital, as the case may require.
- ³ Name of subject.
- ⁴ Place where subject is then to be found.
- ⁵ Where signed by a member of the Police Force add rank and number.
- * Delete whichever is inapplicable.

Western Australia.

TRAFFIC ACT, 1919.

Regulation 16: Blood Sampling and Analysis Regulations, 1974.

FORM E.

I,....., Director of the Government Chemical Laboratories, pursuant to the power conferred on me by subsection (3) of section 32D of the Traffic Act, 1919, as amended, hereby certify that.....of....., has the qualifications necessary for the determination of the amount of alcohol contained in bodily substances.

.....
Director,
Government Chemical Laboratories.

TRAFFIC ACT, 1919-1973.

T.O. 192/74.

Police Department,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased—

(a) to revoke the regulations, cited as the Breath Analysis Regulations, 1966, published in the *Government Gazette* on the 26th September, 1966, and all amendments thereto; and

(b) to make the regulations set out in the Schedule hereto,

so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. L. M. WEDD,
Commissioner of Police.

SCHEDULE.

BREATH ANALYSIS REGULATIONS, 1974.

1. These regulations may be cited as the Breath Analysis Regulations, 1974. Citation.
2. In these regulations, unless the context requires otherwise,— Interpre-
 "Act" means the Traffic Act, 1919, as amended; tation.
 "Form" means one of the forms set out in the Third Schedule;
 "member of the Police Force" includes an inspector appointed under the Act;
 "Schedule" means a Schedule to these regulations;
 "standard alcohol solution" means an alcohol solution supplied in accordance with regulation 4 of these regulations for the testing of breath analysing equipment;
 "subject" means a person required, or electing, to submit himself for analysis of his breath, pursuant to section 32B of the Act.
3. These regulations apply whenever a breath sample is taken for analysis for the purposes of the Act. Application.
4. (1) The Director of the Government Chemical Laboratories shall cause standard alcohol solution to be provided in sealed identifiable containers as the occasion may require, for the testing of breath analysing equipment. Supply, custody and use of standard alcohol solution.
 (2) For the purpose of testing breath analysing equipment an authorised person shall use standard alcohol solution provided in accordance with this regulation, and no other.
 (3) An authorised person shall not use any standard alcohol solution for the purpose of testing breath analysing equipment unless—
 (a) when the standard alcohol solution was first received by him, it was contained in a container sealed in accordance with subregulation (1) of this regulation; and
 (b) it has since been kept, when not in use, in that container, securely closed, and has not been used by any other person.
5. (1) Every authorised person shall carry with him the certificate of the Director of the Government Chemical Laboratories of his qualifications, and carry with any breath analysing equipment to be used by him the Minister's approval of its use, given under section 32D of the Act. Certificates to be carried.
 (2) The certificate of the Director of the Government Chemical Laboratories shall be in accordance with Form 1.
6. (1) The member of the Police Force requiring the analysis of a person's breath shall present that person, as the subject, to the authorised person attending for that purpose. Procedure prior to analysis.
 (2) The authorised person shall, in the presence of the subject, ascertain from the member of the Police Force requiring the analysis the time of the occurrence giving rise to the requirement and shall record that time and the time of his attendance, together with any comment made by the subject.

2

(3) The authorised person shall—

(a) inform the subject—

(i) that he (the authorised person) is a person authorised to operate breath analysing equipment; and

(ii) that the breath analysing equipment then produced is apparatus approved by the Minister, under the Act, for the purpose of ascertaining the percentage of alcohol in a person's blood by analysis of his breath,

and shall, if required by the subject, exhibit to him the certificate and approval establishing those facts; and

(b) inquire of the subject the time at which the subject consumed his latest drink containing alcohol,

and shall record every comment or answer made by the subject.

7. Where a subject—

Behaviour
of subject.

(a) refuses to submit himself for analysis of his breath;

(b) having submitted himself, refuses to co-operate in the analysis of his breath; or

(c) appears to the authorised person to be incapable of submitting himself for, or of co-operating in, the analysis of his breath,

the authorised person shall not proceed with, or (as the case may require) shall discontinue, the analysis and shall record the reason for his action in that regard.

8. Every analysis of a person's breath shall be conducted in the manner prescribed by the instructions set out in the First Schedule.

Conduct of
analysis.

9. For the purpose of ensuring that breath analysing equipment has given an accurate result, the authorised person operating it shall test the equipment, immediately after the result has been obtained, by obtaining a second result from the operation of the equipment in the manner prescribed by the instructions set out in the First Schedule using the standard alcohol solution and by comparing the second result with the range, set out in the Temperature-Concentration Table in the Second Schedule, that is applicable to the temperature of the solution at the time of the test and into which range the second result should, if the equipment is giving accurate results, fall.

Testing
breath
analysing
equipment.

10. In order to calculate the percentage of alcohol that was present in the blood of a person at the time of the occurrence of an event prior to the taking of a sample of the person's breath, the authorised person shall apply the principle that the concentration of alcohol in the blood of a person increases at the rate of 0.016 per centum, per hour, for a period of two hours after his latest drink containing alcohol, and, after that period, the concentration decreases at the rate of 0.016 per centum, per hour, to such of the following factors as are known to him, namely—

Calculating
percentage
of alcohol
in a person's
blood at a
time prior
to breath
sampling.

(a) the interval between the time when the latest drink was consumed by the person and the time of the occurrence of the event; and

(b) the interval between the time of the occurrence of the event and the time of the taking of the breath sample.

11. (1) After completing the analysis of a person's breath, the authorised person shall complete, sign and hand to the member of the Police Force requiring the analysis a statement in accordance with Form 2.

Record of
results.

(2) A member of the Police Force receiving a statement pursuant to subregulation (1) of this regulation shall indorse it with the date and time of its receipt and add his signature to the indorsement.

FIRST SCHEDULE.

Regs 8
and 9.

Instructions for Operating Breath Analysing Equipment.

Item.

1. Connect the EQUIPMENT to power.
2. Turn on the ON-OFF SWITCH and allow the instrument to warm up until the SAMPLE CHAMBER THERMOMETER reads 45-55°C. *(This should require about 20 minutes. This time has intentionally been kept long to ensure even heating of the sample chamber. Do not use the instrument until it is thoroughly warmed up or sticking of the piston in the sample chamber will result, due to condensation of moisture from the breath. If this occurs the piston can be freed by flushing out with air after it is properly warmed up. No damage results, but the test will be lost.)*
3. Record in your notebook the time that the instrument was switched on.
4. Centre the pointer of the NULL METER on the line by turning the top of the meter *(this is seldom necessary unless the meter has been moved)*.
5. Take two ampoules and test them in the gauge. *(The diameter of the small end of the gauge is 15.9 mm and of the large end is 16.5 mm. If the ampoule goes into the large end easily but will not go in the small end, it is correct.)* Read the bottom of the meniscus while the ampoule is in the large end of the gauge. If the bottom of the meniscus is not on, or slightly above, the edge of the gauge or if either ampoule is not of the correct size, discard it and test another in the same way until two correct ones are obtained.
6. Wipe one of the tested ampoules free of finger marks and place it in the LEFT HAND HOLDER *(comparison ampoule)*, with the batch number to the front of the instrument.
7. Break the top from the second ampoule. *(Hold in a cloth for safety.)*
8. Insert the narrow end of a glass BUBBLER in the solution in the open ampoule so that it extends to within 3 mm of the bottom of the ampoule, but does not touch the bottom *(if it touches the bottom, the flow might be restricted. There should be space around the bubbler at the neck of the ampoule so that the air can vent freely)*.
9. Wipe the open ampoule free of finger marks and place it in the RIGHT HOLDER, with the batch number to the front.
10. Insert the wide end of the glass BUBBLER in the end of the rubber sleeve on the end of the DELIVERY TUBE.
11. Turn the CONTROL KNOB to the TAKE position.
12. Connect the ATOMISER BULB to the SAMPLE TUBE.
13. Pump the ATOMISER BULB, until the green FULL INDICATOR LAMP is alight *(showing that the sample chamber is full)* and then pump 6 more times.
14. Remove the ATOMISER BULB from the SAMPLE TUBE.
15. Turn the CONTROL KNOB to ANALYSE and wait for the red EMPTY SIGNAL LIGHT to come on *(at which stage the bubbling noise will cease)*.
16. Turn the CONTROL KNOB to OFF.
17. Wait for about a minute and a half. *(This time is not critical. Fifteen seconds less or a minute or so more makes no difference.)*
18. Pull back on the LIGHT SWITCH and adjust the LIGHT BALANCE KNOB until the pointer of the NULL METER is centred on the line. If the blood alcohol percentage pointer moves off its scale change the position of this pointer by pulling back and turning the POINTER ADJUSTMENT KNOB.
19. Release the LIGHT SWITCH.
20. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the head of the POINTER over the INK PAD and release the KNOB.

Item

21. Place a PAPER SCALE on the BLOOD ALCOHOL SCALE.
22. Press the POINTER on to the INK PAD and release.
23. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the pointer over the scale, and release the KNOB.
24. Press BUTTON to raise the STOP PIN.
25. Pull back on the POINTER ADJUSTMENT KNOB and set the pointer accurately on the start line of the scale, touching the STOP PIN, and release the KNOB.
26. Release BUTTON.
27. Press the head of SCALE POINTER on to the paper scale to print the starting point and release.
28. Take a spare mouth piece and show the subject what you want him to do by yourself blowing into the mouthpiece (*not attached to the instrument*). Show him that he should blow as hard and as long as possible. (*Taking a deep breath will do no harm, but will make the blowing period longer. He should blow vigorously as long as possible, but he need not completely empty his lungs*).
29. Insert an unused mouthpiece in the SAMPLE TUBE. (*The tube is kept inside the heated chamber to prevent condensation*).
30. Turn the CONTROL KNOB to TAKE.
31. Pull out the SAMPLE TUBE and have the subject blow as hard and as long as possible—even after the green FULL SIGNAL LIGHT comes on. If the sample is unsatisfactory have him blow again. (*Irrespective of how long he blows, only the predetermined amount of breath is retained in the sample chamber*).
32. Remove the MOUTHPIECE from the SAMPLE TUBE.
33. Record in your notebook the time at which the sample was taken.
34. Turn the CONTROL KNOB to ANALYSE and wait for the red EMPTY SIGNAL LIGHT to come on (*at which stage the bubbling noise will cease*).
35. Wait for about a minute and a half. (*This time is not critical. Fifteen seconds less or a minute or so more makes no difference*).
36. Turn the CONTROL KNOB to OFF.
37. Pull back on the LIGHT SWITCH and again adjust the LIGHT BALANCE KNOB, until the pointer of the NULL METER is centred on the line.
38. Release the LIGHT SWITCH.
39. Record in your notebook the percentage of alcohol in the blood of the subject shown by the position of the pointer on the scale.
40. Press down on the head of the POINTER to print the arrow on the paper scale, and release.
41. Proceed at once to check the accuracy of the instrument with the standard solution of alcohol by the procedures that follow.
42. If the percentage of alcohol in the blood of the subject, as shown on the PAPER SCALE is less than 0.25 per cent. and the temperature is less than 25°C proceed with items 44 to 77, inclusive.
43. If the percentage of alcohol in the blood of the subject, as shown on the PAPER SCALE, is—
 - (a) less than 0.25 per cent. and the temperature is more than 25°C; or
 - (b) more than 0.25 per cent.,then proceed with items 68 to 71 and 78 to 86 inclusive.
44. Turn the CONTROL KNOB to TAKE.

Item

45. Attach the ATOMISER BULB to the SAMPLE TUBE.
46. Pump with the ATOMISER BULB till the green FULL INDICATOR LAMP is alight and then pump 6 more times (*to flush out the sample chamber*).
47. Remove the ATOMISER BULB from the SAMPLE TUBE and attach it to the inlet tube of the EQUILIBRATOR.
48. Turn the CONTROL KNOB to ANALYSE and wait for the EMPTY LIGHT SIGNAL to come on (*at which stage the bubbling noise will cease*).
49. Wait for about a minute and a half. (*This time is not critical. Fifteen seconds less or a minute or so more makes no difference*).
50. Turn the CONTROL KNOB to OFF.
51. Pull back on the LIGHT SWITCH and again adjust the LIGHT BALANCE KNOB until the pointer of the NULL METER is centred on the line.
52. Release the LIGHT SWITCH.
53. Read the pointer on the blood alcohol scale and record this in your notebook.
54. Press down on the head of the POINTER to print the arrow on the paper scale, and release. (*This will normally coincide with the position obtained for the blood alcohol content of the subject, under item 40*).
55. Turn the CONTROL KNOB to TAKE.
56. Attach the outlet of EQUILIBRATOR to the SAMPLE TUBE.
57. Read the TEMPERATURE on the thermometer in EQUILIBRATOR and record it in your notebook.
58. Pump the atomiser bulb until the green FULL INDICATOR LAMP is alight and then pump 6 more times.
59. Read the TEMPERATURE on the thermometer in the EQUILIBRATOR and record it in your notebook.
60. Remove the outlet tube of the EQUILIBRATOR from the SAMPLE TUBE.
61. Turn the CONTROL KNOB to ANALYSE and wait for the red EMPTY SIGNAL LIGHT to come on (*at which stage the bubbling noise will cease*).
62. Wait for about a minute and a half. (*This time is not critical. Fifteen seconds less or a minute or so more makes no difference*).
63. Pull back on the LIGHT SWITCH and adjust the LIGHT BALANCE KNOB until the pointer of the NULLMETER is centred on the line.
64. Release LIGHT SWITCH.
65. Turn CONTROL KNOB to OFF.
66. Read the POINTER on the BLOOD ALCOHOL SCALE and record this in your notebook.
67. Press down on the head of the pointer to print the arrow on the paper scale, and release. (*The difference between this reading and the previous reading obtained and recorded under items 53 and 54 is the check of the instrument*).
68. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the head of the POINTER over the INK PAD and release the KNOB.
69. Remove the test PAPER SCALE from the blood alcohol scale of the instrument.
70. Mark the test PAPER SCALE so as to indicate which of the readings are those of the subject, fill in the name of the subject, the date and the time the test sample of breath was taken and sign it.
71. Check the recordings on the test PAPER SCALE against those in your notebook.

Item.

72. Hand the test PAPER SCALE to the subject or his representative.
73. If the two temperatures read under items 57 and 59 are different calculate the average and use this to determine from the Temperature-Concentration Table what the instrument reading should be.
74. Calculate the difference in the readings obtained under items 53 and 54 and under items 66 and 67. (*If this is within the acceptable limits given in the Temperature-Concentration Table the instrument is satisfactory*).
75. Calculate the percentage of alcohol in the blood of the subject at the time of the occurrence that gave rise to the test according to regulation 10 of these regulations.
76. Disconnect the BUBBLER from the rubber sleeve on the DELIVERY TUBE.
77. Remove the open test ampoule and bubbler from the RIGHT HOLDER and discard them. (*Caution—the liquid is corrosive*).
78. Proceed with items 11 to 27, inclusive.
79. Attach the atomiser bulb to the inlet of the EQUILIBRATOR.
80. Proceed with items 55 to 66, inclusive.
81. Press down on the head of the pointer to print the arrow on the paper scale and release. (*This is the check test reading*).
82. Pull back the POINTER ADJUSTMENT KNOB and turn it to place the head of the POINTER over the INK PAD and release the KNOB.
83. Remove the PAPER SCALE from the blood alcohol scale of the instrument, fill in the name of the subject, the date and time of the check test and sign it.
84. Check the recording on the paper scale against that in your notebook.
85. If the two temperatures read under items 57 and 59 are different calculate the average and use this to determine from the Temperature-Concentration Table what the instrument reading should be. (*If the instrument reading obtained in items 66 and 81 is within the limits given in the Temperature-Concentration Table the instrument is satisfactory*).
86. Proceed with items 72 and 76 to 77, inclusive.

7

SECOND SCHEDULE.

Temperature-Concentration Table.

Reg. 9.

Temperature °C.	Scale Reading should be— %	Acceptable limits:	
		Minimum. %	Maximum. %
10	0.050	0.045	0.055
10.5	0.052	0.047	0.057
11	0.054	0.049	0.059
11.5	0.056	0.050	0.062
12	0.058	0.052	0.064
12.5	0.060	0.054	0.066
13	0.063	0.057	0.069
13.5	0.066	0.059	0.073
14	0.068	0.061	0.075
14.5	0.071	0.064	0.078
15	0.074	0.067	0.081
15.5	0.077	0.069	0.085
16	0.080	0.072	0.088
16.5	0.083	0.075	0.091
17	0.086	0.077	0.095
17.5	0.089	0.080	0.098
18	0.093	0.084	0.102
18.5	0.097	0.087	0.107
19	0.100	0.090	0.110
19.5	0.104	0.094	0.114
20	0.107	0.096	0.118
20.5	0.111	0.100	0.122
21	0.115	0.104	0.126
21.5	0.119	0.107	0.131
22	0.123	0.111	0.135
22.5	0.127	0.114	0.140
23	0.132	0.119	0.145
23.5	0.136	0.122	0.150
24	0.141	0.127	0.155
24.5	0.145	0.130	0.160
25	0.150	0.135	0.165
25.5	0.155	0.140	0.170
26	0.161	0.145	0.177
26.5	0.167	0.150	0.184
27	0.173	0.156	0.190
27.5	0.179	0.161	0.197
28	0.186	0.167	0.205
28.5	0.193	0.174	0.213
29	0.200	0.180	0.220
29.5	0.207	0.186	0.228
30	0.214	0.193	0.235
30.5	0.221	0.199	0.243
31	0.228	0.205	0.251
31.5	0.235	0.212	0.258
32	0.242	0.218	0.266
32.5	0.249	0.224	0.274
33	0.257	0.231	0.283
33.5	0.265	0.238	0.292
34	0.273	0.246	0.300
34.5	0.281	0.253	0.309
35	0.289	0.260	0.318
35.5	0.298	0.268	0.328
36	0.307	0.276	0.338
36.5	0.316	0.284	0.348
37	0.325	0.292	0.358
37.5	0.335	0.301	0.368
38	0.345	0.310	0.380
38.5	0.356	0.320	0.392
39	0.367	0.330	0.404
39.5	0.378	0.340	0.416
40	0.389	0.350	0.428

8

THIRD SCHEDULE.

Forms.

Form 1.

Western Australia.

TRAFFIC ACT, 1919.

Reg. 5

I,.....
 the Director of the Government Chemical Laboratories, pursuant to the power
 conferred on me by subsection (3) of section 32D of the Traffic Act, 1919, HEREBY
 CERTIFY that
 is competent to
 operate breath analysing equipment.
 Dated at Perth thisday of19.....

.....
 Director of the Government
 Chemical Laboratories.

Form 2.

Western Australia.

TRAFFIC ACT, 1919.

Reg. 12

I,.....
 a person certified as competent to operate breath analysing equipment, state that:

1. At the hour of m. on the
day of19.....,
 I analysed the breath of.....
of.....
 in accordance with the Breath Analysis Regulations, 1974, using breath
 analysing equipment serially numbered.....

2. The analysis showed that concentration of alcohol in the blood of the
 abovenamed was.....per
 centum, at that time.

3. From the foregoing and from the information—

(a) that the occurrence giving rise to the requirement of the analysis was,
 (as I was informed by.....) at.....
 .m. on the.....day of.....,
 19.....; and

(b) that the time of the latest drink containing alcohol consumed by the
 subject was (as I was informed by.....) at.....
 .m. on the.....day of
 19.....,

I have calculated that the concentration of alcohol in the blood of the said

 would have been.....per centum at.....
 .m. on.....19..

.....
 Authorised Person.

TRAFFIC ACT, 1919-1973.

Department of Motor Vehicles,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973 has been pleased—

- (a) to revoke the regulations, cited as the Traffic (Omnibus) Regulations, 1965, published in the *Government Gazette* on the 30th December, 1965, and all amendments thereto; and
- (b) to make the regulations set out in the schedule hereto,
- so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. T. MONCK,
Director, Department of Motor Vehicles.

SCHEDULE.

TRAFFIC (OMNIBUS) REGULATIONS, 1974.

1. These regulations may be cited as the Traffic (Omnibus) Regulations, 1974. Citatio.
2. Nothing in these regulations affects the operation of the Metropolitan (Perth) Passenger Transport Trust Regulations, 1961. Application.
3. In these regulations unless the context requires otherwise—
 - “omnibus” means a motor vehicle that is constructed or used principally for the conveyance of passengers and is equipped to seat eight or more adult persons including the driver, and includes a school bus; Interpreta-
tion.
 - “passenger” means a person carried upon an omnibus, but does not include the owner, driver or fare-collector;
 - “school bus” means an omnibus that is used solely or principally for the carriage of children to and from school.
4. The driver of an omnibus shall not permit any person to board the omnibus who is—
 - (a) under the influence of liquor to such extent, or is so attired, as to cause annoyance to other passengers;
 - (b) noisy, violent or disorderly, or disturbing the public peace;
 - (c) apparently suffering from an infectious disease or illness; or
 - (d) carrying a substance of an offensive or dangerous character, or of such dimensions as to be likely to cause inconvenience to, or damage the apparel of, any other passenger,

and shall not permit any animal, other than a guide dog in the company of a blind person, to board, or be taken on board, the omnibus.
5. The driver of an omnibus shall not—
 - (a) cause or permit a greater number of passengers than the omnibus is licensed to carry, to be carried on the omnibus at any one time and, for the purpose of this paragraph—
 - (i) a child apparently under the age of six years carried on the lap is deemed not to be a passenger; and
 - (ii) children apparently of the age of six years or more but apparently under the age of fourteen years, shall be calculated on a ratio of three children being equivalent to two adults, any resultant fractional number being disregarded;
 - (b) smoke while the vehicle is conveying passengers;
 - (c) suffer or permit any person to smoke in an omnibus licensed to carry more than 21 passengers, except in that portion of the omnibus or in those seats designated by notice for the purpose and then only when the omnibus is not being used as a school bus;Driver not to allow excessive number of passengers, or smoking, etc.

2

- (d) except in the case of a tourist omnibus, suffer or permit any person to smoke in an omnibus licensed to carry not more than 21 passengers;
- (e) cause or permit any person to occupy any position so that the driver's control of the vehicle may be impaired;
- (f) act in a disorderly or offensive manner;
- (g) while a passenger is entering or leaving the omnibus, negligently or wilfully start the omnibus, or cause the omnibus to be started, before the passenger has completely entered or alighted;
- (h) deceive, or refuse to inform, a passenger or intending passenger as to the destination of the omnibus, or the route on which it will proceed to its destination; or
- (i) unless so required by the provisions of these regulations, prevent or attempt to prevent any person wishing to become a passenger of the omnibus from entering it.
6. (1) The driver or bus inspector of an omnibus shall request a person who has entered the omnibus to alight therefrom if—
- (a) the omnibus is already fully loaded with passengers;
- (b) the person is under the influence of liquor, or is so attired as to cause annoyance to any passenger; or
- (c) the person continually acts in a noisy, violent or abusive manner, after being requested to desist,
- and every person so requested shall thereupon alight from the omnibus.
- (2) Where a person fails or refuses to alight from an omnibus when requested to do so under the provisions of subregulation (1) of this regulation, the driver, bus inspector or both may remove him from the omnibus, using such force against the person as is reasonably necessary to effect his removal.
7. A person shall not occupy any position on an omnibus, if by so doing, he is likely to—
- (a) interfere with or impede the driver in controlling the omnibus; or
- (b) prevent the driver's signals from being clearly seen by the drivers of other vehicles or by pedestrians
8. A person shall not—
- (a) except in a tourist omnibus, smoke in an omnibus licensed to carry 21 passengers or less;
- (b) smoke in an omnibus licensed to carry more than 21 passengers, except in that portion of the omnibus or in those seats designated by notice for the purpose and then only when it is not being used as a school bus;
- (c) enter or attempt to enter an omnibus, unless he is an employee of the owner of the omnibus or is a passenger, or an intending passenger, of the omnibus;
- (d) hold on to any external part of an omnibus while it is in motion;
- (e) ride upon the roof or any part of an omnibus not intended for occupation by a passenger, when the omnibus is in motion;
- (f) enter or alight from, or attempt to enter or alight from, an omnibus while it is in motion;
- (g) except for the purpose of preventing a person entering or alighting from an omnibus while it is in motion, wilfully prevent or obstruct a person from entering or alighting from an omnibus;
- (h) enter an omnibus or, having entered an omnibus, remain thereon,—
- (i) after being informed by the driver of the omnibus that it is already fully loaded with passengers; or
- (ii) if he is under the influence of liquor or is so attired as to cause, or be likely to cause, annoyance to any passenger; or
- (i) while entering, or having entered, an omnibus, act in a noisy, violent or abusive manner.
9. (1) Every owner of an omnibus shall keep a record of the full name and place of abode of each person who drove the omnibus and of the dates and times at which that person drove the omnibus, and shall, subject to subregulation (2) of this regulation, produce those records for inspection by a traffic inspector or member of the Police Force, on demand.

Driver or bus inspector may request person to leave omnibus.

Person not to interfere with driver of omnibus.

Persons not to smoke, etc., on omnibus.

Record of drivers to be kept.

(2) The owner of the omnibus is not required by this regulation to produce the record of drivers in respect of any period prior to six months of the date of the demand.

10. (1) The driver of an omnibus shall, on the termination of each journey, search the omnibus for any property that may have been left in the vehicle by a passenger, and shall hand any property found by, or handed to, him, as soon as practicable, and in any case, if not sooner claimed by the passenger, within 24 hours, to the owner of the omnibus or his representative, who shall give the driver a receipt for that property. Driver, etc.,
to hand in
lost property.

(2) Any person, not being the driver, who finds any property in an omnibus shall forthwith hand that property to the driver of the vehicle, in the state in which he found it.

(3) The owner, or any representative of the owner of an omnibus, who receives any property handed to him pursuant to this regulation shall—

(a) enter in a register kept for the purpose—

(i) a description of the property;

(ii) the date on which, and the circumstances in which, the property was found; and

(iii) the name of the driver who handed the property to the owner or person making the entry; and

(b) if the property is not sooner claimed by its owner, seven days after its finding, take the property, if in the Metropolitan Area, to the Criminal Investigation Branch of the Police Department, at Perth or Fremantle, or, otherwise, to the nearest Police Station and obtain a receipt for the property from the officer receiving it.

(4) A register required to be kept under the provisions of subregulation (3) of this regulation shall be produced by the person keeping it for inspection by a member of the Police Force or a traffic inspector on demand.

(5) A person claiming property of the driver, owner, or representative of the owner, of an omnibus shall prove to the satisfaction of the person of whom it is claimed that the property is, in fact, his property and shall sign any register wherein particulars of this property may have been entered.

(6) The provisions of paragraph (b) of subregulation (3) of this regulation do not apply to any property of a perishable nature that is not claimed by the owner within 24 hours of its being found; and do not apply to property found in a vehicle owned by the Metropolitan (Perth) Passenger Transport Trust or operated by the Western Australian Government Railways Commission pursuant to section 21 of the Government Railways Act, 1904,

11. (1) A driver or fare collector of an omnibus shall not demand or receive from any passenger a fare exceeding the legal fare. Drivers, etc.,
not to
demand or
receive
excessive
fares.

(2) The driver or fare collector of an omnibus shall, upon receiving from a passenger money of greater value than the legal fare, return the correct change to the passenger.

(3) Every passenger of an omnibus shall pay the legal fare on demand by the driver or fare collector.

12. (1) Every person who, by act or omission, contravenes any of these regulations is guilty of an offence and is liable, for a first offence, to a fine of not exceeding forty dollars, and for any subsequent offence, to a fine not exceeding one hundred dollars. Penalty.

(2) For the purposes of subregulation (1) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations or against the Traffic (Omnibus) Regulations, 1965, as amended at any time.

TRAFFIC ACT, 1919-1973.

Department of Motor Vehicles,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased to make the regulations set out in the Schedule hereunder to take effect on and after the day that the regulations are published in the *Government Gazette*.

A. T. MONCK,
Director, Department of Motor Vehicles.

SCHEDULE.

TRAFFIC (VEHICLE WEIGHTS) REGULATIONS, 1974.

1. These regulations may be cited as the Traffic (Vehicle Weights) Regulations, 1974. Citation.
2. The Traffic (Vehicle Weights) Regulations, 1973 and all amendments thereto are revoked. Revocation.
3. (1) In these regulations, unless the context otherwise requires— Interpretation.
 - “Act” means the Traffic Act, 1919, as amended; “aggregate weight”, in relation to a motor vehicle, means the permitted aggregate of the tare of, and the load borne by, the vehicle, calculated or determined in accordance with the provisions of, and permitted under, these regulations;
 - “axle” means the axis of rotation of wheels within two transverse, vertical, parallel planes less than one metre apart, whether power driven or freely rotating and whether in one or more segments and regardless of the number of wheels carried thereon;
 - “goods vehicle” means any motor vehicle constructed, equipped or fitted for the conveyance of goods or merchandise, and includes—
 - (a) a caravan;
 - (b) a trailer; and
 - (c) a tractor that is designed and used for drawing other vehicles, although not constructed or designed for carrying any load independently or for carrying any part of the load of the vehicle that it draws;
 - “gross combination weight” and “gross train weight” in relation to any motor vehicles operated in combination, or as a road train, respectively, means the weight recorded by the Director as the sum of the weights recommended by the manufacturer, by specification or otherwise, as the maximum laden weights at which those vehicles, or vehicles of the same make and class or series or of a similar class or series, when so operated, should be operated;
 - “laden weight”, in relation to a motor vehicle, means the aggregate of the tare and the load borne by the vehicle while on a road, as ascertained in accordance with the provisions of regulation 6 of these regulations;
 - “loadmeter” means a portable mechanical or electronic device capable of ascertaining the weight supported on part of a motor vehicle;
 - “manufacturer’s gross vehicle weight” means the weight of a goods vehicle recorded by the Director as the maximum laden weight recommended by the manufacturer, by specification or otherwise, at which that vehicle, or a motor vehicle of the same make and class or series, or a similar class or series, should be operated;
 - “specification” includes any printed catalogue, handbook or other trade printed matter issued by the manufacturers of, and relating to, any motor vehicle, plant, machinery or equipment;

“tandem axle” means a group of two or more consecutive axles, of which the centres of adjacent axles are included between parallel, transverse, vertical planes, spaced more than one metre apart and not more than 2.5 metres apart, extending the full width of the vehicle, which axles are individually attached to and articulated from a common attachment to the vehicle, including a connecting mechanism designed to equalise the load between the axles.

“tare” in relation to a motor vehicle means the net weight of the vehicle unloaded and includes the weight of any fuel contained in the fuel tanks of the vehicle and any tools ordinarily carried for the purpose of servicing the vehicle;

(2) Unless the context otherwise requires, words and expressions used in these regulations have the same respective meanings as are given them in, and for the purposes, of the Act.

(3) In these regulations—

- (a) the expression weight supported on a tyre or similar expression means the total weight transmitted to the road by the tyre, including the weight of the tyre; and
- (b) the expression weight supported on an axle (whether by reference to a single axle, a tandem axle, or one axle of a tandem axle) or similar expression, means the total weight transmitted to the road by the axle, including the weight of any wheels, tyres and other attachments or fittings attached or fitted to the axle.

4. (1) A motor vehicle shall not be licensed to carry a load that, together with the tare of the vehicle, would cause the laden weight of the vehicle to exceed any of the weights mentioned in paragraphs (a) or (b) of subregulation (2) of this regulation.

Restrictions
on loading
of vehicles.

(2) A person shall not drive, use or suffer or permit any person in his employ to drive or use, a motor vehicle of which the laden weight exceeds—

- (a) that prescribed as the aggregate weight of the vehicle, determined in accordance with this regulation;
- (b) the aggregate weight prescribed for its class calculated in accordance with the Table in the Appendix to these regulations;
- (c) the aggregate weight of the vehicle, as set out in the license issued for that vehicle.

(3) Without limiting the generality of subregulation (2) of this regulation, a person shall not drive, use, or suffer or permit any person in his employ to drive or use, a motor vehicle where—

- (a) the weight supported on any single tyre exceeds 2 300 kg;
- (b) the weight supported on any single axle fitted with single tyres exceeds 4 536 kg;
- (c) the weight supported on any single axle fitted with dual tyres exceeds 8 165 kg;
- (d) the weight supported on any one axle of a tandem axle fitted with single tyres exceeds 4 536 kg;
- (e) the weight supported on a tandem axle fitted with single tyres exceeds 9 072 kg;
- (f) the weight supported on any one axle of a tandem axle fitted with dual tyres exceeds 8 165 kg;
- (g) the weight supported on any tandem axle fitted with dual tyres exceeds 13 154 kg;
- (h) the weight supported on any tandem axle of which one axle is fitted with dual tyres and the other with single tyres exceeds 11 200 kg; or
- (i) the weight supported on any tyre exceeds either the carrying capacity of the tyre or of the rim to which that tyre is fitted, as prescribed by any regulation made under the Act.

(4) Without limiting the generality of subregulation (2) and (3) of this regulation, the aggregate weight of a goods vehicle may be determined in the case of—

- (a) a vehicle, not being an articulated vehicle, by adding to the manufacturer's gross vehicle weight for that vehicle, if not exceeding 2500 kg., 5 per centum thereof; and

- (b) a vehicle, not being an articulated vehicle, by adding to the manufacturer's gross combination weight or gross train weight for that vehicle, if exceeding 2500 kg., 10 per centum thereof; and
- (c) an articulated vehicle, where the manufacturer's gross vehicle weight has been fixed for the tractor (prime mover type) for use as component of an articulated unit, by adding to that weight 10 per centum thereof; and
- (d) an articulated vehicle, where the manufacturer's gross vehicle weight is known for the tractor (prime mover type), as a standard table-top vehicle, only, by adding, to the sum of that weight and 10 per centum thereof, $6\frac{2}{3}$ per centum of that sum,

but, where any aggregate weight determined or calculated in accordance with this subregulation exceeds that determined or calculated as provided by paragraph (b) of subregulation (2) of this regulation, the latter shall be taken as the aggregate weight.

(5) Notwithstanding the provisions of subregulation (4) of this regulation, the Director may determine a lesser aggregate weight equated with the practical carrying capacity of the vehicle.

(6) Where the manufacturer's gross vehicle weight of a goods vehicle licensed for the first time after the commencement of these regulations is not recorded by the Director, the aggregate weight of that vehicle may be determined under subregulation (4) of this regulation, by taking the recorded manufacturer's gross vehicle weight of a vehicle of similar construction as being the manufacturer's gross vehicle weight of the vehicle first in this subregulation mentioned.

(7) Where a goods vehicle has been added to, altered or modified, at any time after manufacture, the owner thereof may apply to the Director for the determination of a greater aggregate weight than that determined in accordance with the provisions of this regulation; and the Director shall, upon being satisfied that, having regard to the component parts of the vehicle, the addition, alteration or modification is such as to increase the safe loading limits of the vehicle, determine and authorise a greater aggregate weight; and, where a greater aggregate weight is so authorised, that shall be the aggregate weight of the vehicle.

(8) A person shall not drive, use, or suffer or permit any person in his employ to drive or use a goods vehicle, unless the aggregate weight of the vehicle and the tare, distinguished, respectively, by the letters "A" and "T", are painted, on the right hand side of the vehicle, in block letters and numerals of at least 50 millimetres in height, and are maintained, so as to be clearly legible at a distance of 5 metres.

(9) A person who, in contravention of subregulation (2) of this regulation, drives a motor vehicle of a laden weight greater than the aggregate weight therein prescribed, or having wholly or in part a supported weight greater than that prescribed by subregulation (3) of this regulation, on a road, shall not, on being required by a member of the Police Force or a traffic inspector to remove the load, or as much of it, by which the aggregate or supported weight is exceeded, continue to drive the vehicle on the road, until he has complied with that requirement.

(10) The provisions of subregulations (4) to (9) inclusive of this regulation do not apply to—

- (a) a station wagon or estate car; or
- (b) any motor vehicle comprising an excavator, road grader, road roller or bulldozer, or other machine or apparatus, which is not capable of carrying a load, other than its tools, spare parts, fuel, water, oil or other accessories for use in connection with that vehicle.

(11) A person shall not drive, or use, or suffer or permit any person in his employ to drive or use, a motor vehicle for the purpose of towing a trailer where—

- (a) the aggregate of the laden weights of the vehicles in the combination or road train exceeds the gross combination weight or the gross train weight; or
- (b) the laden weight of any vehicle in the combination of road train, exceeds the aggregate weight of the towing vehicle, unless that vehicle is operated under and in accordance with a permit to exceed such weight issued by the Commissioner of Main Roads.

(12) Nothing in this regulation authorises a person to drive, use, or permit the driving or using of, a motor vehicle, on a road, in contravention of the provisions of any other regulation made under the Act.

5. (1) Notwithstanding any other provision of these regulations, the Commissioner of Main Roads may issue a permit, upon payment of the prescribed fee, permitting—

Special permits to carry excess weights.

- (a) the laden weight of a vehicle to exceed the aggregate weight of the vehicle prescribed for its class, to the extent of such extra load, on such road or roads, and subject to such conditions, as may be specified in the permit; and
- (b) any maximum supported weight prescribed by subregulation (3) of regulation 4 of these regulations to be exceeded, to the extent of such extra weight, on such road or roads, and subject to such conditions, as may be specified in the permit,

and the owner or driver of the vehicle may, thereupon, subject to any condition specified in the permit, convey by that vehicle the extra load or weight, on the road or roads specified in the permit.

(2) The fee payable for a permit issued pursuant to subregulation (1) of this regulation is—

- (a) an amount of \$1.50 per month, or portion thereof, for every tonne or part thereof by which the aggregate weight is to be exceeded; and
- (b) for a specified journey only, an amount of 0.6 cent per tonne kilometre or part thereof for the weight by which the aggregate weight is to be exceeded,

prescribed for that class of vehicle by paragraph (b) of subregulation (2) of regulation 4 of these regulations.

(3) A person shall not drive, or permit or suffer any person in his employ to drive, a vehicle on a road pursuant to a permit issued under the provisions of this regulation, unless the permit is carried on that vehicle; and the permit shall be produced by the person in charge of the vehicle for inspection by a member of the Police Force or traffic inspector, on demand.

(4) Every person who drives, or permits or suffers any person in his employ to drive, a vehicle, contrary to any conditions specified in a permit issued under this regulation, commits an offence and the Commissioner of Main Roads may, thereupon, direct the permit to be cancelled.

6. (1) Without limiting any other provision of this regulation, the laden weight, or the tare, of a motor vehicle or the weight supported on part of a motor vehicle may be ascertained by weighing the vehicle, or part of the vehicle (as the case may require), on a registered public weighbridge, or on any weighbridge that has been verified under the provisions of the Weights and Measures Act, 1915.

Ascertainment of load weights.

(2) The weight supported on any part of a motor vehicle may be ascertained by using one or more loadmeters of a type known as the "Black and Decker Drive-on Loadometer", the "Hi-way Loadometer" or of any other type approved for use by the Minister, and where more than one loadmeter is used, the weight supported on that part of the vehicle may be ascertained by aggregating the relevant recordings of the loadmeters so used; but in every case the weight supported so ascertained less five per centum thereof, shall be deemed to be the actual weight supported on that part of the motor vehicle.

(3) Notwithstanding the provisions of subregulation (1) of this regulation, and in any event, the laden weight or (in the case of a motor vehicle not carrying a load) the tare, of a motor vehicle computed from an aggregation of the relevant supported weights, ascertained pursuant to the provisions of subregulation (2) of this regulation, shall be taken as being the laden weight or (as the case may be) the tare of the vehicle.

(4) Where the laden weight of, or the weight of the load carried by, or the weight supported on, a motor vehicle cannot be, or cannot conveniently be, ascertained by any other means provided by this regulation, if the load comprises assembled plant, machinery or equipment of any kind, the weight of that load may be ascertained by reference to the manufacturer's specification (if any) relating to that plant, machinery or equipment and the weight therein specified is deemed to be the weight of the plant, machinery or equipment.

(5) For the purposes of subregulation (4) of this regulation, there is a presumption that any printed matter purporting to be a specification is a specification, in the absence of proof to the contrary.

(6) The driver or person in charge of a motor vehicle shall comply with any reasonable direction, given by a member of the Police Force or a traffic inspector, for the purpose of ascertaining any of the weights in this regulation mentioned.

7. (1) Any person who contravenes any provision of these regulations commits an offence. Offences.

(2) Any person who commits an offence against any provision of these regulations, other than an offence referred to in sub-regulation (3) or (4) of this regulation, is liable—

- (a) for a first offence, to a penalty of one hundred dollars;
- (b) for a subsequent offence, to a penalty of two hundred dollars.

(3) Subject to subregulation (5) of this regulation, any person who commits an offence against subregulation (6) of regulation 6 of these regulations is liable—

- (a) for a first offence, to a penalty of one hundred dollars;
- (b) for a subsequent offence, to a penalty of not less than two hundred dollars, irreducible in mitigation notwithstanding the provisions of any Act, and not more than five hundred dollars.

(4) Subject to subregulation (5) of this regulation, any person who commits an offence against paragraph (a), paragraph (b), paragraph (c), paragraph (e), paragraph (g) or paragraph (h) of subregulation (3) of regulation 4 of these regulations is liable—

- (a) for a first offence, to a penalty of one hundred dollars;
- (b) for a subsequent offence, to a penalty that is not less than the appropriate minimum penalty shown in column 2 of the table to this subregulation, irreducible in mitigation, notwithstanding the provisions of any Act, and not more than the appropriate maximum penalty shown in column 3 of that table.

Amount by which weight supported on tyre, axle or axle group (as the case may be) exceeds the permissible maximum supported weight under regulation 4 (3)	Minimum Penalty	Maximum Penalty
	\$	\$
Less than 1 tonne	20	100
Not less than 1 tonne but not more than 1.5 tonnes	40	150
More than 1.5 tonnes but not more than 2 tonnes	60	200
More than 2 tonnes but not more than 2.5 tonnes	100	300
More than 2.5 tonnes but not more than 3 tonnes	150	400
More than 3 tonnes	200	500

(5) Where a person is convicted of any of the offences referred to in subregulation (3) or subregulation (4) of this regulation, that offence shall for the purposes of those subregulations, be regarded as a subsequent offence if he has also, within the period of twelve months immediately preceding his conviction for that offence, been convicted of another offence of the same kind or of any other offence referred to in either of those subregulations or of any offence referred to in subregulations (3) or (4) of regulation 7 of the regulations revoked by regulation 2 of these regulations, but not otherwise.

6

APPENDIX.

Table.

Reg. 4 (2).

PERMISSIBLE GROSS LOADS FOR RIGID AND ARTICULATED VEHICLES
 LICENSED AS OF CLASS "A" MOTOR VEHICLES UNDER THE TRAFFIC
 (LICENSING AUTHORITIES) REGULATIONS, 1974. REG. 9.

Distance Between Extreme Axles (m)		Gross Weight of Vehicle Including Load				
		2 Axles	3 Axles	4 Axles	5 Axles	6 Axles
Exceed	Not Exceed	Tonnes				
1.0	1.5	13.2				
1.5	2.0	15.2	17.2			
2.0	2.5	16.0	17.8			
2.5	3.0		18.3			
3.0	3.5		18.9	21.2		
3.5	4.0		19.4	21.7		
4.0	4.5		20.0	22.2	24.6	
4.5	5.0		20.5	22.7	25.1	
5.0	5.5		21.1	23.1	25.5	28.0
5.5	6.0		21.7	23.6	26.0	28.5
6.0	6.5		22.2	24.1	26.5	28.9
6.5	7.0		22.8	24.6	26.9	29.4
7.0	7.5		23.3	25.1	27.4	29.8
7.5	8.0			25.6	27.9	30.3
8.0	8.5			26.1	28.3	30.7
8.5	9.0			26.6	28.8	31.2
9.0	9.5			27.1	29.2	31.6
9.5	10.0			27.6	29.7	32.1
10.0	10.5			28.1	30.2	32.5
10.5	11.0			28.6	30.6	33.0
11.0	11.5			29.1	31.1	33.4
11.5	12.0			29.6	31.6	33.8
12.0	12.5			30.1	32.0	34.3
12.5	13.0			30.6	32.5	34.7
13.0	13.5			31.1	33.0	35.2
13.5	14.0			31.6	33.4	35.6
14.0	14.5				33.9	36.1

TRAFFIC ACT, 1919-1973.

Department of Motor Vehicles,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased—

- (a) to revoke the regulations, cited as the Traffic (Drivers' Licenses) Regulations, 1969, published in the *Government Gazette* on the 28th May, 1969, and all amendments thereto; and
- (b) to make the regulations set out in the Schedule hereto,
- so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. T. MONCK,
Director, Department of Motor Vehicles.

Schedule.

TRAFFIC (DRIVERS' LICENSES) REGULATIONS, 1974.

1. These regulations may be cited as the Traffic (Drivers' Licenses) Regulations, 1974. Citation.
2. In these regulations, "the Act" means the Traffic Act, 1919. Interpre-
tation.
3. For the purposes of Division (1) of Part IV of the Act, motor vehicles are classified as follows:— Classification
of vehicles.
 - A. (i) Any motor car equipped to seat eight or less adult persons (including the driver) except where the motor car comes within Class G or Class H of this classification;
 - (ii) any motor wagon having a tare weight of two tonnes or less; and
 - (iii) any tractor (not prime mover type) having a tare weight of 4.6 tonnes or less.
 - B. (i) any motor car equipped to carry more than eight adult persons (including the driver) except when the motor car is being used to carry passengers for hire or reward;
 - (ii) any motor wagon (not being articulated type); and
 - (iii) any tractor (not prime mover type).
 - C. Any articulated vehicle.
 - E. Any motor car fitted with automatic transmission.
 - F. Any vehicle licensed or used as an omnibus.
 - G. Any vehicle licensed or used as a taxi-car or private taxi-car except where the driver is a registered driver under the provisions of the Taxi-cars (Co-ordination and Control) Act, 1963.
 - H. Any vehicle licensed or used as a passenger vehicle not being an omnibus, taxi-car or private taxi-car.
 - I. Any tractor (not prime mover type) having a tare weight of 4.6 tonnes or less.
 - J. Any tractor (not prime mover type).
 - K. (i) any motor cycle with or without side car attachment; and
 - (ii) any motor carrier.
 - L. Any—
 - (i) motor cycle with or without side car attachment; or
 - (ii) motor carrier,
with engine capacity not exceeding 250 c.c.

4. (1) In order to satisfy the Director that he is qualified to obtain the driver's license sought, the applicant shall demonstrate his ability to control—

Driver to demonstrate ability.

- (a) in the case of a license appropriate to Class A, a motor car, or a motor wagon, fitted with manual gears;
- (b) in the case of a license appropriate to Class B, a motor wagon having a tare weight exceeding 2 tonnes;
- (c) in the case of a license appropriate to Class K, either vehicle of that class; and
- (d) in the case of a license appropriate to Class L, either vehicle of that class.

(2) A person, being the holder of a license appropriate to a class set out in Column 1, hereunder, is entitled to drive, on a road, any vehicle of a class set out in the correspondingly opposite position in Column 2, hereunder, subject, however, to any conditions in the latter column mentioned.

Column 1	Column 2.
Class A	Class E and, if the vehicle is not carrying passengers, or plying, for hire or reward, Classes G and H.
Class B	Classes A and E, and, if the vehicle is not carrying passengers, or plying, for hire or reward, Classes F, G and H.
Class C	Classes A, B and E, and, if the vehicle is not carrying passengers, or plying, for hire or reward, Classes F, G and H.

5. Subject to the exercise of the powers conferred on the Director, by section 23B of the Act, a license appropriate to a class set out in Column 1, hereunder, shall not be issued to a person, unless he has attained the age set out in the correspondingly opposite position in Column 2, hereunder.

Minimum age of licensee.

Column 1.	Column 2.
Class A.....	17 years
Class B.....	18 years
Class C.....	20 years
Class E.....	17 years
Class F.....	21 years
Class G.....	21 years
Class H.....	21 years
Class I.....	17 years
Class J.....	20 years
Class K.....	17 years
Class L.....	17 years

6. Every license issued on probation shall be indorsed, in the space set apart for conditions, with the words, "ON PROBATION until", followed by the date on which, but for the provisions of section 25B of the Act, the period of probation would ordinarily expire.

Endorsement on probationary license.

7. The several regulations or parts of regulations, designated in the First Schedule to these regulations, are those prescribed for the purposes of section 25B of the Act.

Prescribed regulations for s. 25B.

8. The forms to be used for the purposes of these regulations are such as may be approved by the Minister, from time to time, and published in the *Government Gazette*.

Forms.

9. Where a person satisfies the Director that a driver's license issued to him has been lost or destroyed, he may obtain a duplicate thereof, on payment of an amount of \$1.

Duplicate license.

10. (1) The several offences set out in the Second Schedule to these regulations are those prescribed for the purposes of section 75 of the Act and the numeral appearing in the final column of that Schedule, directly opposite an offence, is, subject to subregulation (2) of this regulation, the prescribed number of points to be recorded against a person convicted of that offence.

Offences prescribed for s. 75.

(2) Where a court, in exercise of the powers conferred by section 33 of the Act, suspends the driver's license of a person convicted of any offence in connection with the driving of a motor vehicle, points shall not be recorded against that person under the provisions of this regulation, in respect of that offence.

11. For the purposes of subsection (1) of section 75 of the Act, the prescribed aggregate of points recorded against a person that will occasion his driver's license to be suspended and occasion him to be disqualified from holding or obtaining a driver's license, by operation of that section, is 12; and for the purposes of subsection (4) of that section, a person shall be informed of the progressive totals of 6 and of 9 points recorded against him.

Points for various offences.

12. For the purposes of subsection (1) of section 75 of the Act, the period for which a person's driver's license is suspended and for which he is disqualified from holding or obtaining such a license, upon the points recorded against him amounting to 12, is three months.

Period of suspension, etc.

13. (1) Subject to subregulation (2) of this regulation, a person who has held a driver's license under the Act, for a period of, or for periods amounting in the aggregate to, less than one year shall not drive a motor vehicle, unless a plate issued by the Director, bearing the letter "P", in red on a white ground, is displayed on the front and on the rear of the vehicle, so as to be readily visible, in the one case, from the front and, in the other, from the rear.

Penalty: Fifty dollars.

(2) Subregulation (1) of this regulation does not apply to a person—

- (a) who, being the holder of a driver's license under the Act, has been authorised, under the law in force in another State or in a Territory of the Commonwealth or in some other country, for a period of, or for periods, amounting in the aggregate to, one year or more, to drive a motor vehicle; or
- (b) whose only authority to drive a motor vehicle in the State is that conferred by section 35 or 36 of the Act,

but where, on the hearing of a complaint of an offence against subregulation (1) of this regulation, the defendant sets up that he is a person mentioned in this subregulation, the proof of that fact lies upon him.

(3) A person who, not being a person required by this regulation to do so, displays on a motor vehicle driven by him a plate such as is mentioned in subregulation (1) of this regulation commits an offence.

Penalty: Twenty dollars.

(4) The Director shall issue plates such as are mentioned in subregulation (1) of this regulation free of charge.

FIRST SCHEDULE.

Road Traffic Code Regulation.	Nature of Offence.
502 (5).....	Overtaking by driving to the right of centre of a carriageway when that side is not free from oncoming traffic.
502 (6).....	Racing with another vehicle.
504.....	Passing a vehicle travelling in opposite direction, on wrong side.
505 (2).....	Preventing a vehicle overtaking.
510.....	Driving on wrong carriageway of a road divided by a median strip.
602.....	Failing to give way to a vehicle on the right.
603 (1).....	Failing to give way when turning right across the path of an oncoming vehicle.
1001.....	Exceeding the speed limit (applicable only where the excess is greater than 25 km/h)

SECOND SCHEDULE

Item No.	Authority	Nature of Offence	Points
1	Traffic Act, S. 31.....	Dangerous driving, first offence	9
2	Traffic Act, S. 60.....	Unauthorised use of a motor vehicle	9
3	Traffic Act, S. 29.....	Failing to stop at scene of an accident	9
4	Road Traffic Code, Part X....	Exceeding the speed limit by more than 25 km/h	4
5	Road Traffic Code, Part X....	Exceeding the speed limit by more than 15 km/h but not more than 25 km/h.	2
6	Road Traffic Code, Part VI...	Failing to yield right of way	3
7	Traffic Act, S. 31B. (1).....	Careless driving, first offence	4
8	Road Traffic Code, R. 201.....	Failing to obey signal of member of police force or an inspector	3
9	Road Traffic Code, R. 401.....	Failing to obey traffic control signal (light)	3
10	Road Traffic Code, R. 402.....	Failing to obey traffic sign	2
11	Road Traffic Code, Part V.....	Failing to keep to the left	3
12	Road Traffic Code, Part V.....	Racing another driver	3
13	Road Traffic Code, Part V.....	Improperly overtaking another vehicle	3
14	Road Traffic Code, Part V.....	Failing to permit another driver to overtake	3
15	Road Traffic Code, R. 701.....	Failing to give way at a pedestrian crossing	3
16	Road Traffic Code, R. 105.....	Driving a vehicle which has been declared unroadworthy by a member of the police force or an inspector	3
17	Road Traffic Code, R. 802.....	Making improper right turn	2
18	Road Traffic Code, R. 803.....	Failing to give proper signal	2
19	Road Traffic Code, R. 401-506-801-802	Improper driving in a laned highway	2
20	Road Traffic Code, R. 509.....	Following too closely behind another vehicle	2

TRAFFIC ACT, 1919-1973.

Department of Motor Vehicles,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased—

- (a) to revoke the regulations, cited as the Traffic (Licensing Authorities) Regulations, 1968, published in the *Government Gazette* on the 8th April, 1968, and all amendments thereto; and
 - (b) to make the regulations set out in the Schedule hereto,
- so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. T. MONCK,
Director, Department of Motor Vehicles.

SCHEDULE
**TRAFFIC (LICENSING AUTHORITIES)
REGULATIONS, 1974.**

PART I.—PRELIMINARY.

1. These regulations may be cited as the Traffic (Licensing Authorities) Regulations, 1974. Citation.
2. These regulations are divided into Parts as follows:—
 - Part I.—Preliminary—Regulations 1-3.
 - Part II.—Licences—Regulations 4-15.
 - Part III.—Licences for Overseas Vehicles—Regulations 16-21.
 - Part IV.—Number Plates and Engine Identification Marks—Regulations 22-28.
 - Part V.—Registration Labels—Regulations 29-34.
 - Part VI.—Traffic Inspectors—Regulations 35-36.
 - Part VII.—Persons appointed by Commissioner under section 22—Regulations 37-38.
 - Part VIII.—Penalties—Regulation 39.
 - Part IX.—Trial and Determination of Disputes between Local Authorities under section 12 of the Act—Regulations 40-45.
3. (1) In these regulations unless the context otherwise requires— Inter-pretation.
 - “Act” means the Traffic Act, 1919, as amended, or any Act relating to the licensing or registration of vehicles enacted in substitution for that Act;
 - “approved” means approved by the proper licensing authority;
 - “licensee” means a person holding a vehicle licence under the Act or these regulations;
 - “licensing authority” means the local authority authorised by the Act to grant and issue licences for, or to effect the registration of, vehicles;
 - “reflective plates” means identification tablets or number plates that have the identifying characters superimposed on a white reflective ground;
 - “registration label” means the certificate of registration issued by a licensing authority as provided by section 20 of the Act;
 - “regulation” means one of these regulations;
 - “Schedule” means a schedule to these regulations.
- (2) Where in these regulations reference is made to the use or driving of a vehicle, the reference is to the doing of those things on a road.
- (3) For the purposes of the Act, the Metropolitan Traffic Area is that part of the State described in the First Schedule.

PART II.—LICENCES.

4. Upon receipt of an application to license a vehicle, a licensing authority shall cause the vehicle to be inspected and shall not grant a licence, unless the vehicle is found to be such as may be licensed under the provisions of regulation 9.
5. A licensing authority may, before the issue or transfer of a license, require the applicant to furnish proof of his ownership of the vehicle, whether by statutory declaration or otherwise.
6. An applicant for a licence for a vehicle shall, if required, deliver to the licensing authority a weight ticket obtained from the person in charge of a weighing machine, verified and registered in accordance with the Weights and Measures Act, 1915, showing the tare of the vehicle.
7. An application for a vehicle licence, a passenger-vehicle licence, or a combination of those licences, shall be in writing, signed by or on behalf of the applicant, and made on a form provided by the licensing authority.
8. A licensing authority may issue a licence or combination of licences in respect of a vehicle, in the form from time to time determined by the Minister and published in the *Government Gazette*.
9. (1) Subject to the succeeding provisions of this regulation, a licensing authority may license a motor vehicle as of any one of three classes, namely Class A, Class B or Class C.
- (2) A licensing authority may license a motor vehicle as of Class A, for unlimited use, if the vehicle conforms, in every respect, to the requirements of the Traffic (Vehicle Weights) Regulations, 1974, and of the Vehicle Standards Regulations, 1974, and not otherwise.
- (3) A licensing authority may license a motor vehicle as of Class B, where—
- (a) the vehicle does not comply, in some respect, with the Vehicle Standards Regulations, 1974, if—
 - (i) the dimensions of the vehicle do not exceed those prescribed by those regulations and the vehicle conforms to the requirements of the Traffic (Vehicle Weights) Regulations, 1974; and
 - (ii) the use of the vehicle is limited in such manner as the Minister may direct and, in any event, is so limited that it will not constitute a hazard to other road users;
 - (b) the vehicle is a tractor or self-propelled agricultural implement, if its use is limited to agricultural or horticultural pursuits; or
 - (c) the dimensions of the vehicle exceed those prescribed by the Vehicle Standards Regulations, 1974, or the vehicle does not conform to the requirements of the Traffic (Vehicle Weights) Regulations, 1974, if the licensing of the vehicle is specially approved, or the licensing of vehicles of its class is generally approved, by the Minister and the use of the vehicle is limited in conformity with any conditions to which that approval is subject.
- (4) A licensing authority may license, as of Class C, a motor vehicle that—
- (a) is so constructed, or has such weight carried by one or more axles, that it could not, without reconstruction, be made to conform to the Vehicle Standards Regulations, 1974, or the Traffic (Vehicle Weights) Regulations, 1974; and
 - (b) is of a class not designed primarily for the carriage of passengers or goods, but for use in the industrial pursuits of mining, quarrying, earth moving, earth drilling, forestry, timber getting, the making, maintenance or cleaning of roads or the construction of major works,

Inspection of vehicles to be made before licensing.

Proof of ownership before issue or transfer of licence.

Weighbridge Certificate may be required.

Application for licence to be in writing and on form to be provided.

Licensing authority may issue licence or combination of licences in respect of vehicle.

Classes of vehicle licences.

if the licensing of the vehicle is specially approved, or the licensing of vehicles of its class is generally approved, by the Minister and the use of the vehicle is limited in conformity with any condition to which that approval is subject.

(5) The licensing authority shall indorse every licence of Class B or Class C with the limitations to which its issue is subject and a person who uses, or permits or suffers a person in his employ to use, a vehicle the subject of such a licence otherwise than in conformity with those limitations commits an offence.

10. (1) A person shall not use, or permit or suffer a person in his employ to use, a vehicle licensed as of Class C, unless the licence is carried on the vehicle.

Licence to be carried in certain cases.

(2) The holder of a Class B or Class C licence or a person having it in his possession shall produce the licence to an inspector or member of the Police Force, on demand.

(3) Subregulation (1) of this regulation does not apply to a vehicle to which subsection (2) of section 71 of the Act applies.

11. (1) A person may apply to a licensing authority for a temporary permit to drive an unlicensed motor vehicle.

Licensing authority may issue temporary permits for unlicensed vehicles.

(2) The licensing authority may issue a temporary permit in the form determined from time to time by the Minister and published in the *Gazette* and the authority shall indorse the permit with conditions limiting the use of the vehicle and specifying the time that the permit is to remain operative.

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

- (a) a fee of 25 cents;
- (b) a premium of 25 cents, in respect of a policy of insurance under the Motor Vehicle (Third Party Insurance) Act, 1943, and
- (c) an amount of 17 cents, being the minimum surcharge payable on the policy of insurance, under the Motor Vehicle (Third Party Insurance Surcharge) Act, 1962.

(4) A person shall not drive, or cause or permit the driving of, a vehicle in respect of which a temporary permit has been issued, except in accordance with the terms and conditions of the permit.

12. (1) The Commissioner of Main Roads or a member of the Police Force or traffic inspector acting, in either case, with the special or general approval of the Commissioner of Main Roads may issue a permit authorising the carrying on a vehicle of such a load as will occasion any or all of the dimensions of a vehicle and its load to exceed those prescribed by regulation 1101 of the Vehicle Standards Regulations, 1974, to the extent, on such conditions and on such routes and journeys, as are specified in the permit.

Permits for oversize loads.

(2) The Commissioner of Main Roads may issue a permit authorising the use of a vehicle or a combination of vehicles, the dimensions of which exceed those prescribed by regulation 1101 of the Vehicle Standards Regulations, 1974, to the extent, on such conditions, and on such routes and journeys, as are specified in the permit.

(3) The fee for a permit issued under this regulation is \$2.00, regardless of whether the permit authorises one or more of the prescribed dimensions to be exceeded.

(4) A permit issued under this regulation does not authorise the carrying of a load on a vehicle contrary to the provisions of the Traffic (Vehicle Weights) Regulations, 1974.

(5) A person shall not drive, or permit or suffer a person in his employ to drive, a vehicle pursuant to a permit issued under this regulation, unless the permit is carried on the vehicle.

(6) Every person who uses, or causes or permits a person in his employ to use, a vehicle contrary to any limitations or conditions specified in a permit issued under this regulation commits an offence.

(7) A person shall not use or cause to be used a vehicle on which there is displayed a sign which indicates that the vehicle or its load exceeds the prescribed dimensions, unless at the time that the vehicle is so used, such a sign is required to be displayed on the vehicle pursuant to conditions specified in a permit issued under this regulation.

13. Subject to any limitations or conditions specified in the permit, a permit issued under regulation 11 or 12 is valid outside the district of the licensing authority that issued it. Validity of permits.

14. A licensing authority shall, on payment of a fee of \$1, issue a duplicate or certified copy of a vehicle licence that has been lost or destroyed, to the person named in the licence or, in the event of his death, to his executor or administrator. Fee for duplicate or certified copy of licence.

15. (1) A person shall not use a vehicle of which the licence is held in contravention of the provisions of any Act or these regulations. Vehicle not to be used if licence held in contravention of Act.

(2) Where a licence is lawfully suspended or cancelled or has been obtained by misrepresentation or fraud, or is held in contravention of the provisions of any Act or these regulations, the licence holder shall, on demand by an officer of the Department or by an inspector or member of the Police Force, forthwith deliver up the licence.

(3) The holder of a licence shall, within seven days after every change of his address or place of business as stated in the licence, give notice in writing of the change to the licensing authority that issued the licence, and shall produce the licence to that authority, to enable it to be indorsed with the new address or place of business, as the case may be.

PART III.—LICENCES FOR OVERSEAS VEHICLES.

16. (1) An application for a vehicle licence under the provisions of section 21B of the Act, or for an extension or renewal of a licence or registration under the provisions of section 21D of the Act, shall be made to the appropriate licensing authority. Application for vehicle licence and for extension or renewal thereof.

(2) An application shall set out—

- (a) the full name and permanent overseas address of the owner of the vehicle;
- (b) the owner's principal addresses while in Australia and in this State;
- (c) such a description of the vehicle as, in the opinion of the licensing authority, is sufficient to permit its identification; and
- (d) details relating to—
 - (i) the arrival of the vehicle in, and the proposed removal of the vehicle out of, the Commonwealth and the State;
 - (ii) the Triptyque or Carnet de passages en douane relating to the vehicle;
 - (iii) the vehicle licence issued in respect of the vehicle in the country from which the vehicle is brought to the Commonwealth; and
 - (iv) the Third Party Insurance Policy required to be held in respect of the vehicle.

(3) A licensing authority is not obliged to grant to an applicant a vehicle licence, or an extension or renewal of a licence or registration, referred to in Part IIA of the Act, if the applicant has, in the opinion of the authority, in any way contravened or failed to comply with any provision of the Act or these regulations; and an applicant shall, if required by a licensing authority, furnish to that authority, with his application, such additional information as the authority considers necessary and relevant for the granting and issue, or the extension or renewal, of the licence.

17. Unless the requisite contract of Third Party Insurance is in force, with respect to a vehicle for which a licence under section 21B of the Act, or an extension or renewal under section 21D, is sought, the applicant shall not be granted the licence or the extension or renewal, until he enters into the required contract. Contract of Third Party Insurance required.

18. (1) Where a motor vehicle to which Part IIA of the Act applies is not, when landed in or brought to this State, equipped with a set of identification tablets or number plates in accordance with the law of the country or the State or Territory of the Commonwealth from which it was landed or brought, or where any such tablet or plate is so mutilated that any material part is obscured, obliterated or indistinct, a person may not use that vehicle on any road in the State, unless and until the owner of the vehicle applies to the appropriate licensing authority for, and has obtained a set of temporary plates that, when issued, are affixed by the owner to the vehicle; and the provisions of the Act and of these regulations relating to identification tablets and number plates shall apply, *mutatis mutandis* and so far as they can be applied to temporary plates so issued, as though the temporary plates were identification tablets or number plates issued in respect of a motor vehicle to which the provisions of Part IIA of the Act do not apply.

Identifica-
tion tablets
or plates on
motor
vehicles to
which Part
IIA of the
Act applies.

(2) Where an application for a set of temporary number plates is received by a licensing authority from the owner of a motor vehicle referred to in subregulation (1) of this regulation, the authority shall issue to the applicant a set of number plates or identification tablets on payment of the charge prescribed or authorised by these regulations for a similar set when issued to a permanent resident of the State.

(3) Upon the issue of a set of temporary plates for a motor vehicle referred to in subregulation (1) of this regulation, the owner shall fit them or cause them to be fitted to the vehicle, in accordance with these regulations, and shall keep them so fitted, until the licence or the extension or renewal of the licence issued under the authority of section 21B or section 21D of the Act expires or until the earlier exportation of the vehicle from the Commonwealth.

(4) Upon the expiry of a vehicle licence issued, extended or renewed under Part IIA of the Act, or on, or immediately prior to, the exportation from the Commonwealth of the vehicle for which the licence was issued, the owner or person in charge of the vehicle shall leave any temporary plates issued in respect of that vehicle with the licensing authority for the district in which he is then residing or in which the vehicle was kept, immediately prior to the expiry or exportation.

19. Where a vehicle to which Part IIA of the Act applies is equipped with the steering wheel on the left hand side, a vehicle licence in respect of that vehicle, whether issued, renewed, or extended in accordance with that Part, has no force or effect, and a person shall not use the vehicle on a road, unless that vehicle is equipped in accordance with the provisions of subregulation (6) of regulation 111 of the Vehicles Standards Regulations, 1974.

Vehicles
with
steering on
left-hand
side.

20. Where it appears to the licensing officer of a licensing authority that a vehicle to which Part IIA of the Act applies does not conform to the requirements of the Act or regulations relating to its construction, he may with the authority of the Minister, endorse on the licence issued, renewed or extended under that Part, a permit authorising the use of that vehicle on roads, generally, or on any specified road or roads subject to such conditions as the Minister may authorise to be imposed and the vehicle shall then be used in accordance with the terms of that permit, only.

Permits for
use of
vehicle not
conforming
with
require-
ments of the
Act or regu-
lations.

21. (1) Where a vehicle in respect of which a licence under Part IIA of the Act is in force, is transferred to a permanent resident of the Commonwealth, the licence is thereupon cancelled.

When
licence for
overseas
vehicle
ceases to
have force
and effect.

(2) Where a licence is cancelled in accordance with subregulation (1) of this regulation or where a vehicle in respect of which a licence was in force is not exported from Australia on the expiry of the licence, a person shall not use the vehicle, unless it is licensed in accordance with the provisions of the Act and such of these regulations as are applicable to vehicles owned by permanent residents of the State.

PART IV.—NUMBER PLATES AND ENGINE IDENTIFICATION MARKS.

22. (1) A licensing authority shall provide identification tablets or number plates, as prescribed by the Act and these regulations, and issue them to the licensee of a vehicle at the time that the licence is taken out.

Licensing
authority to
provide
number
plates.

(2) Upon the issue of a set of identification tablets or number plates, whether initially or by way of replacement, the licensing authority shall make a charge of \$2.00.

(3) Notwithstanding the charge imposed under subregulation (2) of this regulation, every identification tablet or number plate remains the property of the licensing authority and shall be returned thereto by the person being the owner, or other person in possession of the vehicle in respect of which it was issued, forthwith upon the cancellation of, or the disqualification of the licensee from holding, the licence, or within fifteen days of the expiry of the licence, in respect of which the identification tablet or number plate was issued.

23. (1) Where a number plate or number plates issued in respect of a vehicle are lost, the owner of the vehicle shall, forthwith, send to the licensing authority that issued it or them notice in writing of that happening and the licensing authority shall, on proof, by statutory declaration of the loss, and on production of the licence or certificate of registration, issue fresh number plates in respect of the vehicle. Lost number plates.

(2) Where a number plate issued in respect of a vehicle has become dilapidated or is damaged, to such an extent as to render it illegible, the owner of the vehicle shall return the plate to the licensing authority, together with the licence of the vehicle, and the licensing authority shall either issue another number plate in substitution for the dilapidated or damaged number plate or a new set of number plates, as it thinks fit.

24. (1) Identification tablets or number plates issued in the Metropolitan Traffic Area shall display characters comprising— Nature of number plates.

- (a) numerals only;
- (b) two letters and three numerals, in the case of motor cycles;
- (c) the letters W.A.G. and not more than four numerals or three letters and three numerals in the case of vehicles owned and used by the State Government or State Boards (excepting those vehicles used by Ministers of the Crown or heads of State Boards or Departments and vehicles used by the Police Department or by the Department of Motor Vehicles); or
- (d) three letters and three numerals, in any case not mentioned in paragraph (a), (b) or (c) of this subregulation,

and shall, where there is a combination of letters and numerals, have the expression "W.A." above the letters and numerals.

(2) Identification tablets or number plates issued by a licensing authority outside the Metropolitan Traffic Area shall display a letter or letters indicating the district of the authority, as set out in the Second Schedule, together with a numeral or numerals and may in addition have the expression, "W.A.", painted or placed above the letter or letters and number.

(3) An identification tablet or number plate issued by a licensing authority being the municipality of a shire, shall have enamelled or painted in the same colour as the lettering and numerals, a circular figure in the shape of a disc of approximately thirty-two millimetres in diameter, between the lettering and the numerals.

(4) The characters on an identification tablet or number plate shall be in numerals or block letters and numerals, as the case may be, in the case of—

- (a) motor cycles and motor carriers—not less than fifty millimetres in height and of corresponding breadth; and
- (b) motor cars, motor wagons, road tractors and trailers—approximately eighty-two millimetres in height.

(5) Identification tablets and number plates shall bear the prescribed characters enamelled or painted thereon, in the colour and on the ground set out in the following table:—

Class of Vehicle to which Identification Tablet or Number Plate is to be affixed	Colour of Tablet or Plate	
	If licensed within the Metropolitan Traffic Area	If licensed outside the Metropolitan Traffic Area
1. Fire Brigade Vehicles.....	(i) White characters on black ground; or (ii) Black characters on white reflective ground	(i) White characters on red ground; or (ii) Black characters on white reflective ground
2. State Government or State Board Vehicles other than those excepted by paragraph (c) of subregulation (1) of this regulation.....	(i) Where the plate has the letters W.A.G. thereon—White characters on pale blue ground; or (ii) Where the plate has three letters and three numerals thereon—Blue characters on white reflective ground	Not applicable
3. Trailers and Caravans.....	(i) Yellow characters on dark blue ground; (ii) White characters on black ground; or (iii) Black characters on white reflective ground	(i) Yellow characters on dark blue ground; or (ii) Black characters on white reflective ground; or
4. Taxi-cars.....	As issued by the Commissioner of Transport	(i) Black characters on white ground; or (ii) Black characters on white reflective ground (iii) Red characters on white reflective ground
5. Passenger Vehicles (other than omnibuses owned by the State Government or State Boards).....	(i) Black characters on white ground; or (ii) Black characters on white reflective ground	(i) Black characters on white ground; or (ii) Black characters on white reflective ground
6. Dealers or manufacturers vehicles.....	As provided by Regulation 26	
7. All other vehicles.....	(i) White characters on black ground; or (ii) Black characters on white reflective ground	(i) White characters on black ground; or (ii) Black characters on white reflective ground

(6) A licensing authority may, by notice served on a licensee, require the licensee to surrender to it any identification tablets or number plates specified in the notice that are not reflective plates and on the surrender of those tablets or plates and on the receipt of the charge prescribed in subregulation (2) of regulation 22 for the issue of reflective plates, issue to the licensee a set of reflective plates by way of replacement.

(7) In addition to the powers conferred by subregulation (6) of this regulation, a licensing authority may, by notice served on a licensee of a vehicle that is a taxi-car, require the licensee to surrender to it any identification tablets or number plates specified in the notice that do not bear red characters on a white reflective ground and, on the surrender of those tablets or plates and on the receipt of the charge prescribed in subregulation (2) of regulation 22 for the issue of reflective plates, the licensing authority shall issue to the licensee a set of plates bearing red characters on a white reflective ground, by way of replacement.

(8) For the purposes of subregulations (6) and (7) of this regulation, a notice may be served on a licensee by—

- (a) personally serving the notice upon him;
- (b) by serving the notice upon him through the ordinary course of the post; or
- (c) by leaving the notice addressed to the licensee, without naming him or stating his address, in, upon or attached to the vehicle to which are affixed the identification tablets or number plates to which the notice relates.

(9) A licensee who fails, within fourteen days after the service on him of a notice pursuant to subregulation (6) or (7) of this regulation, to surrender, to the licensing authority, the identification tablets or number plates specified in the notice commits an offence.

(10) Identification tablets or number plates issued in respect of a farm vehicle for which a licence is issued, pursuant to section 11 of the Act, without the payment of a fee, shall, in addition to the characters prescribed by the foregoing provisions of this regulation, bear below those characters the word, "FARM", in block letters of approximately fifty millimetres in height.

25. (1) The owner or person in charge of a vehicle shall rigidly fix and keep the identification tablet or number plates of the vehicle thereon so that—

Number plate to be fixed on vehicle.

- (a) in the case of a trailer or jinker, the identification tablet or number plate is fixed and kept in a conspicuous place on the back of the vehicle, in an upright position and so that the characters thereon are clearly visible and legible, by day and by night; and
- (b) in the case of a motor vehicle, where the identification tablet or number plate is duplicated, one is fixed and kept in a conspicuous place in front, and one is fixed and kept in a conspicuous place on the back of the vehicle, in an upright position and so that the characters thereon are clearly visible and legible by day and by night.

(2) A member of the Police Force or inspector may seize and take possession of an identification tablet or number plate that he has reasonable grounds to believe—

- (a) has not been issued in connection with a licence that is in force for the current licensing period;
- (b) is fixed to a vehicle other than that for which it was issued; or
- (c) should have been returned to the licensing authority in accordance with these regulations.

26. (1) An application for general identification tablets, pursuant to paragraph (b) of section 19 of the Act, shall be made in writing to the licensing authority.

Manufacturers' or dealers' identification tablet and licence.

(2) The classes of persons eligible to hold general identification tablets are—

- (a) manufacturers of motor vehicles;
- (b) dealers in new motor vehicles;
- (c) registered used car dealers;
- (d) persons carrying on the business of a repairer of motor vehicles;
- (e) persons carrying on the business of transporting motor vehicles on behalf of a manufacturer or dealer in new motor vehicles; and
- (f) vehicle body builders.

(3) The conditions applying to the use of an unlicensed vehicle bearing general identification tablets are that—

- (a) the vehicle complies with the Vehicle Standards Regulations, 1974, and the Traffic (Vehicle Weights) Regulations, 1974;
- (b) the vehicle is not used on a Sunday or a Public Holiday without the permission in writing of the local authority by which the tablets are issued;
- (c) the vehicle is driven by, or in the presence of, the registered holder of the tablets or his servant, only;
- (d) the vehicle is not, without the special authority of the Minister, used for the purpose of being driven from place to place, for the purpose of seeking a purchaser, of advertising or of general demonstration.

(4) Subject to subregulation (3) of this regulation, a vehicle bearing general identification tablets may be used for the purposes of—

- (a) trial after completion or repair;
- (b) delivery to or from a manufacturer, dealer or repairer or his agent;
- (c) being driven from the premises of a dealer to that of an intending purchaser for the purpose of trial by him or his servant;
- (d) trial by an intending purchaser or his servant, for an unbroken period not exceeding 24 hours;
- (e) delivery to a purchaser after sale;
- (f) being driven to a local authority for the purpose of being examined or licensed and on the return journey;
- (g) being driven to or from an Agricultural Show, an Agricultural Field Day or a Motor Show, for the purpose of being, or after being, exhibited there; or
- (h) being driven on such other occasions as the Minister may, by special authority, in each case, from time to time permit.

(5) Without limiting the preceding provisions of this regulation, general identification tablets shall, subject to this subregulation, conform to, and the conditions for their use shall be as provided by, regulations 22, 23, 24 and 25; but the characters on such a tablet shall be either black, on a yellow ground; or, in the case of a tablet issued in the Metropolitan Area of which the characters comprise a combination of three letters and three numerals, with the expression, "W.A.", above, and the word, "DEALER", below, that combination, be white, on a black ground.

(6) Notwithstanding the provisions of subregulation (5) of this regulation, a general identification tablet may have the prescribed characters in black on a white reflective ground.

(7) A general identification tablet shall be fitted to the motor vehicle, in the position in which a number plate is required to be fitted by these regulations.

(8) The fee payable on the issue, and for the use and possession, of general identification tablets is 20 dollars, annually.

27. Except for the purpose of reinstating it to its original condition a person shall not paint or otherwise interfere with, or suffer any other person to paint or interfere with, an identification tablet or number plate that has been issued to him by a licensing authority.

Prohibition of painting or interfering with number plates.

28. (1) Upon an application to license a motor vehicle under these regulations, the licensing authority shall not grant the licence—

Engine identification marks.

- (a) unless a clear and legible identification mark consisting of numerals or letters, or a combination of numerals and letters, is stamped on the engine of the vehicle; or
- (b) if the identification mark on the engine of the vehicle has been, or appears to have been altered, defaced, obliterated or removed.

(2) The owner or person in charge of a motor vehicle of which the engine or an engine part, bearing the identification mark, is changed or replaced shall, within seven days after the change or replacement, give to the licensing authority that licensed the vehicle a notice in writing setting out—

- (a) the date of the change or replacement of the engine or engine part;
- (b) the make and the registered number of the motor vehicle;
- (c) the name and address of the owner of the motor vehicle;
- (d) the identification mark on the engine or engine part so changed or replaced;
- (e) the identification mark (if any) on the engine or engine part substituted for that changed or replaced; and
- (f) the name and address of the person from whom the substituted engine or engine part was obtained.

(3) The Director may allot an identification mark, where—

- (a) there is no identification mark on the engine of a motor vehicle; or
- (b) the identification mark on the engine has been or appears to have been, altered, defaced, obliterated or removed,

if he is satisfied that an identification mark is necessary for identifying the engine of the motor vehicle.

(4) Where an identification mark is allotted pursuant to the provisions of subregulation (3) of this regulation, the identification mark shall be stamped on the engine of the motor vehicle in such manner and in such position, as the Director may direct; and upon the engine being so stamped, the motor vehicle shall be produced forthwith at the office of the licensing authority for inspection of the identification mark.

(5) Unless he has applied for, and is awaiting the allotment of, an identification mark for the engine of that motor vehicle, a person shall not use, or permit or suffer any other person to use, a motor vehicle of which—

- (a) the engine is not stamped with a clear and legible identification mark consisting of numerals or letters, or a combination of numerals and letters; or
- (b) the identification on the engine has been, or appears to have been, altered, defaced, obliterated or removed.

- (6) Except with the authority, in writing, of the Director, a person shall not—
- (a) alter, deface, obliterate or remove an identification mark from the engine of a motor vehicle; or
 - (b) stamp on or affix to the engine of a motor vehicle any mark, number or letter purporting or intended to be, or that is a colourable imitation of, an identification mark of that engine.

PART V.—REGISTRATION LABELS.

29. A register of all licences for vehicles shall be kept by every licensing authority which shall, after the appropriate particulars are duly entered in the register and upon payment of the prescribed fee (if any), issue, together with every vehicle licence, a registration label.

Register of vehicle licences to be kept and registration labels to be issued.

30. (1) A registration label shall be in accordance with a form to be determined from time to time by the Minister, be printed in colours and indicate thereon the month, year, or portion of the year, in relation to which the licence is issued.

Form of registration labels.

(2) A registration label shall be fitted to the windscreen of the vehicle in the position prescribed by these regulations or, if the vehicle has no windscreen, shall be placed and kept in a holder issued by the licensing authority; and the holder, with the registration label placed in it, shall be fitted and kept fitted to the vehicle in respect of which the label is issued, in the manner prescribed by, and in accordance with, these regulations.

(3) Where, under the provisions of subregulation (2) of this regulation, a registration label is required to be kept in a holder, the licensing authority issuing the label shall, at the request of the licensee and on payment of an amount not exceeding 50 cents, supply a holder.

(4) A person to whom a registration label has been issued shall not place or keep the label in any holder other than that supplied to him, in accordance with subregulation (3) of this regulation, by a licensing authority.

31. (1) A registration label issued in respect of a vehicle shall have effect only for the duration of the licence in respect of which it is issued.

Registration labels valid for duration of licence.

(2) A licensing authority shall, on each subsequent renewal of a licence for a vehicle, issue a new registration label, as prescribed by these regulations.

32. (1) A registration label shall be placed and carried on the vehicle for which it is issued, so that—

Position on vehicle where registration label to be carried.

(a) where the motor vehicle has a windscreen, the label is in such a position that its centre is approximately 152 millimetres from the bottom, near side corner of the windscreen and the front of the label is facing towards the front of the vehicle, or, where the left front glass ventilation window is of sufficient size to enable the label to be so affixed, is in a horizontal position on that ventilation window with the label facing towards the outside;

(b) where the motor vehicle has no windscreen, in the case of—

(i) a tractor or other vehicle not specified in this paragraph, the label is fitted in a holder, either on the near side of the vehicle or on the fore part of the driving cabin or compartment, in such a manner that the face of the label is clearly visible to a person who is standing outside the vehicle and facing the label;

(ii) a motor cycle, the label is fitted in a holder, on the near side of the handlebar or on the near side front fork, and the front of the label is facing towards the front of the motor cycle; and

(iii) a trailer, or caravan of the trailer type, the label is fitted in a holder on the near side of, and not more than 305 millimetres from the front of, the tray or body, in such a manner that the label faces the same direction as the near side of the tray or body to which it is fitted, and is clearly visible to a person who is standing outside the trailer or caravan and facing the label.

(2) In all cases the registration label or the holder and registration label shall be carried on the particular vehicle for which it is issued, so as to be clearly visible to a person directly facing the label, within a distance of two metres.

(3) A licensing authority shall, upon issuing a registration label under these regulations, indorse upon the label the particulars of the vehicle so registered.

33. A fee not exceeding 50 cents may be charged for a duplicate of a registration label. Fee for duplicate registration label.
34. Every person on disposing of a used vehicle, whether as principal or agent, shall forthwith hand the licence, or, where the vehicle is unlicensed, the last licence, for the vehicle to the person on whom the ownership of the vehicle is conferred. Licences to be handed over on disposal.

PART VI.—TRAFFIC INSPECTORS.

35. (1) A certificate of the appointment of an inspector, under section 22 of the Act, shall be substantially in the form of Form 1 in the Third Schedule, as the case may require. Form of certificate of appointment.
- (2) An inspector shall, when on duty, wear his badge of authority in a conspicuous place.
- (3) The badge of authority mentioned in subregulation (2) of this regulation shall be of the design depicted in the Fourth Schedule.
36. (1) Subject to the succeeding provisions of this regulation, an inspector shall, when on duty, wear the uniform described in the Fourth Schedule. Uniform.
- (2) Notwithstanding the provisions of subregulation (2) of regulation 35, an inspector shall, when in uniform, wear the prescribed badge on the front of his cap or, where wearing a crash helmet, on the front of the jacket or shirt.
- (3) The provisions of this regulation do not apply to an inspector appointed by the following local authorities—

Cue.	Murchison.
Hall's Creek.	Nullagine.
Laverton.	Sandstone.
Leonora.	Upper Gascoyne.
Marble Bar.	Wiluna.
Meekatharra.	Yalgoo.
Mount Magnet.	

PART VII.—PERSONS APPOINTED BY COMMISSIONER UNDER SECTION 22.

37. (1) A person may be appointed by the Commissioner under subsection (6) of section 22 of the Act— Powers and duties of persons appointed under s. 22 (6) of Act.
- (a) to perform the duties of controlling vehicles and pedestrians at children's crossings and pedestrian crossings; or
- (b) to perform the duties of the inspection of motor vehicles,
- but the certificate of appointment of the person shall designate which of those duties the person is to perform and shall be in the form of Form 2 or Form 3 in the Third Schedule, whichever is appropriate.
- (2) Where a person has been appointed to perform the duties referred to in paragraph (a) of subregulation (1) of this regulation, the person is empowered to stop vehicles from preceeding through a children's crossing or a pedestrian crossing, to require vehicles to remain stationary and to prohibit persons from walking across or onto a children's crossing or a pedestrian crossing, and the person so appointed may give such signals or directions to drivers of those vehicles and to those other persons as are necessary for that purpose.
- (3) Where a person has been appointed to perform the duties referred to in paragraph (b) of subregulation (1) of this regulation that person is empowered—
- (a) to examine any vehicle at a place provided for the examination of vehicles and may for that purpose do all such things as are necessary for him to ascertain whether any such vehicle complies with the provisions of the Vehicle Standards Regulations, 1974, as in force from time to time under the Act; and
- (b) to do all such things as members of the police force or traffic inspectors are authorised to do by regulations 106, 107, and 108 of the Vehicle Standards Regulations, 1974, as in force from time to time under the Act.

38. A person appointed to perform the duties referred to in paragraph (a) of subregulation (1) of regulation 37 shall wear—

- (a) a peaked cap with white or yellow cover on which there is displayed a badge embossed or stamped with the words "Crossing Attendant"; and
- (b) a white or yellow coat,

at all times when he is performing the duties referred to in these regulations.

PART VIII.—PENALTIES

39. (1) A person committing a breach of any of these regulations is liable, for a first offence, to a penalty not exceeding one hundred dollars and, for a subsequent offence, to a penalty not exceeding two hundred dollars.

Uniforms.
Penalty for breach of a regulation.

(2) For the purposes of subregulation (1) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations or against the Traffic (Licensing Authorities) Regulations, 1968, as amended at any time.

PART IX.—TRIAL AND DETERMINATION OF DISPUTES BETWEEN LICENSING AUTHORITIES UNDER SECTION 12 OF THE ACT.

40. A licensing authority (in this Part referred to as "the applicant") requiring to have a dispute with another licensing authority (in this Part referred to as "the respondent") tried and determined under the provisions of section 12 of the Act, may lodge an application in the Local Court nearest to the office of the applicant.

Applicant in dispute under s. 12 to lodge application in pre-scribed form.

41. (1) An application made under the provisions of regulation 38 shall be in accordance with Form 4 in the Third Schedule.

Application to be in Form 2 in Third Schedule.

(2) A copy of the application shall be served on the respondent, within seven days after the lodgment of the application in the court, or within such further time as the Magistrate of that court may allow.

(3) On proof to the satisfaction of the clerk of the court that the application has been duly served, he shall cause written notice to be sent to the parties of the date and time for the hearing of the application, but the date shall be not less than fourteen clear days from the date of service of the application on the respondent.

42. If either party to the application neglects to appear by its clerk, traffic inspector, or other officer, or by counsel or solicitor, on the date and at the time fixed for the hearing, the court may proceed to hear and determine the matter in the absence of the party, or adjourn the application to some other date, as it thinks fit.

On failure of either party to appear, Magistrate may determine matter in absence of party.

43. On the hearing of the matter the applicant shall open its case and the matter shall proceed as nearly as may be according to the procedure and rules of evidence relating to the trial of an action in a Local Court.

Procedure at hearing to be similar to trial in Local Court.

44. On the determination of the matter the court may make such order for the payment by one party to the other of the fair proportion of the licence fee or fees, the subject of the dispute and as to costs, as it thinks fit.

Determination of disputes and costs.

45. The rules of the Local Court shall, insofar as they are applicable and not inconsistent with this Part, apply to applications made under the provisions of this Part.

Rules of Local Court to apply if not inconsistent with this Part.

FIRST SCHEDULE.

Metropolitan Traffic Area.

All that portion of the State comprising—

the whole of the municipal districts from time to time of—

the Cities of—Perth, Fremantle, Melville, Nedlands, South Perth, Stirling and Subiaco; the Towns of Canning, Claremont, Cottesloe, Cockburn, East Fremantle, Gosnells and Mosman Park; the Shires of—Armadale-Kelmscott, Bassendean, Bayswater, Belmont, Kwinana, Peppermint Grove, Rockingham and Serpentine-Jarrahdale;

the whole of Reserve A 1720 (King's Park);

that portion of the municipal district of the shire of Mundaring situate south of a line starting from the northeastern corner of the easternmost severance of Swan Location 13 and extending easterly along the southern boundary of location 12 to the northeastern corner of location 1884 and west of a line starting from the lastmentioned corner and extending southerly along the easternmost eastern boundaries of that location and location 1459 and onwards to the northern boundary of location 1689; thence easterly and southerly along boundaries of that location and southerly along the eastern boundary of location 1854 to its southeastern corner; thence southeasterly to the northeastern corner of Parkerville Town Lot 65; thence southerly along eastern boundaries of that lot and lot 137 and southerly to and along western boundaries of lots 31 and 214 to the northern boundary of Swan Location 2093; thence westerly along that boundary and westerly, southerly again westerly and again southerly to and along boundaries of Parkerville Town Lot 205 to the northwestern corner of lot 203; thence southerly along western boundaries of that lot and lot 212 to the northwestern corner of lot 213; thence easterly and southerly along boundaries of that lot to the northeastern corner of Mahogany Creek Town Lot 29 and thence southerly along eastern boundaries of that lot and lots 59 and 80 and southerly to and along the eastern boundary of lot 93 and onwards to the left bank of the Helena River; and that portion of the municipal district of the Shire of Swan bounded by lines starting at the intersection of the western side of Malaga Road (Road Number 5805) with the northern side of Widgee Road (Road Number 8145), and extending northerly along the first mentioned side to the southern side of Truganina Road; thence westerly along that side to a line joining the southeastern corner of Perthshire Location 104 with the intersection of the northeastern boundary of Swan Location T with the southern side of Walter Road (Road Number 250); thence northwesterly along that line to the northern side of Truganina Road aforesaid; thence easterly along that side and the southern boundary of Swan Location K1 to the right bank of the Swan River; thence generally northwesterly upwards along that bank to a point situate in prolongation westerly of the northern boundary of Location 13; thence easterly to and easterly, southerly and westerly along boundaries of that location to a point situate in prolongation northerly of the eastern boundary of Location 5525 (Reserve 3304); thence southerly to and along that side and the eastern boundary of Location 1674 (Reserve 6955) and onwards to the northern boundary of Location 1775; thence westerly and southerly along boundaries of that location to the northern side of Morrison Road; thence westerly along that side to the eastern side of Bushby Street; thence southerly along that side to the southern side of the Great Eastern Highway; thence generally southwesterly along sides of that Highway to the eastern side of Ruby Street; thence southerly along that side and onwards to the southern side of the Discontinued Eastern Railway Reserve; thence generally southeasterly along that side to the southeastern side of Scott Street; thence southwesterly and southerly along eastern sides of that street to a point situate in prolongation easterly of the southern boundary of Location 5577; thence westerly to and westerly and northerly along boundaries of that location to a point situate in prolongation southeasterly of the southeastern side of Wilkins Street; thence northwesterly to and generally northwesterly along southwestern sides of that street to the southeastern side of Irwin Street; thence southwesterly along that side to the southwestern side of Bulbey Street; thence northwesterly along that side to the southeastern side of a Right of Way passing along the southeastern sides of Lots 99, 88, 87 and 84 of Location 16; thence southwesterly along that side of the Right of Way and onwards along the southeastern boundary of Lot 83 to its southern corner; thence southwesterly and westerly along boundaries of Lot 3 and onwards to the eastern side of Kalamunda Road (Road Number 1135); thence southerly along that side to the northern boundary of Helena Location 20a; thence easterly along that boundary to the left bank of the Helena River; thence generally southeasterly upwards along that bank to the northwestern side of Railway Parade; thence generally southwesterly along that side and generally southerly and southwesterly along western sides of Ridge Hill Road to a point situate in prolongation southeasterly of the northeastern side of Adelaide Street; thence northwesterly to and generally northwesterly along that side to the eastern boundary of the Midland-Welshpool Railway Reserve; thence generally southeasterly along that boundary to the northeastern side of Kalamunda Road (Road Number 1844); thence northwesterly along that side to a point situate in prolongation northeasterly of the southeastern boundary of Swan Location 773; thence southwesterly to and along that side to a northern corner of Location 6246; thence southeasterly and southwesterly along boundaries of that location to the northeastern boundary of Location 28; thence northwesterly along that side to the left bank of the Swan River; thence generally northerly and generally easterly upwards along that bank to the northern corner of Guildford Town Lot 94; thence northwesterly in prolongation of the northernmost northeastern boundary of that lot to the right bank of the Swan River; thence

generally westerly downwards along that bank to the right bank of Bennett Brook; thence generally northerly upwards along that bank to the northeastern corner of Location O1; thence westerly along the northern boundary of that location to a point situate in prolongation southerly of the western side of Road Number 6271; thence northerly to and along that side and onwards along the eastern boundaries of Lots 32 and 33 of Location M1 and M and onwards to the northern side of Widgee Road aforesaid and thence westerly along that side to the starting point.

Reg. 24(2).

SECOND SCHEDULE.

Identification Tablets.

TOWN COUNCILS.

(Outside Metropolitan Area.)

Letters as indicated opposite to precede each number.

Albany	A	Kalgoorlie.....	KMC
Bunbury.....	BY	Narrogin.....	NGN
Geraldton	GN	Northam	N

SHIRE COUNCILS.

(Outside Metropolitan Area.)

Letters as indicated hereunder with a disc not less than thirty-eight millimetres in diameter between the letters and numerals.

A		D	
Albany	A	Dalwallinu.....	DL
Arthur, West	AW	Dandaragan.....	DN
Augusta-Margaret River.....	AU	Dardanup.....	DA
B		Denmark.....	DE
Beverley	BE	Donnybrook-Balingup.....	DB
Boddington.....	BT	Dowerin.....	D
Boulder	BD	Dumbleyung.....	DU
Boyup Brook.....	BU	Dundas	DS
Bridgetown-Greenbushes	B	E	
Brookton	BO	Esperance.....	E
Broomehill.....	BH	Exmouth	EX
Broome	BM	G	
Bruce Rock.....	BK	Gascoyne, Upper.....	GU
Busselton	BSN	Greenough.....	G
C		Gingin.....	GG
Capel	CP	Gnowangerup	GN
Carnamah	CA	Goomalling.....	GO
Carnarvon	C	H	
Chapman Valley	CV	Hall's Creek	HC
Chittering.....	CH	Harvey	H
Collie	CO	I	
Coolgardie	CG	Irwin	IR
Coorow	CW		
Corrigin.....	CR		
Cranbrook	CB		
Cuballing	CN		
Cue	CD		
Cunderdin	CMT		

SHIRE COUNCILS—*continued.*

(Outside Metropolitan Area.)

Letters as indicated hereunder with a disc not less than thirty-eight millimetres in diameter between the letters and numerals.

K		Q	
Kalamunda	KM	Quairading	Q
Katanning	KA		
Kellerberrin	KE	R	
Kent	KT	Ravensthorpe	RA
Kimberley, West	KW	Roebourne	R
Kojonup	KO		
Kondinin	KN	S	
Koorda	KD	Sandstone	S
Kulin	KU	Shark Bay	SB
		Swan	SW
L			
Lake Grace	LG		
Laverton	LA		
Leonora	L		
M		T	
Mandurah	MH	Tambellup	TA
Manjimup	WA	Tammin	TN
Meekatharra	MK	Three Springs	TS
Menzies	MN	Toodyay	T
Merredin	MD	Trayning	KTY
Mingenew	MI		
Moorabool	M	V	
Morawa	MO	Victoria Plains	VP
Mt. Magnet	MA		
Mt. Marshall	MM	W	
Mukinbudin	MBL	Wagin	W
Mullewa	MW	Wandering	WD
Mundaring	MDG	Wanneroo	WN
Murchison	MU	Waroona	WR
Murray	MY	Westonia	WT
		Wickepin	WK
N		Williams	WL
Nannup	NP	Wiluna	WU
Narembeen	NB	Wongan-Ballidu	WB
Narrogin	NO	Woodanilling	WO
Northam	N	Wyalkatchem	WM
Northampton	NR	Wyndham-East Kimberley	WY
Nungarin	NA		
P		Y	
Perenjori	PJ	Yalgoo	YA
Pingelly	PN	Yilgarn	YL
Pilbara West	WP	York	Y
Plantagenet	PL		
Port Hedland	PH		

16

THIRD SCHEDULE.

Traffic Act, 1919.

Reg. 35(1).

Form 1.

CERTIFICATE OF APPOINTMENT OF TRAFFIC INSPECTOR BY LOCAL AUTHORITY.

Office of the Municipality of..... THIS IS TO CERTIFY that of..... is a duly appointed Traffic Inspector under the provisions of the Traffic Act, 1919, for the Municipal District of.....

Dated this day of 19.....

..... Mayor/President.

..... Town/Shire Clerk.

Traffic Act, 1919.

Reg. 37 (1) (a)

Form 2

CERTIFICATE OF APPOINTMENT OF PERSON BY COMMISSIONER TO CONTROL VEHICLES AND PEDESTRIANS AT CROSSINGS.

This is to certify that is duly appointed under the provisions of subsection (6) of section 22 of the Traffic Act, 1919, to perform the duties of controlling vehicles and pedestrians at children's crossings and pedestrian crossings, in respect of that portion of Street/Road lying between Street and Street and has such powers as are conferred on such persons by the Act and Part VII of the Traffic (Licensing Authorities) Regulations, 1974.

Dated this day of 19.....

..... Commissioner of Police.

Traffic Act, 1919.

Reg. 37 (1) (b)

Form 3

CERTIFICATE OF APPOINTMENT OF PERSON BY COMMISSIONER TO INSPECT MOTOR VEHICLES.

This is to certify that is duly appointed under the provisions of subsection (6) of section 22 of the Traffic Act, 1919, to perform the duties of the inspection of motor vehicles, in respect of areas in which traffic is controlled by the (Commissioner of Police) and has such powers as are conferred on such persons by the Act and Part VII of the Traffic (Licensing Authorities) Regulations, 1974.

Dated this day of 19.....

..... Commissioner of Police.

Traffic Act, 1919.

Reg. 40 APPLICATION TO DETERMINE DISPUTE UNDER SECTION 12 OF THE ACT. Form 4.

To the Stipendiary Magistrate of the Local Court at

1. The applicant, the Municipality of the of is desirous of having the following dispute determined by you under Section 12 of the Traffic Act, 1919, and makes application for a trial and determination of the matter accordingly.

2. The matter in dispute is as follows:—

(a) A vehicle, described as follows:—

of of which is said to be the owner, is licensed by the abovenamed respondent, the licensing traffic authority for the Municipal District under the following licences in respect of which the following fees have been received by the respondent:—

Licence.	Fee.
.....
.....
.....

(State whether licence is for a whole year or a portion of a year.)

(b) The applicant is the licensing authority in control of traffic for the Municipal District, and contends that the said licences have been wholly or mainly (or substantially) exercised in the Municipal District under the control of the applicant.

(c) The applicant therefore applies for the matter in dispute to be tried and determined in accordance with section 12 of the said Act and that an order be made that the respondent do pay the applicant the said licence fees, or that the respondent do pay the applicant such fair proportion of the said licence fees as the Magistrate may decide.

Dated this day of one thousand nine hundred and (see Traffic Act, 1919, s. 12).

Signed on behalf of the applicant by

..... (Solicitor, Town/Shire Clerk, Traffic Inspector or other officer).

FOURTH SCHEDULE. Badge of Traffic Inspector.

Reg. 35(1).



Reg. 36(1) Uniform of Traffic Inspector.

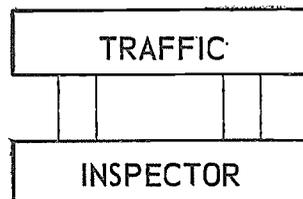
1. Jacket—Blue-grey, open neck with two breast pockets.
2. Shirt—College grey, of a similar design to that worn by a Constable in the W.A. Police Force.
3. Tie—Blue-grey.
4. Trousers or Breeches—Blue-grey.
5. Leggings, Boots, Shoes—Black.
6. Cap—Peaked cap with white cover.
or
Crash Helmet—Black or white.
7. Badges—The badge depicted in this schedule to be worn as required by subregulation (2) of regulation 36 of these regulations and a badge of the design depicted in the Fifth Schedule to be worn, crossways, on each shoulder.
8. Buttons—Gilt or chrome and embossed or stamped with the words “Traffic Inspector”.
9. Buckle on belt—Gilt or chrome.

Note: An inspector appointed by a local authority, the district of which is wholly or partly north of the 26th parallel of south latitude, may wear, in lieu of items 2, 3 and 4 of the above uniform, the following items—

1. Shirt—Khaki, open neck.
2. Trousers—Khaki, long or short, but where shorts are worn the legs of the shorts shall not be more than 130 millimetres above the knee and they shall be worn with long khaki hose finishing not more than seventy-five millimetres below the knee.

Fifth Schedule.

Shoulder Badges for Traffic Inspector.
(Gilt or Chrome.)



TRAFFIC ACT, 1919-1973.

Department of Motor Vehicles,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased—

- (a) to revoke the regulations, cited as the Traffic (Taxi-Cars) Regulations, 1966 published in the *Government Gazette* on the 13th June, 1966, and all amendments thereto; and
 - (b) to make the regulations set out in the Schedule hereto,
- so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. T. MONCK,
Director, Department of Motor Vehicles.

SCHEDULE
TRAFFIC (TAXI-CARS) REGULATIONS, 1974.

PART I—PRELIMINARY.

1. These regulations may be cited as the Traffic (Taxi-cars) Regulations, 1974. Citation.
2. Parts III, IV, VI, VII, VIII and X of these regulations do not apply in respect of a taxi-car within the meaning of the Taxi-cars (Co-ordination and Control) Act, 1963. Appli-
cation.
3. In these regulations, unless the context otherwise requires— Interpre-
tation.
 - “distance rate” means the rate of fare for the distance travelled by the taxi-car;
 - “driver” in relation to a taxi-car includes any person for the time being in charge of the taxi-car;
 - “dead running charge” means a charge permitted, by these regulations, to be made for distance travelled by a taxi-car fitted with a taxi-meter, to or from a place specified by the hirer, without a passenger and without the taxi-meter being set in operation;
 - “detention charge” means the charge permitted, by these regulations, to be made to a passenger of a taxi-car, while no charge is being made under a mileage rate;
 - “flagfall” means the amount of fare recorded by a taxi-meter immediately upon the taxi-meter being set in operation at the commencement of a hiring;
 - “hirer” means a passenger or other person who engages a taxi-car;
 - “licensing authority” means the authority empowered by law to license or register motor vehicles, generally, and does not include the Taxi Control Board established by the Taxi-cars (Co-ordination and Control) Act, 1963;
 - “meter taxi-car” means any taxi-car equipped with a taxi-meter approved by a licensing authority;
 - “passenger” means any person carried in or upon a taxi-car, excluding the driver;
 - “special hiring” means such a hiring on a time basis as is permitted and prescribed by these regulations;
 - “taxi-meter” means any instrument or device designed and intended to indicate by figures the aggregate sum of money payable for the hire of a taxi-car in accordance with the flagfall, distance travelled and the time the vehicle is detained and not travelling;
 - “taxi-stand” means a position or a group of positions set apart by a competent authority, by means of a sign on or near a road, for the standing of disengaged taxi-cars.
- “the Act” means the Traffic Act, 1919, as amended from time to time.

PART II—LICENSING AND SPECIFICATIONS OF TAXI-CARS.

4. A person shall not drive, nor suffer or permit any person to drive, a taxi-car plying for hire or carrying any passenger for reward, unless that taxi-car shall first have been submitted to, and duly inspected by, and a license for that purpose obtained from the appropriate licensing authority.
5. (1) A licensing authority shall not license a vehicle as a taxi-car unless, in respect to that vehicle—
- (a) the height,
- (i) from the floor to the top of a seat cushion is not less than 330 millimetres;
- (ii) from the top of a seat cushion to the roof is not less than 870 millimetres; and
- (iii) of any doorway opening is not less than one metre;
- (b) the least width,
- (i) of any doorway opening is not less than 560 millimetres; and
- (ii) of any seat is 1.2 metres;
- (c) the least depth of any seat is not less than 400 millimetres;
- (d) the minimum distance between the front and the rear seat is 360 millimetres;
- (e) there is seating accommodation for at least four passengers, comprising not less than 430 millimetres of space measured along the front of any seat for each passenger;
- (f) there are provided floor mats or floor covering of other usual type;
- (g) the cushions and lining trims are of good materials, adequately sprung or padded (as the case may be) and covered with leather or other usual substitute material;
- (h) the windscreen and windows are of approved safety glass, soundly and properly fitted;
- (i) any movable window is provided with a usual contrivance for the purpose of opening or closing the window;
- (j) provision is made for the safe carriage of a reasonable amount of luggage;
- (k) all usual requisites for securing proper cleanliness and the safety and convenience of passengers are provided;
- (l) the wheel-base is so proportioned that skidding or other improper movement is, as far as practicable eliminated;
- (m) the wheel track width is not less than 1.32 metres and the front width no less than the rear;
- (n) the suspension is of adequate strength, stability and flexibility for a reasonable load and is dampened by shock absorbers so as to alleviate the effect of all surfaces over which the vehicle would ordinarily travel;
- (o) the steering is such as will enable the vehicle to be turned within a radius of 12.2 metres, on either lock;
- (p) the carburettor is not placed in close proximity to the magneto, coil, distributor or to any connection of wiring carrying electric current, except where it or they are suitably encased or screened;
- (q) any guard tray fixed below the carburettor is so constructed that any overflow of petrol or other liquid fuel is not retained in that tray;
- (r) any tank for petrol or other liquid fuel is made of a durable material and is properly constructed and of sufficient strength for its purpose and so placed that any overflow shall not accumulate where it may be readily ignited and have the filling nozzle or other inlet brought to the outside of the body of the vehicle;
- (s) effective means are provided to prevent heat or fumes from the motor or from exhaust connections injuring other parts of the vehicle or occasioning discomfort or danger to the driver and passengers;
- (t) any wire carrying electric current is properly insulated and protected from damage and is so placed as not to occasion danger;
- (u) there is an interior lamp or lamps of a power not exceeding 7 watts and which affords or afford sufficient white light for the convenience of passengers; and
- (v) the exterior is painted in such colour or colours and in such manner as may be approved by the licensing authority.

Prohibition of plying for hire of unlicensed taxi-car.

Specifications and other requirements of licensed taxi-cars.

(2) Subject to the provisions of subregulation (1) of this regulation, the Vehicle Standards Regulations, 1974, apply to taxi-cars.

6. Every taxi-car and private taxi-car shall be equipped with an efficient speedometer which shall—

Taxi-car to be equipped with speedometer.

- (a) at all times when the vehicle is being driven, readily indicate to the driver, whilst retaining his normal driving position, the speed at which the vehicle is being driven within a margin of accuracy of plus or minus 10 per cent.;
- (b) indicate the cumulative distance travelled with an accuracy of plus or minus 2½ per cent.;
- (c) be kept illuminated during the hours of darkness; and
- (d) be kept free from any obstruction that might prevent its being easily read.

7. A licensing authority may by notice to the owner of a taxi-car require the production of that taxi-car at a time and place stipulated in the notice, for the purpose of ascertaining whether the taxi-car conforms with these regulations; and the owner to whom the notice is directed shall comply with its terms.

Production of taxi-cars for inspection.

8. A driver shall not stand a taxi-car for hire or drive it on a public road for reward, unless the vehicle, its parts and equipment are clean and in a completely serviceable condition and complying with these regulations and is fit for public use.

Taxi-car to be serviceable

9. A member of the Police Force or a traffic inspector may, at any time, inspect any taxi-car then on a taxi-stand or public road and, if in his opinion that vehicle does not comply with these regulations or is dirty or is otherwise in such condition as to be unfit for public use, may require the driver to remove the vehicle from the stand or road, until such time as the vehicle shall have been cleansed or any other defect shall have been remedied to his satisfaction; and a driver shall not thereupon stand or ply the vehicle for hire until it has been so cleansed or its defects have been remedied.

Police or traffic inspector may require unfit vehicle to be removed.

10. (1) The maximum seating accommodation of any taxi-car, as approved by the licensing authority and endorsed on the license, shall be painted or exhibited in some conspicuous place inside the vehicle where it may clearly be seen, by day or by night.

Maximum seating to be displayed and not exceeded.

(2) The driver of a taxi-car shall not carry any person in excess of the number for which that vehicle is licensed.

PART III.—MANAGEMENT.

11. The owner of a taxi-car or private taxi-car shall—

- (a) record the full name and place of abode of, and the dates on which, any person other than the owner, himself, was the driver of that taxi-car; and
- (b) at the request of an officer of the Department or a member of the Police Force or a traffic inspector, produce that record, in respect of any period falling within the three months preceding that request, for his inspection.

Record of drivers to be kept.

12. The owner of a taxi-car or private taxi-car shall—

- (a) before permitting any person to drive or stand that vehicle for hire, cause that person to produce for the owner's inspection his driver's license and satisfy himself that it is current and appropriate for the driving of motor vehicles of the passenger class; and
- (b) not permit or suffer any person not holding a current driver's license appropriate for the driving of taxi-cars to drive or stand that vehicle for hire.

Owner to ensure driver is holder of current license.

13. A person engaged in the occupation of driving a taxi-car shall not, except with the approval of the Director, engage in any other occupation.

Driver of taxi-car not to engage in other full time employment.

PART IV—PRIVATE TAXI-CARS.

14. The owner or driver of a private taxi-car shall not cause or suffer that taxi-car to stand, or ply, for hire on any road.

Private taxi-cars not to ply on roads.

15. The owner or driver of a private taxi-car shall not cause or suffer that taxi-car to proceed on any hiring, unless it has been engaged at the place or places specified in the license for that vehicle.

Private taxi-cars to be engaged at specified places, only.

16. The owner or driver of a private taxi-car shall not cause or suffer to be exhibited on that taxi-car or elsewhere any advertisement, sign or indication that the taxi-car is available for hire at any place other than a place specified in the license for that vehicle. None but specified places of hire to be advertised.
17. The owner of a private taxi-car shall not cause or suffer that taxi-car to be equipped with a taxi-meter. Private taxi-car not to have meter.
18. The owner of a private taxi-car shall not cause or suffer that taxi-car, to be painted in any but such uniform dark colour as the licensing authority may, from time to time, approve. Private taxi-cars to be of uniform approved colour.
19. The owner of a private taxi-car shall cause a readily legible table of the fares prescribed by these regulations to be displayed and kept displayed in a conspicuous place in that taxi-car. Tables of fares to be displayed.

PART V—TAXI-CARS OTHER THAN PRIVATE TAXI-CARS.

20. Nothing in these regulations prohibits the fitting of a taxi-meter to a taxi-car that is not a private taxi-car, if the taxi-meter conforms with, and is fitted and maintained in conformity with, this Part. Meters may be fitted to certain taxi-cars.
21. The owner of a taxi-car, whether required by any law to equip that taxi-car with a taxi-meter or not, shall, prior to fitting a taxi-meter to that vehicle, cause the taxi-meter to be regulated to record the charges prescribed by law and thereupon submit it to the licensing authority for inspection, testing and sealing. Taxi-meters to be regulated and tested.
22. The owner of any taxi-car in respect of which a taxi-meter is required to be examined and tested shall, prior to that examination and testing, pay to the licensing authority a fee of one dollar. Fee for testing.
23. A person shall not stand or ply for hire any taxi-car fitted with a taxi-meter unless that taxi-meter has been tested as required by this Part. None but tested taxi-meters to be used.
24. The owner of a taxi-car fitted with a taxi-meter shall— Taxi-meter to be maintained as tested.
- (a) cause the taxi-meter to be maintained in good order and condition and shall cause it to be re-adjusted and tested by the licensing authority as occasion may require and, in any event, once in every twelve months after being last tested;
 - (b) on becoming aware that the taxi-meter is not registering correctly or has become in any way unserviceable or no longer sealed, shall forthwith notify the licensing authority of that fact;
 - (c) not affix to the taxi-car any wheels other than those that were affixed when the taxi-meter was last tested, unless the taxi-meter is thereupon forthwith re-tested.
 - (d) not make any alteration to the taxi-car that would in any way affect the correct operation of the taxi-meter; or
 - (e) not alter or render indistinguishable or illegible the number or other markings on the taxi-meter by which it is identifiable as that previously tested and approved, or cause or suffer it to be done by any person.
25. A person shall not without the permission of the licensing authority interfere with or cause or suffer any other person to interfere with a taxi-meter affixed to a taxi-car, or with any mechanism controlling or operating that taxi-meter or tamper with any seal or mark affixed or placed on that taxi-meter by the direction of the licensing authority. Taxi-meter not to be interfered with.
26. (1) Every taxi-meter affixed to a taxi-car shall be of a type approved by the licensing authority and shall be submitted for testing in a completely serviceable condition. Specifications for taxi-meters.
- (2) A taxi-meter shall not be approved for use on a taxi-car unless it—
- (a) has upon its face a slot wherein the amount of fare registered by the taxi-meter is clearly visible;

- (b) has upon its face, above or below the slot, referred to in paragraph (a) of this subregulation, the word, "FARE" in block letters;
- (c) is so adjusted as to register in the slot marked "FARE" the amount payable by the hirer in respect of flagfall, distance travelled and detention charge;
- (d) is installed in such position that the fact that the taxi-meter is operating, and the amount of fare being registered by the taxi-meter, is readily discernible by any passenger and the driver, each from his sitting position;
- (e) is illuminated, in such manner that the requirements of paragraph (d) of this subregulation may be complied with during the hours of darkness;
- (f) has either—
- (i) a metallic flag, bearing the words, "FOR HIRE," capable of being locked in a vertical position when the taxi-car is disengaged and provided with a cover, bearing the words, "NOT FOR HIRE" in block letters, capable of being fitted over the flag when the taxi-car is disengaged and not available for hire; or
 - (ii) some other controlling device, approved by the licensing authority, for the operation of the taxi-meter;
- (g) is so constructed that when it is set in operation the prescribed amount of flagfall is forthwith registered on the taxi-meter and thereafter one or both of the prescribed charge for distance travelled or detention charge, as the case may be, is registered, by operation of the taxi-meter;
- (h) is so constructed that, when the flag or other controlling device is moved from an operating position the taxi-meter forthwith ceases to operate and when that flag or device is moved to the "FOR HIRE" position the fare indicators return to zero; and
- (i) is fitted with lugs or the case is drilled in such manner that a wire may be inserted and the ends of the wire sealed together with the effect that, unless the wire is severed or the seal is broken, access may not be gained to the interior mechanism of the taxi-meter, and in the case of a taxi-meter that does not contain the distance gear box, the distance gear box is capable of being similarly sealed.
- (3) Upon being fitted to a taxi-car, a taxi-meter shall, prior to the vehicle being permitted or suffered to stand or ply for hire, be tested by an authorised officer of the Department or a traffic inspector for—
- (a) distance, over a distance of not less than one kilometre; and
 - (b) time, over a period of not less than ten minutes.
- (4) A taxi-meter tested under the provisions of subregulation (3) of this regulation shall not be approved for use on any taxi-car if there is an error—
- (a) of twenty three metres or more, over a distance of one kilometre; or
 - (b) three per cent. or more, over the space of 10 minutes.
- (5) Upon a taxi-meter being found to satisfy the requirements of this regulation, it shall forthwith be sealed by a person authorised in that regard, by the licensing authority, in such a manner as to prevent access to the internal mechanism of the taxi-meter, without severing a wire or breaking a seal.

27. (1) Whenever it appears to a member of the Department or the Police Force or a traffic inspector that a taxi-meter affixed to a taxi-car is not registering correctly or does not for any reason conform with these regulations, he may require the driver to produce the taxi-car to a place and at a time stipulated by him.

(2) The owner or driver of a taxi-car shall comply with the requirement of a member of the Department or the Police Force or traffic inspector made known under the provisions of subregulation (1) of this regulation.

(3) If upon examination the taxi-meter affixed to a taxi-car is found to be defective or not in conformity with these regulations, the member of the Department or the Police Force or traffic inspector ascertaining that fact shall acquaint the driver or owner of it and the provisions of regulation 24 of these regulations thereupon apply.

28. (1) The owner of a taxi-car that is not a private taxi-car shall cause it to be fitted with a rectangular sign (in these regulations called "a For Hire sign") of a type approved by the licensing authority, of dimensions not exceeding 230 millimetres by 75 millimetres, bearing the words, "FOR HIRE" in block letters of at least forty millimetres in height and in clear contrast with the background.

Police or traffic inspector may require production of taxi-car for examination of taxi-meter.

For Hire Sign.

(2) A For Hire sign shall, unless otherwise approved by the licensing authority, be—

- (a) displayed inside the windscreen of the taxi-car, as nearly as possible to the left side edge and be capable of being obscured or turned so as to be no longer visible from the exterior; or
- (b) mounted on the exterior of the taxi-car, above the centre of the windscreen or visor, but not so as to obscure the word "Taxi" on a sign such as is referred to in paragraph (b) of subregulation (1) of regulation 30 of these regulations, that is fitted to the taxi-car,

and shall be capable of being illuminated by a white light from globes each not exceeding a power of 7 watts, that can be extinguished as required by these or any other regulations.

29. (1) The owner of a taxi-car that is fitted with a meter shall cause the flagfall rate, the distance rate and (if any) the minimum fare to be conspicuously displayed in gilt figures and letters of at least twenty millimetres in height, and five millimetres, in thickness, within the cab, near the taxi-meter.

Flagfall and mileage rate to be displayed.

(2) The figures and words required by this regulation to be displayed shall not be displayed by the owner of the taxi-car on anything movable but shall be displayed by painting, transfer or in some other durable manner.

(3) A driver of a taxi-car shall not stand or ply for hire unless the rates required by this regulation to be displayed are displayed on that taxi-car.

30. (1) The owner of a taxi-car shall not cause or suffer any signs to be fitted to it, other than—

Limitation on signs.

- (a) a sign prescribed by regulations 28 and 29 of these regulations;
- (b) a sign mounted on the exterior of the vehicle, above the centre of the windscreen or visor, of dimensions not greater than 305 millimetres by 100 millimetres and bearing the word, "TAXI";
- (c) the word, "TAXI", painted on any two of the doors and on the cover of the boot; and
- (d) the name and telephone number of the owner of the taxi-car or of the company or association with which the taxi-car is operating.

(2) A sign such as mentioned in paragraph (b) of subregulation (1) of this regulation may, except when the taxi-car is under hire, be illuminated, during the hours of darkness by a white light showing towards the front of the vehicle, of a power not exceeding 7 watts.

PART VI—DUTIES AND CONDUCT OF DRIVERS OF TAXI-CARS FITTED WITH TAXI-METERS.

31. This Part applies to the drivers of taxi-cars fitted with taxi-meters, only.

Appli-cation.

32. The driver of a taxi-car shall not use, keep, let, ply or stand that taxi-car for hire unless—

Taxi-car not to be used unless taxi-meter conforms with regulations.

- (a) the taxi-meter fitted to the taxi-car complies, in every respect, with the provisions of these regulations;
- (b) the taxi-meter is sealed by an authorised officer in such manner that access to the internal mechanism of the taxi-meter cannot be had without breaking the seal; and
- (c) the seal mentioned in paragraph (b) of this regulation and the wire to which it is affixed is intact.

33. The driver of a taxi-car who is not its owner shall immediately notify the owner upon its coming to his notice that the taxi-meter fitted to that taxi-car is registering incorrectly or is unserviceable or is not properly sealed.

Driver to notify owner of defective taxi-meter.

34. (1) The driver of a taxi-car shall—

- (a) except in the circumstances mentioned in paragraph (b) of this regulation, not set the taxi-meter on that taxi-car in operation until the entry into the vehicle of the person hiring it or for whom it is hired;
- (b) where that taxi-car is engaged to commence the hiring at a specified place, inform the hirer or the passenger to be carried of his presence as soon as practicable after arrival at that place, and may thereupon, or if the taxi-car is engaged to be at that place at a specified time, on arrival, set the taxi-meter on the taxi-car in operation;

Operation of taxi-meter on hiring.

7

- (c) not during a hiring stop the taxi-meter;
 - (d) immediately upon the termination of the hiring, set the flag of, or other device controlling, the taxi-meter so that the taxi-meter no longer operates and thereupon direct the attention of the hirer to the amount registered on the taxi-meter;
 - (e) not engage in any hiring unless the taxi-meter registers zero;
 - (f) not manipulate or attempt to manipulate a taxi-meter in a manner likely to, or capable of, defrauding any person; and
 - (g) not, while engaged on a hiring, carry out or attempt to carry out any other hiring or a portion of another hiring.
- (2) Where the taxi-car is engaged on a special hiring the taxi-meter shall not be set in operation; but the provisions of paragraph (g) of subregulation (1) of this regulation apply to any such hiring.
- (3) Where a taxi-car within the meaning of the Taxi-cars (Co-ordination and Control) Act, 1963 is required to enter a part of the State to which that Act does not apply to complete or continue a hiring, the driver of the taxi-car shall not, except to compute a detention charge, use a taxi-meter in that part of the State.

PART VII—CONDUCT AND DUTIES OF DRIVERS OF
TAXI-CARS GENERALLY.

35. This Part applies to the drivers of taxi-cars, generally.
36. (1) The driver of a taxi-car shall at any time when that taxi-car is not available for hire cause the flag (if any) of the taxi-meter to be covered or obscured so as to be no longer visible from the exterior of the taxi-car and if during the hours of darkness, shall extinguish any light illuminating that flag or the For Hire sign.
- (2) Unless the flag referred to in subregulation (1) of this regulation is covered or obscured, and any lights on it or the For Hire sign are extinguished, as provided by that subregulation, the driver of the taxi-car shall not refuse a hiring on any road or taxi-stand where it is lawful for him to accept it.
37. The driver of a taxi-car shall advise the hirer of the amount of any charge made under the authority of these regulations, or of a by-law made by a local authority under the powers conferred under the Act (as the case requires) and not registered on a taxi-meter (if any) and the manner in which those charges have been computed.
38. (1) Except in the case of any specific route for which other fixed charges may have been approved by a licensing authority, a driver of a taxi-car shall not—
- (a) demand any amount other than, or accept any amount less than, the fare prescribed by these regulations, or by a by-law made by a local authority under the powers conferred under the Act (as the case requires); or
 - (b) in any manner allow or offer to allow—
 - (i) any consideration or advantage other than the hiring;
 - (ii) refund of any portion of a prescribed fare; or
 - (iii) any rebate of or deduction from the prescribed fare.
- (2) The driver of a taxi-car shall not accept a special hiring, except for the purpose of carrying passengers both to and from a marriage service or both to and from a burial service.
39. The driver of a taxi-car shall not—
- (a) unless the permission of a passenger is first obtained, smoke in the taxi-car while it is engaged under a hiring;
 - (b) whether by calling out, whistling or other means, attract notice or in any manner solicit or importune any person to hire the taxi-car;
 - (c) leave the taxi-car for the purpose of seeking passengers or a hiring;
 - (d) when a passenger is entering or leaving the taxi-car, negligently or wilfully start or cause the vehicle to be started, before the passenger has completely entered, or alighted from, the vehicle;
 - (e) use any contrivance whereby a passenger has not complete control of the opening and shutting of the doors of the taxi-car, independent of the driver;
 - (f) carry in or upon the taxi-car a person in excess of the number for which the vehicle is licensed;

Appli-
cation.
Taxi-car
not for
hire.

Driver to
advise
hirer
of any
extra
charge.

Driver not
to charge
less than
prescribed
fares.

Prohibited
acts and
conduct.

- (g) sleep or consume meals in taxi-car or permit or suffer any other person to do so;
- (h) exhibit in the taxi-car any scale of fares not in conformity with those set out in the Appendix to Part X of these regulations, or demand or receive any fare not in conformity with those fares;
- (i) permit any scale of fares exhibited in conformity with these regulations to become obscured, mutilated or illegible;
- (j) demand or receive any charge or fare in respect of extra passengers, luggage or other unrecorded charge unless, before the hiring is commenced, the hirer has been informed of that charge or fare;
- (k) neglect, refuse or, through any fault of his own, fail punctually to carry out any hiring that he has accepted;
- (l) loiter or stand the taxi-car at any place upon a road, other than a place that may lawfully be used for the standing of that taxi-car, except—
 - (i) while taking up or setting down a passenger or passengers;
 - (ii) by the direction, or with the consent, of a member of the Police Force or a traffic inspector; or
 - (iii) while engaged in a hiring;
 but nothing in this paragraph precludes the use of a taxi-car, as a private vehicle, by the driver for his own purposes;
- (m) prevent the driver of any other licensed taxi-car from obtaining a hiring which it is lawful for that driver to accept or take;
- (n) accept a hiring known by him to be for an unlawful or immoral purpose;
- (o) drive the taxi-car with the intention of obtaining a hiring by—
 - (i) persistently driving the taxi-car to and fro before, or interfering with the proper and orderly access to, or egress from, any theatre, hall, hotel, railway station or other place of public gathering; or
 - (ii) driving in any street or road at a lesser speed than 25 kilometres per hour; or
 - (iii) cruising for hire, during the course of which cruising he passes the same point twice within the space of 20 minutes;
 and evidence of the driving of a taxi-car in any manner mentioned in this paragraph is *prima facie* evidence of the fact that the driving was done for the purpose of obtaining a hiring;
- (p) carry any person, other than the hirer, in the taxi-car, without the consent of the hirer; or
- (q) carry any corpse, whether contained in a coffin or not, in that taxi-car.

40. The driver of a taxi-car shall—

- (a) be clean as to his person, clothing and general appearance and, while driving the taxi-car, wear, as a minimum clothing requirement—
 - (i) shoes (other than sandals, thongs or sandshoes) or boots;
 - (ii) socks;
 - (iii) long trousers or shorts, but if shorts are worn they shall be coloured grey or a similar subdued colour, the bottoms of the shorts shall be not more than 130 millimetres above the knee, the shorts shall be worn with long grey socks or long socks of a similar subdued colour, and the tops of the socks shall be not more than eighty millimetres below the knee; and
 - (iv) a shirt of one colour, capable of being worn with a tie and, if long sleeved, with the sleeves buttoned at the wrist;
- (b) conduct himself in an orderly manner and with civility and propriety, at all times, and comply with any reasonable requirement of a hirer or passenger of the taxi-car;
- (c) exhibit, and permit any hirer or passenger, or intending hirer or passenger, of that taxi-car to inspect the scale of fares prescribed by the Appendix to Part X of these regulations, or by a by-law made by a local authority under the powers conferred under the Act (as the case requires);
- (d) keep in that taxi-car and produce at the request of any member of the Department or the Police Force, traffic inspector, hirer or intending hirer, a copy of these regulations;

Conduct
required of
drivers of
taxi-cars.

- (e) upon the request of any hirer, passenger or intending hirer or passenger, give to that person all information required, as to the fares charged for travelling in, or hiring, that vehicle;
- (f) be constantly in attendance on or, in his absence, arrange for some other competent person to be in attendance on that taxi-car, while it is standing on a taxi-stand;
- (g) at any time that the taxi-car is available for hire accept any *bona fide* hiring and not represent the taxi-car as being unavailable for hire when, in fact, it is available for hire; and, for the purposes of this paragraph, a taxi-car is presumed to be available for hire, if any For Hire sign is visible from the exterior of the taxi-car;
- (h) when requested by any hirer carry in that taxi-car any person not in excess of the number which the vehicle is licensed to carry; and
- (i) afford all reasonable assistance to any passenger or intending passenger in the loading or unloading of luggage to or from that taxi-car, from or to the doorway or entrance to any house, station, wharf or place and take all due care with that luggage.

41. The driver of a taxi-car shall not knowingly carry in that taxi-car—

- (a) any person suffering from an infectious or contagious disease;
- (b) any person who is so unclean in respect of his person or clothing as to cause a nuisance or annoyance to any other passenger, or to be likely to soil the vehicle or the apparel of any other or subsequent passenger;
- (c) any person who is noisy, violent or disturbing the peace, except at the requirement of a member of the Police Force; or
- (d) any person in excess of the number for which it is licensed.

Certain persons not to be carried.

42. (1) Where any person suffering from an infectious or contagious disease has been carried in or upon a taxi-car the driver or owner of that vehicle shall, upon learning or being informed of that circumstance—

- (a) forthwith cause the taxi-car to be disinfected to the satisfaction of the appropriate officer of the Public Health Department or of the Local Health Authority;
- (b) obtain from that officer a certificate that the taxi-car has been disinfected as prescribed by paragraph (a) of this subregulation; and
- (c) produce the certificate prescribed by paragraph (b) of this subregulation for the inspection of a member of the Department or the Police Force or traffic inspector, on demand, at any time within three months of the day of issue of the certificate.

Treatment of taxi-car after carriage of diseased person

(2) Until a taxi-car to which this regulation applies has been disinfected as therein prescribed, a person shall not cause or suffer that vehicle to stand or ply for hire.

43. Unless the hirer of a taxi-car directs that it be driven by some other route, the driver of the taxi-car shall drive it by the shortest practicable route to the place specified at the commencement of the hiring.

Taxi to be driven by shortest possible route.

44. Notwithstanding the specification of any destination by the hirer, at the commencement of the hiring, the hirer may, in the course of the journey terminate the hiring or require the taxi-car to be driven to some other place then specified and the driver shall comply with any requirement of the hirer permitted by this regulation.

Driver to accept changed directions.

45. (1) Where the hirer of a taxi-car requires the driver to wait while the hirer leaves the vehicle, the driver shall, unless some other period is stipulated and agreed upon, wait for the space of 15 minutes; but a driver may refuse to wait for any period, unless he is first paid the amount of the fare due at that time, together with the detention charge, for the period that the taxi-car is required to wait.

Driver instructed to wait or return.

(2) When the hirer of a taxi-car discharges the vehicle and requires the driver to return, the driver may claim the fare due at the time of discharge and is not obliged to accept the hiring to return.

(3) Notwithstanding any requirement of a hirer, the driver of a taxi-car shall not wait at any place, contrary to the provisions of any regulation relating to the parking or standing of vehicles.

PART VIII—TAXI-STANDS.

46. At any place where disengaged taxi-cars are congregated, a member of the Police Force or a traffic inspector may appoint any temporary stand for the standing of those vehicles and the provisions of this Part shall apply to that stand as though it were a taxi-stand set apart by a competent authority.

Temporary stands for taxi-cars.

47. A person shall not stand any vehicle upon a taxi-stand, unless it is a licensed taxi-car then available for hire.

Only disengaged taxi-cars to stand on taxi-stand.

48. The driver of any taxi-car standing upon a taxi-stand shall forthwith upon that taxi-car being hired, drive it away from and clear of the taxi-stand.

Taxi to be driven off taxi-stand if hired.

49. Unless otherwise directed by a member of the Police Force or a traffic inspector, the driver of a taxi-car, on arriving at a taxi-stand comprising positions for two or more vehicles, shall—

Positions of taxis on taxi-stands.

- (a) if no other vehicle is upon the taxi-stand, stand his taxi-car on the foremost position of that stand;
- (b) if any other vehicle is upon the taxi-stand, stand his taxi-car in the foremost vacant position behind that last occupied on that stand; and shall, whenever a position in advance of that occupied by his taxi-car is or becomes vacant, forthwith stand his taxi-car on that vacant position; and
- (c) if there is no vacant position upon that taxi-stand, not occupy any position adjacent to that stand.

50. Unless otherwise directed by a member of the Police Force or a traffic inspector, the driver of a taxi-car shall not cause it to stand abreast of or within 1.2 metres of, another vehicle, on a road.

No taxi to be abreast of or too near to another.

51. (1) Where more than one taxi-car is upon a taxi-stand, the foremost taxi-car shall, unless the person hiring selects a particular taxi-car, have prior right to a hiring and the driver of a taxi-car shall not, except as provided in this regulation, take a hiring out of his turn or before any other taxi-car standing in advance of his own.

Foremost taxi to have prior right of hiring.

(2) Where a person selects for hire a taxi-car other than the foremost on a taxi-stand, the driver of any taxi-car in advance or to the rear of the selected taxi-car shall, if so required, move his vehicle to afford egress from the taxi-stand to the selected vehicle.

PART IX—CONDUCT OF HIRERS, PASSENGERS AND OTHERS.

52. (1) The hirer of a taxi-car shall, on demand, pay to the driver of that vehicle the fare prescribed by law.

Fare to be paid on demand.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, the driver may, except in the case of a hiring by a member of the Police Force, before the commencement of the hiring require the deposit of the estimated fare for the hiring and may, failing the payment of that deposit, refuse the hiring.

(3) The court convicting a person of an offence under subregulation (1) of this regulation shall, whether or not imposing any penalty, order the payment to the operator of the taxi-car of the amount of the fare and the charges (if any) found to be due and unpaid; and the amount so ordered to be paid may thereupon, be recovered as though it were a penalty imposed under these regulations.

(4) Where any dispute arises between the hirer and the operator of a taxi-car as to the correctness of any fare demanded, any payment made or accepted is deemed to be made or accepted without prejudice; and either party to the dispute shall, if so required by the other of them, furnish his correct full name and address to him requiring it.

53. A person shall not—

- (a) drive a licensed taxi-car without the consent of the owner or driver of that taxi-car;
- (b) enter or ride upon a taxi-car without the consent of the hirer;
- (c) enter or ride upon a taxi-car while suffering from any infectious or contagious disease or, if recovered from that disease, while still likely to be a source of infection or contagion;

Restrictions on the use of taxi-cars.

- (d) carry or place in or upon a taxi-car—
- (i) any animal, other than a guide dog, in company with a blind person;
 - (ii) any substance of an offensive nature;
 - (iii) any article or object of such nature or dimension, as to be likely to incommode any passenger or the driver;
 - (iv) any substance or object likely to soil or damage the clothing of another passenger or the interior of the taxi-car;
 - (v) any loaded firearm or any substance or object that is inherently dangerous or explosive, except an emergency supply of fuel being carried in a suitable container in the boot of the vehicle; or
 - (vi) any object which projects beyond the cab of the taxi-car;
- (e) use any taxi-car for any unlawful or immoral purpose;
- (f) enter or attempt to enter or ride upon any taxi-car that is already carrying the maximum number of persons for which it is licensed; or
- (g) on any road, call out or solicit or importune any person to hire or ride in any taxi-car.
54. (1) The driver of a taxi-car may require any person who has entered the taxi-car to alight or, if about to enter, not to enter the taxi-car, if—
- Driver may
require
certain
persons to
alight or
not to
enter
taxi-car.
- (a) the taxi-car is already carrying the maximum number of persons for which it is licensed;
 - (b) that person is under the influence of drink or drugs, or is unclean as to his person or clothing or is causing or is likely to cause annoyance to any passenger or the driver;
 - (c) that person continues to act in a noisy, violent or abusive manner, after being required to desist; or
 - (d) that person is suffering or there is reasonable grounds for believing that person is suffering from an infectious or contagious disease.
- (2) A person who refuses to comply with the requirements of the driver of a taxi-car, made under the provisions of subregulation (1) of this regulation is guilty of an offence.
55. (1) The driver of a taxi-car shall, on the termination of each hiring, search the taxi-car for any property that may inadvertently have been left in the vehicle by any passenger and shall hand any property so found by, or any property handed to him, as soon as practicable and, in any case, within 24 hours, if not sooner claimed by its owner, to, or to the representative of, the owner of the taxi-car, who shall give the driver a receipt for that property.
- Lost Property
- (2) Any person, not being the driver, who finds any property in a taxi-car shall forthwith hand that property to the driver of that vehicle, in the state in which he found it.
- (3) The owner, or any representative of the owner, of a taxi-car who receives any property handed to him pursuant to this regulation shall—
- (a) enter into a register, kept for that purpose—
 - (i) a description of the property;
 - (ii) the date on which, and the circumstances in which, the property was found; and
 - (iii) the name of the driver who handed the property to the owner or person making the entry;
 and
 - (b) if the property is not sooner claimed by its owner, 7 days after its finding take the property, if in the Metropolitan Area, to the Criminal Investigation Branch of the Police Department, at Perth or Fremantle, or, otherwise, to the nearest Police Station and obtain a receipt for the property from the officer receiving it.
- (4) A register required to be kept under the provisions of subregulation (3) of this regulation shall be produced by the person keeping it, for inspection, to a member of the Police Force or a traffic inspector, on demand.
- (5) Any person claiming property of the driver or owner, or representative of the owner, of a taxi-car shall prove to the satisfaction of the person of whom it is claimed that the property is, in fact, his property and shall sign any register wherein particulars of the property may have been entered.

(6) The provisions of paragraph (b) of subregulation (3) of this regulation do not apply to any property of a perishable nature not claimed by the owner within 24 hours of its being found.

PART X—FARES AND CHARGES.

56. (1) Subject to regulations 57 and 58 of these regulations, the rates and charges to be levied are as set forth in Appendix A to this Part. Appendix A.

(2) Subject to regulations 57 and 58 of these regulations, the rates and charges set forth in Appendix A to this Part are the amounts to be charged for the services mentioned in that Appendix and, except as by regulation 38 of these regulations and in this part provided, no greater or lesser charge shall be made.

57. Where a taxi-car within the meaning of the Taxi-cars (Co-ordination and Control) Act, 1963 is required to enter a part of the State to which that Act does not apply to complete or continue a hiring— Appendix B.

- (a) regulations 56, 58, 59 and 62 of these regulations do not apply; and
- (b) the rates and charges set forth in Appendix B to this Part are the amounts to be charged in that part of the State for the services mentioned in that Appendix and no greater or lesser charge shall be made.

58. Where a local authority has, in exercise of the powers conferred upon it pursuant to an Order in Council under section 49 of the Act, made a by-law prescribing fares for taxi-cars, the fares payable in respect of a taxi-car accepting a hire in the district of that local authority shall be those authorised by that by-law and no greater or lesser charge shall be made. Fares prescribed by Local Authorities.

59. Subject to regulation 57 of these regulations, a taxi-meter fitted to a meter taxi-car shall be so adjusted as to register the flagfall when the taxi-meter is set in operation and to register the amount charged for distance travelled and the detention charge in progressive units of four cents. Taxi-meter units.

60. No charge shall be made for the detention of any taxi-car arising from any accident involving the taxi-car or from mechanical failure of, or any deficiency or insufficiency, in respect of, the taxi-car. No detention charge in certain cases.

61. The driver of a taxi-car may, notwithstanding any other provision of this Part, refuse to carry any luggage that would, together with the passengers to be carried, cause the vehicle to be overloaded or that, by reason of its bulk or character, cannot conveniently be carried in that vehicle. Luggage.

62. Subject to regulation 57 of these regulations, in the case of taxi-cars that are not fitted with taxi-meters, the distance rates provided by Appendix A to this Part are for distances travelled by the taxi-car from the point of engagement to the destination and for the return journey to the point of engagement whether or not the taxi-car is occupied by a passenger during the whole of that journey. Compilation of mileage for taxi-cars not being meter taxi-cars.

63. In computing the number of passengers for which a taxi-car is licensed, or the number of passengers to be carried without extra charge, any two passengers under the age of 12 years shall be reckoned as one passenger. Computation of number of passengers.

64. The hirer of a taxi-car shall pay any tolls and parking fees incurred during the hiring at the hirer's request. Payment of tolls, etc.

APPENDIX A.

Taxi-cars Fitted with Meters.

	Cents
Flagfall—all areas	20
Distance rate—for each 0.23 kilometre	4
Minimum charge	40
Detention charge—all areas—for each 96 seconds or part thereof	4
Dead running charge—	
If a taxi-car employed	Nil
If taxi-car not employed.....	30

Other Taxi-cars.

Distance Rate—			Cents
For the first 1.2 kilometres			40
For every subsequent 0.4 kilometre or part thereof			4
Minimum charge			40
Detention charge—for each 5 minutes or part thereof			15
Extra passengers in excess of five—each per kilometre travelled			2

All Taxi-cars.

Special Hiring Charges—		Weddings.	Funerals.
Vehicles exceeding 1 372 kilograms, tare weight		Not more than \$10 nor less than \$8 for first hour or part thereof, plus \$1 per quarter hour or part thereof, thereafter.	\$4 for first hour or part thereof, plus 75 cents per quarter hour or part thereof, thereafter.
Vehicles not exceeding 1 372 kilograms, tare weight		\$6 for first hour or part thereof, plus \$1 per quarter hour or part thereof, thereafter.	\$3 for first hour or part thereof, plus 75 cents per quarter hour or part thereof, thereafter.

Luggage—		Cents.
Where aggregate weight of all packages does not exceed twenty-five kilograms		Nil
Where aggregate weight of all packages exceeds twenty-five kilograms—per package of passengers' luggage carried		5

APPENDIX B.

1. A hiring completed in the part of the State to which the Taxi-cars (Co-ordination and Control) Act, 1963, does not apply— Appendix B.

Distance Rate—		Cents
To complete hiring		12
For return journey by nearest practicable route		12
Detention Charge		
54 seconds or part thereof		3

2. A hiring continued in the part of the State to which the Taxi-cars (Co-ordination and Control) Act, 1963, does not apply but completed in a part of the State to which that Act does apply—

Distance Rate—		Cents
For whole journey		12
Detention Charge		
54 seconds or part thereof		3

PART XI—PENALTIES.

63. (1) Every person who, by act or omission, contravenes these regulations is guilty of an offence and is liable, for a first offence, to a fine not exceeding one hundred dollars and, for any subsequent offence, to a fine not exceeding two hundred dollars.

(2) For the purposes of subregulation (1) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations or against the Traffic (Taxi-Cars) Regulations, 1966, as amended at any time.

Penalty for
Breach of
Regulations.

TRAFFIC ACT, 1919-1973.

Department of Motor Vehicles,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973, has been pleased—

(a) to revoke the regulations, cited as the Tow Truck Regulations, 1972, published in the *Government Gazette* on the 29th December, 1972, and all amendments thereto; and

(b) to make the regulations set out in the Schedule hereto,

so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. T. MONCK,
Director, Department of Motor Vehicles.

SCHEDULE.

TOW TRUCK REGULATIONS, 1974.

1. These regulations may be cited as the Tow Truck Regulations, 1974. Citation.
2. In these regulations unless the context requires otherwise— Interpreta-
tion.

“appropriate authority” means the Chief Inspector of Machinery or Inspector as defined in the Inspection of Machinery Act, 1921;

“crane” means a lifting device approved by the appropriate authority as defined by the Inspection of Machinery Act, 1921;

“laden weight” means the total weight of the vehicle including its load;

“load capacity” means the difference between the tare weight of a vehicle and the laden weight calculated in accordance with the Traffic (Vehicle Weights) Regulations, 1974;

“tow truck” means a motor vehicle equipped with a crane used or intended to be used for the lifting, salvaging, carrying or towing of vehicles and includes any motor vehicle to which is attached (temporarily or otherwise) a device or trailer which is used or intended to be used for the lifting, salvaging and carrying of any motor vehicle.
3. (1) Subject to subregulation (2) of this regulation, a person shall not— Licensing
and speci-
fications.
 - (a) use or drive a tow truck on a road; or
 - (b) operate any vehicle as a tow truck,

unless it is licensed by the licensing authority for use as a tow truck and it complies with the requirements of these regulations and any conditions imposed thereunder.

(2) Where a tow truck was licensed as such prior to the coming into operation of these regulations the licensing authority may permit it to be continued to be operated as such, notwithstanding that the specifications or equipment of that tow truck do not conform to the requirements of these regulations, subject to such conditions as the licensing authority may specify in the license.

(3) A license granted under subregulation (2) of this regulation shall extend only for such period as the licensing authority may consider necessary or expedient, and the licensing authority may from time to time require the vehicle to be inspected and tested before permitting the renewal of the license as a tow truck.
4. (1) Every tow truck shall be fitted with dual wheels on the rear axle or axles on both the left side and right side, unless the licensing authority otherwise approves in specified circumstances. General
equipment.

(2) Every tow truck shall have its steering wheel on the right hand side of the longitudinal axis of the vehicle.

(3) The driver's seat on every tow truck shall be so constructed that no person can occupy any portion of the seat on the right hand side of the driver.

(4) Every tow truck shall be equipped with suitable spacer bars and safety chains to enable the driver of the tow truck to exercise efficient control over the towed vehicle while it is being towed; and the spacer bars shall be so designed as to minimise any damage to the towed vehicle caused by the towing vehicle or its equipment.

(5) Every tow truck shall be equipped with a fire extinguisher of a type and capacity approved by the licensing authority and maintained in an effective condition and installed in a position where it is readily available for use.

(6) Every tow truck shall be equipped with a broom and such other equipment as is necessary for the removal of any broken glass debris, oil, etc., deposited on the roadway as a result of an accident or breakdown.

(7) Every tow truck shall have the name and address of the owner of the vehicle, together with the tare weight and load capacity of the vehicle and its class as determined by these regulations, clearly marked on some conspicuous part of the right hand side of the vehicle, in letters at least fifty millimetres high and twenty-five millimetres wide.

5. (1) Every tow truck shall be equipped with—

(a) a flashing amber light for use in circumstances limited by the Road Traffic Code, 1974 and not otherwise; and

(b) a suitable adjustable white light so mounted that during the hours of darkness it is capable of effectively illuminating the area in which the coupling of the tow truck to any vehicle to be lifted or towed is to be effected, in addition to the vehicle lights and reflectors required under the provisions of the Vehicles Standards Regulations, 1974, with respect to motor vehicles generally.

Lights and
warning
devices.

(2) Every tow truck shall have equipment which can be placed on the towed vehicle and connected electrically to the towing vehicle of such a kind as to enable the requirements of the Vehicle Standards Regulations, 1974, as to the display of rear lamps, stop lamps, clearance lamps and flashing turn signal lamps, to be observed by both vehicles whilst any vehicle is being towed.

(3) Every tow truck shall be equipped with not less than three portable warning devices complying with the Standard Specification for warning signs set out in A.S.S.E. 38 of the Standards Association of Australia and maintained in good order.

(4) Every tow truck shall have fitted on the right hand side a replica of a human hand, as a stop or turn right signal in addition to flashing turn right and turn left signalling devices.

6. Notwithstanding the provisions of Regulation 1101 of the Vehicle Standards Regulations, 1974, the maximum overall length of a tow truck and the vehicle it is towing may exceed 16.8 metres if—

(a) signs bearing the word "Overlength" in black lettering, 200 millimetres high on a yellow background are affixed to the front and rear of the combination of vehicles; and

(b) if the towing takes place during the hours of darkness, the inscriptions on those signs are of reflective material.

Overlength
vehicles.

7. The weight of the tow truck, together with the crane loaded to its maximum safe working load, shall not exceed the permissible weight limits provided in the Traffic (Vehicle Weights) Regulations, 1974.

Overweight
vehicles.

8. (1) The design, construction and marking of the crane fitted to a tow truck, its attachments and supporting structure shall be generally in accordance with the requirements of Australian Standard No. CB 2-1960, S.A.A. Crane and Hoist Code as amended from time to time and be approved by the appropriate authority.

Cranes.

(2) The crane shall be located and mounted on the tow truck in the manner generally or specifically directed by the appropriate authority, and shall comply with the stability requirements of the standard specified in subregulation (1) of this regulation.

(3) Every tow truck crane shall be provided with adequate means for supporting the load in its raised position whilst under tow.

(4) A tow truck does not comply with this regulation unless—

- (a) a certificate has been issued by the appropriate authority certifying that the design of the crane is in accordance with the standard specified in subregulation (1) of this regulation.
- (b) the crane has satisfactorily passed working and stability tests; and
- (c) there is in force in relation thereto a current certificate of annual inspection by the appropriate authority under the Inspection of Machinery Act, 1921.

9. A person shall not operate a power operated crane on a tow truck unless he is the holder of a relevant certificate of competency issued by the appropriate authority. Crane operators.

10. (1) Tow trucks shall be classified in accordance with the following specifications:— Classification and limitation.

Class 1—

Tow trucks having a load capacity of not less than 1 270 kg
and fitted with a crane having a safe working load of not less than 1 045 kg.

Class 2—

Tow trucks having a load capacity of not less than 3 040 kg.
and fitted with a crane having a safe working load of not less than 2 540 kg.

Class 3—

Tow trucks having a load capacity of not less than 6 125 kg.
and fitted with a crane having a safe working load of not less than 5 080 kg.

(2) A tow truck shall be limited to the lifting, carrying, towing or salvaging of vehicles having a laden weight appropriate to the load capacity of the tow truck, and shall not be operated so as to exceed the following limits:—

Class of tow truck.	Laden weight of vehicle.
1	2 030 kg
2	5 080 kg

11. (1) The laden weight of any vehicle being lifted shall not be more than the laden weight of the tow truck. Lifting procedures.

(2) The weight supported by the crane of a tow truck shall not be more than the safe working load of that crane.

(3) When a vehicle has been partially but not fully lifted for towing by a tow truck, it shall be supported by means other than the hoist rope or chain of the crane and some of the weight shall be taken on at least two wheels or a single axle of the towed vehicle before the tow truck is put in motion.

(4) When a vehicle has been fully lifted for towing by a tow truck, it shall be wholly supported on the carrying area of the tow truck, or on a trailer approved by the licensing authority for that purpose, and adequately secured before the tow truck is put in motion.

(5) The towed vehicle shall not be supported by the hoist rope or chain of the crane whilst the tow truck is in motion.

(6) Notwithstanding subregulation (4) of this regulation, a tow truck shall not be used to lift and carry any vehicle which is so damaged that it can not be safely towed on any two wheels of a single axle unless that tow truck has been approved by the licensing authority for the purpose.

12. The service brakes of every tow truck shall be maintained in an efficient condition at all times, and the reading as measured with a Tapley Brake Meter shall be at least 60 per cent when tested at its tare weight. Tow truck brakes.

13. (1) In the case of a Class 3 tow truck towing a vehicle of which the driver of the tow truck has control of the braking system, and the brakes can be used, there shall be no limitation on the weight of the towed vehicle. Brakes of towed vehicle.

4

(2) Where a Class 3 tow truck is required to tow a vehicle which is damaged to such an extent as to prevent coupling of the braking system to the tow truck, it shall be lawful for the brakes to be operated from the driving position of the towed vehicle.

(3) Where a vehicle is so damaged as to prevent the braking system from being used, any police officer or traffic inspector may authorise the vehicle to be towed, by a tow truck of the appropriate class, to the nearest place of safety.

14. (1) The driver of a tow truck shall not tow or attempt to tow away or salvage any vehicle from the scene of an accident, until he has completed in duplicate a statement containing the following particulars:—

Authority to tow or salvage.

- (a) the name and address of the person licensed to operate the tow truck;
- (b) the name and address of the driver of the tow truck;
- (c) the registered number of the tow truck;
- (d) the name and address of the owner of the vehicle to be towed or salvaged, if that is known;
- (e) the name and address of the person authorising the motor vehicle to be towed or salvaged, and his rank or number if the person giving the authority is a police officer;
- (f) the make and registered number of the vehicle to be towed or salvaged;
- (g) the place from where the vehicle is to be moved;
- (h) the place to where the vehicle is to be taken;
- (j) the date and time at which the authority to tow or salvage is signed, and has signed, and obtained the signature of the person authorising the tow or salvage to both copies of that statement when so completed.

(2) The original of the signed completed statement shall be handed by the driver of the tow truck to the person authorising the tow or salvage.

(3) The duplicate of the signed completed statement shall be handed by the driver to the person licensed to operate that tow truck, and shall thereafter be retained by the operator for a period of twelve months.

(4) A driver of a tow truck who tows or attempts to tow away or salvage any vehicle contrary to the provisions of this regulation is guilty of an offence.

15. (1) Where, owing to the absence or incapacity of the driver or person in charge of a vehicle involved in an accident, authority to tow away or salvage that vehicle cannot be obtained, a police officer or traffic inspector may give that authority on behalf of the driver, owner or person in charge of the damaged vehicle for the purpose only of—

Police officer may authorise.

- (a) removing the vehicle to a place of safe custody for use as an exhibit in future court proceedings;
- (b) removing the vehicle to the nearest place of safety from the scene of the accident in the interest of the owner; or
- (c) removing the vehicle in order to prevent or reduce an obstruction or a danger to the safety of persons or property.

(2) A police officer or traffic inspector authorising the removal of any vehicle under subregulation (1) of this regulation, shall himself sign the authority for the vehicle to be towed or salvaged.

16. Every driver of a tow truck shall produce on demand to any police officer or traffic inspector the authority required by regulation 14.

Production of authority.

17. An authority obtained by a driver of a tow truck under these regulations to tow or salvage a vehicle—

Extent of authority.

- (a) does not commit a police officer or traffic inspector to any personal liability, cost or charge;
- (b) is evidence only of the giving of an authority for the removal of the vehicle and in respect of salvage and storage connected therewith, but not for the carrying out of any repair or for any other purpose.

18. (1) A person who—
- (a) causes or attempts to cause, or induces or attempts to induce, by any trick, pretence, force, threat or persistent soliciting, or unfair means, any person to sign an authority to lift, salvage, carry or tow any vehicle involved in an accident;
 - (b) intimidates or attempts to intimidate by threat or force the driver of any tow truck from lifting, salvaging, carrying or towing any such vehicle if that driver is acting in accordance with the provisions of these regulations; or
 - (c) refuses or neglects to deliver up a vehicle or any articles of value in a vehicle when requested by the owner, where the charges referred to in regulation 17 of these regulations in respect of the carrying, salvaging, towing or storage of that vehicle, have been tendered by the owner to such person and no lawful cause for such refusal or neglect is proved,
- is guilty of an offence.
- (2) A person who commits an offence against these regulations is liable—
- (a) for a first offence, to a penalty not exceeding one hundred dollars; and
 - (b) for a second or subsequent offence, to a penalty not exceeding two hundred dollars.
- (3) For the purposes of subregulation (2) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations or against the Tow Truck Regulations, 1972, as amended at any time.
-

TRAFFIC ACT, 1919-1973.

Department of Motor Vehicles,
Perth, 17th September, 1974.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1973 has been pleased—

(a) to revoke the regulations, cited as the Vehicle Standards Regulations, 1965, published in the *Government Gazette* on the 30th December, 1965, and all amendments thereto; and

(b) to make the regulations set out in the Schedule hereto,

so that both the revocation and the regulations have effect on and after the day that the regulations are published in the *Government Gazette*.

A. T. MONCK,
Director, Department of Motor Vehicles.

SCHEDULE.

VEHICLE STANDARDS REGULATIONS, 1974.PART 1¹—PRELIMINARY AND GENERAL PROVISIONS.

101. These regulations may be cited as the Vehicle Standards Regulations, 1974. Citation.
102. These regulations are divided into Parts, as follows:— Arrangement.

CONSTRUCTION AND EQUIPMENT.

- Part 1.—Preliminary and General Provisions.
Part 2.—Lighting Equipment—Lamps and Reflectors.
Part 3.—Additional Lamps and Reflectors Required on Large Vehicles.
Part 4.—Optional Lamps and Reflectors.
Part 5.—Lamps and Reflectors—General Provisions.
Part 6.—Braking Equipment.
Part 7.—Provision of Mudguards.
Part 8.—Tyres and Rims.
Part 9.—Signalling Devices.
Part 10.—Other Equipment.
Part 11.—Loading and Dimensions of Vehicles.

USE OF VEHICLES.

- Part 12.—Danger and Annoyance.
Part 13.—Trailer Couplings and Safety Chains.

SPECIAL PROVISIONS.

- Part 15².—General Provisions for Public Passenger Carrying Vehicles.
Part 16.—Special Provisions for Omnibuses.
Part 17.—Special Provisions for Particular Classes of Vehicles.
Part 18.—Special Provisions for Motor Cycles.
Part 20³.—Special Provisions for Vehicles Drawn by Animal Power.
Part 30.—Special Provisions for Pedal Cycles.
Part 40.—Basic Guide for Special Conditions relating to Road Trains.

¹ Regulations 101-108 inclusive are additional to the draft regulations of the Australian Motor Vehicle Standards Committee, which commence at the regulation herein numbered 109.

² The provisions of Part 14 of the draft regulations of the Australian Motor Vehicle Standards Committee are contained in the Traffic (Vehicle Weights) Regulations, 1974.

³ The provisions of Part 19 of the draft regulations of the Australian Motor Vehicle Standards Committee are advisory only and not included in these regulations.

⁴ The draft regulations of the Australian Motor Vehicle Standards Committee appear to reserve Parts 21-29 inclusive.

103. (1) In so far as these regulations apply to vehicles they apply to vehicles on roads and the prohibition of, or the restriction on, the standing, using or driving of vehicles relates to the doing of any of those things on a road. Application.

(2) The prohibition by these regulations of the standing, using or driving of vehicles does not apply where any of those things are done in conformity with a limited license issued, or a limited registration effected, under the Act or any other Act, or are done in conformity with a permit lawfully issued by a competent authority.

104. (1) Every person who commits an offence against these regulations is liable, for a first offence, to a penalty not exceeding 100 dollars and, for a subsequent offence, to a penalty not exceeding 200 dollars. Penalties.

(2) For the purposes of subregulation (1) of this regulation an offence against these regulations shall be regarded as a subsequent offence if the person by whom it is committed has previously committed an offence against these regulations or against the Vehicle Standards Regulations, 1965, as amended at any time.

105. (1) A person shall not, stand, use or drive a vehicle, unless—

- (a) its construction, equipment and loading (if any) and every appliance fitted to the vehicle, whether obligatory or optional, conforms to these regulations;
- (b) every part of, or appliance fitted to, the vehicle, whether or not prescribed by these regulations, is serviceable; and
- (c) the vehicle is in such a condition as to be unlikely to occasion danger or unreasonable annoyance to any person or damage to any property.

Construction
etc., of
vehicles to
comply with
these
regulations.

(2) A person shall not cause, permit or suffer a vehicle to be used in contravention of subregulation (1) of this regulation.

(3) All motor vehicles shall, where required by these regulations, comply with Australian Design Rules, unless specifically exempted by the Director.

106. (1) An officer of the Department or member of the police force or traffic inspector may examine a vehicle and, if he is of the opinion that the vehicle does not conform to the requirements of the Act, or of these regulations, or is in such a condition as to occasion danger or unreasonable annoyance to any person or damage to property, may order the driver to discontinue using the vehicle, and in such an event shall give notice of the order to the owner of the vehicle.

Vehicles may
be ordered
off the road.

(2) Where a driver, to whom an order is given under the provisions of subregulation (1) of this regulation, is not the owner, he shall bring the order to the notice of the owner.

(3) An owner of a vehicle, that is the subject of an order made under this regulation, shall not, except for the purpose of submitting it for re-examination, use the vehicle or permit or suffer it to be used, until the specified defects have been remedied, and the vehicle has been submitted to the appropriate licensing authority and passed as fit for use.

107. (1) Where an officer of the Department or a member of the police force or traffic inspector, is of the opinion that, in order to comply with the Act, or these regulations, a vehicle inspected by him requires repair, adjustment, or reconditioning, or the supply, fitting, or removal of any equipment, or any other attention, he may attach to the vehicle a notice, in a form approved by the Minister, prohibiting the use of that vehicle, except for the purpose of presenting it for a further inspection, on and after a date specified in the notice, until—

Attachment
of notices
to vehicles
in need of
repair etc.

- (a) the repair, adjustment, reconditioning, or the supply, fitting, or removal of any equipment or such other attention has been effected; and
- (b) the vehicle has been presented for further inspection at an office of a licensing authority and the notice has been removed by that authority, after an inspection of the vehicle has been made.

(2) A person who, except for the purpose of presenting it for a further inspection, uses, or permits or suffers a vehicle to be used, during the period when the use of that vehicle is prohibited by a notice issued and attached to the vehicle, under the provisions of subregulation (1) of this regulation, or who wilfully removes, damages or obliterates the notice, commits an offence.

108. (1) An officer of the Department or member of the police force or a traffic inspector may examine and test drive a vehicle, and the person driving or using the vehicle shall, upon the request of the member of the police force or traffic inspector, permit him to examine and test drive the vehicle and shall not obstruct the examination or test.

Power to
test
vehicles.

(2) The testing of the efficiency of the brake or brakes of the vehicle may be carried out by use of a device known as a Ferodo Tapley Brake Testing Meter or as a Decelerometer.

109. (1) In these regulations, unless the context requires otherwise—

Interpre-
tation.

- “aggregate weight” has the same meaning as is given to that expression in the Traffic (Vehicle Weights) Regulations, 1974;
- “alternative headlamp” means a lamp which is lighted in place of a headlamp by a dipping device;
- “articulated vehicle” means a motor vehicle having at the rear thereof a portion on wheels, that is pivoted to, and part of which, is superimposed on and supported by, the forward part of the vehicle;
- “Australian Design Rule” means an Australian Design Rule for Motor Vehicle Safety as endorsed by the Australian Transport Advisory Council and issued by the Commonwealth Department of Shipping and Transport;
- “braking system” includes all the mechanism by which a brake on a motor vehicle is operated;
- “clearance lamp” means a lamp that, when lighted, provides an indication of the width of a motor vehicle together with its load or equipment, either from the front or from the rear of the vehicle;
- “derivative”, in relation to a passenger car, means a motor vehicle of the same make as a factory produced passenger car and in which the forward part of the body form and the greater part of the mechanical equipment are the same as those in the passenger car;
- “dipped” in relation to the main beam of light projected by the headlamp of a motor vehicle, means directed downward and sideward in accordance with these regulations; and when the beam is so directed, the light is said to be on low beam, otherwise the light is on high beam;
- “dipping device” means a device by which the driver of a motor vehicle, while retaining his normal driving position, can cause the main beam or beams of light from the headlamp or headlamps of his vehicle to be dipped;
- “goods vehicle” means a motor vehicle constructed, equipped or fitted for the conveyance of goods or merchandise, and includes a trailer and a tractor which is designed and used for drawing other vehicles and so constructed as not to carry any load thereon either directly or imposed as part of the weight of the vehicle being drawn;
- “hours of darkness” means the hours falling between sunset and sunrise;
- “laden weight” has the same meaning as is given to that expression in the Traffic (Vehicle Weights) Regulations, 1974;
- “licensing authority” means the local authority authorised by the Act, or by any Act relating to the licensing or registration of vehicles for the time being in force, to license or register motor vehicles;
- “motor cycle” means any motor vehicle that has two wheels, or, where a side-car is attached thereto, has three wheels;
- “motor vehicle” means any self-propelled vehicle, motor cycle or tractor used on a road, but does not include a vehicle used on a railway;
- “mudguard” means a fitting or device, which is so constructed and fitted that it will, so far as is practicable, catch or deflect downwards any stones, mud, water or other substance thrown up by the rotation of the wheel for which the fitting or device is provided;
- “multipurpose passenger car” means a motor vehicle designated principally for the conveyance of not more than eight persons, and which is constructed either on a truck chassis or with special features for off road operation;
- “omnibus” means any motor vehicle equipped to seat more than eight persons (including the driver) used for the carriage of passengers for hire or reward;
- “Part” means a Part of these regulations;
- “passenger car” means a motor vehicle, other than a motor cycle, an omnibus or a multipurpose passenger car, constructed principally for the conveyance of persons, and excludes a goods vehicle;
- “pole-type trailer” means a trailer that is attached to the towing vehicle by means of a pole, or by an attachment fitted to the pole and that is ordinarily used for transporting loads such as logs, pipes or structural members capable, generally, of supporting themselves as beams between supports;

“prime-mover” means a motor tractive unit, designed for hauling a semi-trailer;

“regulation” means one of these regulations;

“rear overhang” means the distance, measured horizontally and parallel to the longitudinal axis of the vehicle, between the rearmost point of the vehicle with its equipment and the centre line of the rear axle, in the case of a vehicle having only one axle towards the rear, or a line midway between the extreme axles of the group, where there is a group of two or more axles towards the rear;

“road” means a highway, road or street open to or used by the public and includes every carriageway, footway, reservation and traffic island thereon;

“road train” means—

(a) a motor tractive unit hauling a single trailer, the combined lengths of which exceeds 21.5 metres;

(b) a motor tractive unit hauling two or more trailers; or

(c) an articulated vehicle hauling one or more trailers, used or intended to be used for the carriage of goods and livestock separately or combined;

“school bus” means an omnibus that is used solely or principally for the carriage of children to and from school;

“semi-trailer” means the rear portion of an articulated vehicle;

“side car” means any car, box or other receptacle attached to the side of a motor cycle and for the support of which a third wheel is provided;

“side marker lamp” means a lamp or a combination of two lamps that, when fitted to the side of a vehicle, is capable of displaying light through an angle of 180 degrees, from the front to the rear of the vehicle, on the side on which it is fitted;

“tare” has the same meaning as is given to that word in the Traffic (Vehicle Weights) Regulations, 1974;

“trailer” means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include a semi-trailer or side-car.

(2) Unless the context requires otherwise, a reference in these regulations to the visibility of a light, or to the capability of a light of illuminating and rendering a person in dark clothing easily discernable, is a reference to its visibility or that capability, under normal atmospheric conditions, during the hours of darkness.

(3) A reference, however expressed, in these regulations to the date on which a vehicle is first registered shall be construed as a reference to the date of the first occasion after the manufacture of the vehicle on which the vehicle was so licensed or registered under the laws of this or any other State or Territory of the Commonwealth or overseas country as to permit its use on roads.

(4) Any reference in regulation 106, regulation 107 or regulation 108 to a traffic inspector shall be construed as including a reference to any person who—

(a) has been appointed by the Commissioner under subsection (6) of section 22 of the Act;

(b) is authorised under the Traffic (Licensing Authorities) Regulations, 1974, as in force from time to time under the Act to perform the duties referred to in subregulation (3) of regulation 37 of those regulations; and

(c) is at the relevant time performing any of the duties referred to in paragraph (b) of this subregulation.

110. In these regulations, a requirement of the mounted height of lamps, reflectors or devices, shall be taken by measurement from the centre of the lamp, reflector or device, to the level of the ground upon which the vehicle stands, when the vehicle is without a load. Height of lamps and devices.

111. (1) Except in the case of a motor cycle or other motor vehicle that is steered by means of handlebars, and except as provided by subregulation (5) of this regulation, the steering wheel shall be located on the right hand side of the motor vehicle. Steering gear.

(2) In the case of a motor cycle or other motor vehicle that is steered by means of handlebars, the steering control may be central, but shall not be located on the left hand or near side of the vehicle.

⁵ The draft regulation 111 of the Australian Motor Vehicle Standards Committee has been extended.

(3) The vehicle shall be capable of being readily steered, with all steering arms and connections so designed as to eliminate danger of any accidental detachment or overlocking, and all steering connections shall be secured with bolts, fitted with nuts that are locked or pinned.

(4) Where the steering mechanism is placed in a position in which it may be affected by impact with any vehicle or obstacle it shall be suitably protected.

(5) Notwithstanding the provisions of subregulation (1) of this regulation a motor vehicle may have the steering wheel or control other than on the right hand side of the vehicle if—

- (a) it was licensed in the State prior to the 3rd day of June, 1947, and has been continually licensed since; or
- (b) it is a vehicle of the tractor (other than prime mover) type; or
- (c) it is the subject of a temporary authority issued by or a limited license or registration effected with, a licensing authority under the provisions of the Traffic (Licensing Authorities) Regulations, 1974, as amended from time to time.

(6) A motor vehicle that is licensed or authorised to be used on a road under subregulation (5) of this regulation shall—

- (a) be equipped with the appropriate signalling devices prescribed by these regulations; and
- (b) have painted on the rear of that vehicle, in a conspicuous position on the right hand side, the words, "CAUTION—LEFT HAND DRIVE" in letters of not less than seventy-five millimetres in height, but where the motor vehicle has the steering wheel or control located at or near the centre of the vehicle, the licensing authority may dispense with the need for the sign required by paragraph (b) of this subregulation.

(7) Passenger cars and derivatives thereof manufactured on and after the 1st January, 1971, shall at the time of first registration have a steering column which shall comply with Australian Design Rule No. 10A—Steering Columns.

(8) All passenger cars and derivatives thereof, manufactured on or after the 1st January, 1973, shall, at the time of first registration, have steering columns which comply with Australian Design Rule No. 10B—Steering Columns.

112. A motor vehicle shall be capable of turning, in either direction, in a circle not exceeding 24.5 metres in diameter, as determined by reference to the extreme outer edge of the tyre track at ground level. Turning circles.

113. A motor vehicle shall not be so constructed, loaded or equipped, nor may anything be fitted to it in such a manner, as to prevent the driver from having a sufficient view of traffic, on either side of the vehicle and in all directions in front of the vehicle, to enable him to drive the vehicle with safety. Driver's view.

114. A television receiver, when placed in a vehicle, shall be installed so that— Television receivers.

- (a) no part of the screen, is directly visible to the driver, from the driving position;
- (b) no part of the screen can distract the attention of the driver of any other motor vehicle; and
- (c) the controls, other than the sound volume control and the main switch, are not within the driver's reach.

115. An engine number shall be such as is legibly and durably stamped or engraved upon the main component of an engine to be installed in a vehicle, at the time of the engine's manufacture; and shall be located in such a position as to render it readily visible after the engine has been installed in the vehicle. Engine number.
A.M.V.S.C.
Reg. 116.

116. A motor vehicle that weighs more than 300 kilograms, when unladen, shall be capable of being so worked, that it may travel either backward or forward. Reverse gear.

117. A licensing authority may require that a motor vehicle or trailer shall be specially constructed, equipped or adapted, in a manner not provided for in these regulations, where the vehicle is to be used by a person who is suffering from a physical disability. Physical disability of driver—special construction of vehicle.

118. All motor vehicles, except motor cycles, manufactured on or after January 1, 1972, and equipped with an automatic transmission shall comply at the time of first registration with Australian Design Rule No. 9 for Standard Controls for Automatic Transmissions.

Requirements for automatic transmission.
A.M.V.S.C.
Reg. 122.

119. Every—

- (a) passenger car and derivative thereof manufactured on and after the 1st January, 1972; and
- (b) multi-purpose passenger car manufactured on and after the 1st January, 1974,

Head restraints.
A.M.V.S.C.
Reg. 123.

shall, at the time of first registration, be equipped with head restraints that conform to Australian Design Rule No. 22 for Head Restraints.

120. Any internal sun visor fitted to—

- (a) a passenger car or derivative thereof, manufactured on or after 1st January, 1972;
- (b) a multipurpose passenger car, manufactured on or after 1st January, 1973; or
- (c) a motor vehicle, except a motor cycle or specially constructed vehicle, manufactured on or after 1st July, 1973,

Internal sun visors.

shall at the time of first registration of the vehicle comply with Australian Design Rule No. 11—Internal Sun Visors.

121. All passenger cars, passenger car derivatives and multipurpose passenger cars manufactured on or after 1st January, 1973, and all other motor vehicles, except motor cycles and specially constructed vehicles, manufactured on or after 1st July, 1973, shall at the time of first registration, comply with Australian Design Rule No. 12—Glare Reduction in Field of View.

Glare reduction.
A.M.V.S.C.
Reg. 124.

122. Any instrument located in a passenger car or derivative thereof manufactured on or after 1st January, 1973, shall at the time of first registration of the vehicle comply with Australian Design Rule No. 18—Location and Visibility of Instruments.

Location of instruments.
A.M.V.S.C.
Reg. 125

123. Any instrument panel in a passenger car or derivative thereof, manufactured on or after 1st January, 1973, shall at the time of first registration of the vehicle comply with Australian Design Rule No. 21—Instrument Panels.

Instrument panel.
A.M.V.S.C.
Reg. 129.

PART 2.—LIGHTING EQUIPMENT—LAMPS AND REFLECTORS.

201. A motor vehicle and a trailer shall be provided with lamps and reflectors in accordance with the requirements of this Part of these regulations.

Lamps.

202. Except for a motor cycle with or without a side-car or a three wheel motor vehicle that does not exceed a width of 1.5 metres, a motor vehicle shall be equipped with—

Headlamps.

- (a) two headlamps, one on each side, having their centres equidistant from the centre line of the vehicle, not less than 600 millimetres apart, at equal height from the ground, and being of approximately equal luminous intensity;
- (b) four headlamps, in sets of two, one set located on each side of the vehicle, the corresponding lamps of each set having their centres equidistant from the centre line of the vehicle, not less than 600 millimetres apart, at equal height from the ground, and being of approximately equal luminous intensity; or
- (c) two headlamps projecting light conforming with subparagraph (i), and two alternative headlamps projecting light conforming with subparagraph (ii), of paragraph (d) of subregulation (1) of regulation 204 of these regulations, so fitted that both sets of headlamps have their centres equidistant from the centre line of the vehicle, not less than 600 millimetres apart and at equal height from the ground and the lamps in each pair shall be of approximately equal luminous intensity.

7

203. (1) A motor cycle shall be equipped with a headlamp which, when lighted, complies with the requirements of regulation 204, but where a motor cycle has an engine capacity not exceeding 200 c.c. and its lighting system is so designed and constructed that it is impracticable to comply with the requirements of regulation 204, the headlamp affixed shall be of a type that, when lighted, will illuminate and render easily discernible a person who is dressed in dark clothing and is straight ahead of the vehicle—

Headlamps
on motor
cycles and
three-
wheeled
vehicles.
A.M.V.S.C.
Reg. 203.

- (a) where the engine capacity does not exceed 100 c.c., at a distance of twenty-two metres; or
- (b) where the engine capacity exceeds 100 c.c. but does not exceed 200 c.c. at a distance of thirty-six metres.

(2) A side-car attached to a motor cycle, shall be equipped with a lamp of a power not exceeding seven watts which, when lighted, shows a clear white light that is visible at a distance of 200 metres from the front of the vehicle and so fitted that no part of the vehicle or its equipment or loading or of any trailer or the equipment or loading of any trailer drawn by the motor cycle extends outwards for more than 300 millimetres from the centre of the lamp.

(3) A trailer that, together with its loading or equipment is one metre or more in width and is drawn by a motor cycle (not being a motor cycle to which a side-car is attached), shall be equipped with lamps of a power not exceeding seven watts that, when lighted, show a clear white light visible at a distance of 200 metres from the front of the vehicle, one fitted on each side of the front of the trailer, so that no part of the trailer or any loading or equipment thereon extends outward more than 150 millimetres from the centre of the lamp.

(4) A three-wheeled motor vehicle, other than a motor cycle, shall—

- (a) where the width of the vehicle or its equipment does not exceed one metre be equipped with one headlamp which, when lighted, complies with the requirements of regulation 204;
- (b) where the width of the vehicle or its equipment exceeds one metre but does not exceed 1.5 metres—
 - (i) be equipped with one headlamp which, when lighted, complies with the requirements of regulation 204 and with lamps of a power not exceeding seven watts which, when lighted, show a clear white light that is visible at a distance of 180 metres from the front of the vehicle, one fitted on each side of the vehicle at least 400 millimetres above the ground and so that no part of the vehicle or its equipment extends outward more than 150 millimetres from the centre of the lamp; or
 - (ii) be equipped with two headlamps which when lighted comply with the requirements of regulation 204; and
- (c) where the width of the vehicle or its equipment exceeds 1.5 metres, be equipped with two headlamps conforming to the provisions of regulation 202,

but where the vehicle has an engine capacity not exceeding 200 c.c. and the lighting system is so designed that it is impracticable for that system to comply with the requirements of paragraphs (a) or (b) of this subregulation, the headlamps affixed to the vehicle shall be such as comply with subregulation (1) of this regulation.

(5) Notwithstanding any other provision of this regulation a motor cycle or a three-wheeled vehicle that is capable of being driven at a speed in excess of 50 kilometres per hour shall be equipped with a headlamp or headlamps that comply with the requirements of regulation 204.

204. (1) Headlamps fitted to a motor vehicle shall be so fitted and constructed that—

- (a) the centre of each headlamp is not higher than 1.4 metres from the ground and, in the case of a motor vehicle first registered on or after the commencement of this regulation, not less than 600 millimetres from the ground;
- (b) they show white light only and project the light in front of the vehicle;
- (c) when on high beam, they project light in such a way that the part of the beam that is projected in a direction parallel to the longitudinal axis of the vehicle and one ½ a degree downward from a plane that is through the headlamp and parallel to the plane on which the vehicle stands, has a luminous intensity of between 15,000 and 37,500 candela;

Headlamps:
General
require-
ments.

A.M.V.S.C.
Reg. 204.

- (d) when on low beam, they project light in such a way that—
- (i) the part of the beam that is projected in a direction 2 degrees to the left of a vertical plane that is through the headlamp and parallel to the longitudinal axis of the vehicle and one $\frac{1}{2}$ a degree downward from a plane that is through the headlamp and parallel to the plane on which the vehicle stands, has a luminous intensity of between 3,750 and 10,000 candela; and
 - (ii) the part of the beam that is projected 2 degrees to the left of a vertical plane that is through the headlamp and parallel to the longitudinal axis of the vehicle and $1\frac{1}{2}$ degrees downward from a plane that is through the headlamp and parallel to the plane on which the vehicle stands, has a luminous intensity of not less than 8,000 candela; and
 - (iii) no light of an intensity of greater than 5,000 candela is projected more than $2\frac{1}{2}$ degrees to the right of a vertical plane that is through the headlamp and parallel to the longitudinal axis of the vehicle;
- (e) the light is capable of illuminating and rendering easily discernible a person who is dressed in dark clothing and who is straight ahead of the vehicle, at a distance,—
- (i) when on high beam, of 100 metres; and
 - (ii) when on low beam, of forty-five metres;
- (f) in the case of a motor vehicle (not being a motor vehicle of an engine capacity of 200 c.c. or less) first registered on or after the 1st January, 1934; the headlamps are controlled by a dipping device that will—
- (i) where the motor vehicle is fitted with one or two headlamps, extinguish the high beam of light projected from the lamp or lamps and at the same time bring the low beam into operation;
 - (ii) where the motor vehicle is fitted with four headlamps, in accordance with paragraph (b) of regulation 202, extinguish the high beam and, at the same time, bring into operation one lamp from each set that is adjusted to project light in accordance with paragraph (d) of this subregulation; and
 - (iii) where the motor vehicle is fitted with headlamps in accordance with paragraph (c) of regulation 202, extinguish the headlamps that are adjusted to the high beam and, at the same time, bring into operation the two alternative headlamps that are adjusted to the low beam.
- (2) Where a headlamp is not required by these regulations to be fitted with a dipping device, the beam of light projected from that lamp shall—
- (a) conform to the requirements of paragraph (d) of subregulation (1) of this regulation; and
 - (b) be capable, in conjunction with any other headlamp that is required to be fitted to the vehicle and to be alight at the same time, of illuminating and rendering easily discernible a person who is dressed in dark clothing and who is straight ahead of the vehicle, at a distance of forty-five metres.
- (3) Where, in paragraphs (c) and (d) of subregulation (1) of this regulation, a reference is made to the luminous intensity of that part of a beam projected through a specified angle, the light is deemed to comply with those paragraphs if the luminous intensity of part of the beam projected to within $\frac{1}{4}$ degree of the specified angle has that intensity.

205. (1) An alternative headlamp shall comply with paragraphs (a) and (b) of subregulation (1) of regulation 204 and be capable of rendering easily discernible a person who is dressed in dark clothing and who is straight ahead of the vehicle, at a distance of forty-five metres; and the beam of light projected from that lamp shall be in accordance with the requirements of paragraph (d) of that subregulation. Alternative headlamps.

(2) Where a motor vehicle is equipped with two alternative headlamps, they shall be of approximately equal luminous intensity and be fitted one on each side of the vehicle, equidistant from its centre line and at equal height from the ground, so that the centres of the lamps are not less than 600 millimetres apart.

206. (1) Subject to the provisions of subregulation (3) of this regulation, a motor vehicle (other than a motor cycle) that is less than 2.2 metres in width shall be equipped with two lamps, each of a power not exceeding seven watts, which, when lighted, show a clear white light, visible at a distance of 200 metres from the front of the vehicle and so fitted to the front of the vehicle that—

- (a) their centres are equidistant from the centre line of the vehicle;
- (b) the distance between their centres is not less than 600 millimetres; and
- (c) no part of the vehicle, or its load, or equipment projects more than 500 millimetres, laterally, from the centre line of the lamp on the side of the projection.

(2) A motor cycle with side-car attached shall be equipped with a parking lamp or lamps fitted to the forward part of the motor cycle.

(3)⁶ The provisions of subregulation (1) of this regulation are satisfied, if the vehicle is equipped with two clearance lamps which, when lighted, show an amber light to the front and which otherwise conform to, and are fitted in conformity with, that subregulation.

(4) A motor vehicle (other than a motor cycle) and a motor cycle with side car attached, first registered on or after the 1st January, 1970, shall have the lamps required pursuant to subregulations (1) or (2) of this regulation, so fitted that, when the headlamps required by these regulations are lighted, the former lamps will also be lighted or, if alight, remain lighted.

207. (1) Except as provided by subregulation (3) of this regulation, a motor vehicle (other than a motor cycle) and a trailer shall be equipped with one or more lamps of a power not exceeding seven watts, so fitted to the rear of the vehicle that—

- (a) none is higher than 1.1 metres from the ground; or
- (b) in the case of a vehicle that, together with its load and equipment, is more than 2.2 metres in width, none is higher than 1.5 metres from the ground.

(2) Where, pursuant to subregulation (1) of this regulation, only one lamp is fitted, it shall be fitted in the centre or on the right hand side, and, where more than one lamp is fitted, at least one shall be fitted on the right hand side of the vehicle.

(3) A motor vehicle (other than a motor cycle) and a trailer that is first registered on or after the 1st January, 1966, shall be equipped with at least two lamps of a power not exceeding seven watts, fitted symmetrically to the rear of the vehicle, with one on each side, at an equal height from the ground and so that—

- (a) none is higher than 1.1 metres from the ground and each has the outer edge of its illuminated area not more than 400 millimetres from the extreme edge of the vehicle; or
- (b) in the case of a vehicle that, together with its load and equipment, is more than 2.2 metres in width, none is higher than 1.5 metres from the ground and each has the outer edge of its illuminated area not more than 150 millimetres from the extreme outer edge of the vehicle.

(4) A motor cycle shall be equipped with a lamp of a power not exceeding seven watts, fitted to the rear of the cycle, so that the lamp is not more than 1.1 metres from the ground.

(5) A rear lamp prescribed by subregulations (1), (2), (3) and (4) of this regulation shall, when lighted, show a clear red light to the rear, visible at a distance of 200 metres.

(6) Each letter, symbol or figure upon the number plate carried upon the rear of a motor vehicle or trailer, shall be illuminated, so as to be easily discernible at a distance of 20 metres by a white light projected either by the the rear lamps prescribed by this regulation, or by a separate lamp fitted to the vehicle.

(7) A rear lamp and a number plate lamp shall be so wired that, if already alight, it remains lighted, and, if not already alight, will be lighted, when any headlamp, alternative headlamp or parking lamp with which the motor vehicle is equipped is lighted.

⁶This subregulation is not included in the draft regulation of the Australian Motor Vehicle Standards Committee.

208. (1) One or more reflectors shall be fitted—
- Rear reflectors.
- (a) symmetrically to each side of the rear of a motor vehicle (other than a motor cycle without a side-car) and of a trailer; and
 - (b) to the rear of a motor cycle without a side-car.
- (2) A reflecting lens fitted to a rear lamp required or permitted by these regulations, or any reflective material of not less than twenty-five square centimetres in area and at least twenty-five millimetres in width, is a reflector for the purposes of these regulations.
- (3) A reflector prescribed by this regulation shall be such as projects a red reflection of the light projected by a lamp of any following vehicle, and shall be so fitted that—
- (a) its centre is not higher than 1.1 metres from the ground, unless the vehicle is constructed solely, or principally, for the carriage of goods and is so designed or constructed that it would be impracticable to comply with that requirement in which case the reflector may be fitted so that its centre is not higher than 1.5 metres from the ground; and
 - (b) no part of the vehicle or its load or equipment, on the side on which the reflector is fitted, projects—
 - (i) more than 250 millimetres, laterally, from the centre of the reflector, where the width of the vehicle or trailer, together with its load or equipment, is 2.2 metres or more; or
 - (ii) 400 millimetres, laterally, from the centre of the reflector, where the width of the vehicle or trailer, together with its load or equipment, is less than 2.2 metres.
209. (1) A motor vehicle, trailer, semi-trailer or pole-type trailer shall, except as provided in subregulations (2), (3) and (5) of this regulation, be equipped with at least one stop lamp fitted to the rear of the vehicle so that the lamp or, where there is more than one, one lamp is in the centre, or to the right hand side of the centre of the vehicle. Stop lamps.
- (2) A motor vehicle, trailer, semi-trailer or pole-type trailer first registered on and after the 1st January, 1967, shall, except as provided in subregulations (3) and (5) of this regulation, be equipped with at least two stop lamps, fitted symmetrically to the rear of the vehicle, one on each side, having their centres equidistant from the centre line of the vehicle and at equal height from the ground.
- (3) A vehicle is exempt from the requirement of subregulations (1) and (2) of this regulation if it is—
- (a) a motor cycle with an engine capacity of 200 c.c. or less; or
 - (b) a motor vehicle manufactured on or before 1st January, 1934.
- (4) The stop lamp or lamps prescribed by this regulation shall—
- (a) when lighted display a red light to the rear of the vehicle and be clearly visible in sunlight, at all distances up to sixty metres;
 - (b) be so fitted that the lamp is or the lamps are not higher than 1.5 metres, or lower than 400 millimetres, from the level on which the vehicle stands; and
 - (c) be lighted when the service (foot) brake is applied, and, also, when any device (other than the service brake) for the independent application of the brakes fitted to the semi-trailer portion of an articulated vehicle, or of the brakes fitted to a trailer being drawn by a motor vehicle, is operated.
- (5) A stop lamp is not required on a trailer where—
- (a) the dimensions or construction of the trailer, or other towed vehicle, together with its load or equipment, are such as not to obscure a stop lamp fitted to the hauling motor vehicle, and the trailer or other towed vehicle has an unladen weight of not more than 250 kilograms; or
 - (b) the trailer is a special type trailer, in respect of which a declaration is given to the Director, that the vehicle will be used only on short haul "over-the-road" operation in the vicinity of wharves, industrial installations, or within defined areas and will not be used during the hours of darkness.
210. (1) A motor vehicle, trailer or semi-trailer may be equipped with lamps that comply with regulations 902, 904 and 905 for indicating an intention to turn to the right or to the left. Signal lights
A.M.V.S.C.
Reg. 210.

(2) A motor vehicle (excluding an articulated vehicle, motor cycle or a tractor) first registered on or after the 1st January, 1961, shall be equipped with flashing lamp turn right or turn left signalling devices complying with the requirements of regulations 902, 904 and 905.

(3) An articulated vehicle or a trailer first registered on or after the 1st January, 1961, shall be equipped with flashing lamp turn right or turn left signalling devices complying with the requirements of regulations 902, 904 and 905.

(4) A motor cycle first registered on or after the 1st day of January, 1969, shall be equipped with flashing lamp turn right or turn left signalling devices complying with the requirements of regulations 902 and 904.

(5) All passenger cars, passenger car derivatives, and multipurpose passenger cars, manufactured on or after 1st January, 1973, and all other motor vehicles, except motor cycles and specially constructed vehicles, manufactured on and after 1st July, 1973, shall, at the time of first registration, comply with Australian Design Rule No. 6—Direction Turn Signal Lamps.

(6) Notwithstanding the foregoing provisions of this regulation, the Director may exempt—

- (a) a pole-type trailer;
- (b) any combination of prime mover and trailer not exceeding 7.5 metres in length; or
- (c) any specially constructed vehicle,

from the requirement of being equipped with flashing lamp turn right or turn left signalling devices, where—

- (d) in his opinion, it would be impracticable to fit the signalling devices to such a vehicle;
- (e) the vehicle is to operate under a special licence over a predetermined route; or
- (f) there is some other reason which, in his opinion justifies such an exemption.

211.⁷ (1) Every motor vehicle under tow, during the hours of darkness, shall be equipped with—

Lights on vehicles under tow

- (a) a lighted lamp, showing a clear red light clearly visible to the driver of any following motor vehicle, fitted on the centre, or to the right hand or off-side of the centre, of that portion of the vehicle facing any following motor vehicle; and
- (b) a lamp or lamps showing a bright white light, so fitted as to render visible any red flag or other suitable object prescribed under the Road Traffic Code, 1974, to be displayed where a motor vehicle is towed with the aid of a rope, chain or wire.

(2) The requirements of this regulation are additional to the requirements of any other regulation relating to the fitting of lights to a motor vehicle.

(3) Lights, other than those required or permitted by these regulations to be fitted, shall not be displayed upon a towed vehicle, so as to be visible to the driver of a following vehicle.

212. Every—

Reversing signal lamps.

- (a) passenger car and derivative thereof manufactured on or after 1st January, 1972;
- (b) multipurpose passenger car manufactured on or after 1st January, 1973;
- (c) motor vehicle, except motor cycles, specially constructed vehicles and vehicles exceeding 4.5 tonnes gross vehicle weight, manufactured on or after 1st July, 1973; and
- (d) motor vehicle, except motor cycles and specially constructed vehicles, manufactured on or after 1st July, 1975,

shall, at the time of first registration, be equipped with reversing signal lamps complying with Australian Design Rule No. 1—Reversing Signal Lamps.

⁷ Regulation 211 is additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

PART 3.⁸—ADDITIONAL LAMPS AND REFLECTORS REQUIRED ON
LARGE VEHICLES.

301. (1) Notwithstanding the requirements of these regulations prescribing the fitting of lamps and reflectors to motor vehicles generally, the vehicles mentioned in this Part shall be fitted with such additional lamps and reflectors, respectively, as are therein prescribed. Require-
ments for
certain motor
vehicles.

(2)⁹ Where a sidemarker lamp, fitted to a vehicle as prescribed by these regulations, displays a light of the colour, and in the position and direction, so prescribed for a clearance lamp or for a rear lamp, then, notwithstanding any other provision of these regulations, the requirement for the fitting of the clearance lamp or of the rear lamp is satisfied by the fitting of the sidemarker lamp.

302. Every motor vehicle (other than an articulated vehicle) that together with its load or equipment, is 2.2 metres or more, in width, shall be equipped with clearance lamps, one fitted on each side at the front, and one fitted on each side at the rear, of the vehicle; and where the vehicle, together with its load or equipment exceeds 7.5 metres in length, a side marker lamp shall be fitted at the rear end of each side of the vehicle. Rigid motor
vehicles.

303. Every articulated vehicle, irrespective of its width, shall be equipped with— Articulated
vehicles.

(a) clearance lamps—

- (i) one fitted on each side at or near the front of the prime mover;
- (ii) one fitted on each side at or near the front, and one on each side at or near the rear, of the semi-trailer; and
- (iii) where the semi-trailer, together with its load or equipment, exceeds 7.5 metres in length, one fitted on each side, midway between the front and rear side marker lamps;

and

(b) sidemarker lamps—

- (i) one fitted on each side at or near the front, and one on each side at or near the rear, of the trailer; and
- (ii) where the trailer, together with its load or equipment, exceeds 7.5 metres in length, one fitted on each side, midway between the front and rear side marker lamps.

304. Every trailer (other than a pole-type trailer) that, together with its load or equipment, is 2.2 metres or more, in width, or that projects more than 150 millimetres, laterally, beyond either side of the motor vehicle by which it is drawn shall be equipped with— Trailers.

(a) clearance lamps—

- (i) one fitted on each side at the front, and one on each side at the rear, of the trailer; and
- (ii) where the trailer, together with its load or equipment exceeds 7.5 metres in length, one on each side, midway between the front and rear clearance lamps,

and

(b) sidemarker lamps—

- (i) one fitted on each side at or near the front, and one on each side at or near the rear, of the trailer; and
- (ii) where the trailer, together with its load or equipment, exceeds 7.5 metres in length, one fitted on each side, midway between the front and rear side marker lamps,

but where a trailer, (being principally for the carriage of boats or for any other special purpose) is so constructed as to render compliance with this regulation impracticable, one clearance lamp and one side marker lamp shall be fitted on each side, at or near the centre of the trailer.

⁸ The whole of this Part is contained in draft regulation 301 of the Australian Motor Vehicle Standards Committee. That draft regulation is here renumbered as regulations 301-310, for more convenient reference.

⁹ This provision is substituted for that appearing in draft regulation 301 (3) (d) of the Australian Motor Vehicle Standards Committee.

305. Every motor vehicle designed for drawing a pole-type trailer and fitted with a bolster or bolsters shall be equipped with— Motor vehicles hauling pole-type trailers.
- (a) clearance lamps—
 - (i) one fitted on each side of the front of the vehicle; and
 - (ii) fitted to the bolster or bolsters, as prescribed by paragraph (a) of regulation 306;
 - (b) sidemarker lamps, one fitted on each end of the bolster or the rearmost bolster, as the case may be; and
 - (c) white or amber reflectors, one fitted on the forward face, at each end of the bolster or foremost bolster, as the case may be.
306. Every pole-type trailer, irrespective of its width or length, shall be equipped with— Pole-type trailers.
- (a) clearance lamps—
 - (i) one displaying an amber light to the front and one displaying a red light to the rear, fitted to each end of the bolster; or
 - (ii) where there is more than one bolster, one displaying an amber light to the front, fitted to each end of the foremost bolster, and one displaying a red light to the rear, fitted to each end of the rearmost bolster,
 or, in the alternative, one lamp displaying both an amber light to the front and a red light to the rear, fitted to each end of the bolster or the rearmost bolster as the case may be;
 - (b) sidemarker lamps, one fitted on each end of the bolster or the rearmost bolster, as the case may be;
 - (c) red reflectors, spaced at intervals of not more than 1.2 metres, over the entire length of the right hand and left hand faces of the pole;
 - (d) white or amber reflectors, one fitted on the forward face, at each end of the bolster or foremost bolster, as the case may be; and
 - (e) red reflectors, fitted to the rear face of the bolster or rearmost bolster, as the case may be, in conformity with regulation 208.
307. ¹⁰ Every crane that forms part of, or is mounted on, a vehicle shall— Cranes.
- (a) where the jib of the crane forms a forward part of, or protrudes forward of, the vehicle, be equipped with—
 - (i) an amber lamp fitted to the foremost part of the jib, so as to be visible from each side and the front, through an angle of 180 degrees; and
 - (ii) amber lamps, spaced at intervals of not more than 1.8 metres, over the entire length of the right hand and left hand faces of the jib;
 and
 - (b) where the jib of the crane forms an after part of, or protrudes to the rear of, the vehicle, be equipped with—
 - (i) a red lamp fitted to the rearmost part of the jib, so as to be visible from each side and the rear, through an angle of 180 degrees; and
 - (ii) red lamps, spaced at intervals of not more than 1.8 metres, over the entire length of the right hand and left hand faces of the jib.
308. (1) Clearance lamps, whether fitted as prescribed, or in addition to those prescribed, by these regulations, shall display— Colours of clearance lamps, side marker lamps and reflectors.
- (a) an amber colour to the front, where mounted at or near the front of a vehicle; and
 - (b) a red colour to the rear, where mounted at or near the rear of a vehicle, other than a prime mover.
- (2) Side marker lamps shall display an amber colour visible through 90 degrees, from the side to the front of a vehicle, and a red colour visible through 90 degrees, from the side to the rear of a vehicle.

¹⁰ Regulation 307 is additional to the provisions contained in draft regulation 301 of the Australian Motor Vehicle Standards Committee.

(3) Reflectors shall reflect—

- (a) a white or amber colour where facing to the front of a vehicle;
- (b) a red colour, where facing to the rear of a vehicle.

309. (1) Clearance lamps and side marker lamps shall be so fitted that—

Mounting of clearance lamps, side marker lamps and reflectors.

- (a) no part of the vehicle, or its load or equipment, on the side to which the lamps are fitted, projects more than 150 millimetres, laterally, from the centre of any of them;
- (b) in the case of a semi-trailer or trailer, they are, as far as practicable, the same height above the level of the ground on which the vehicle stands;
- (c) in the case of a motor vehicle, semi-trailer or trailer, other than a pole-type trailer, the rear clearance lamps and rear side marker lamps are not more than 300 millimetres distant from the rearmost point of the side of the vehicle to which they are fitted and, except in the case of a motor vehicle, the front clearance lamps and front side marker lamps are not more than 300 millimetres distant from the foremost point of the side of the vehicle to which they are fitted; and
- (d) where fitted at or near the rear or on the side of a motor vehicle or trailer, none is less than 600 millimetres or more than 1.5 metres above the level of the ground on which the vehicle stands.

(2) In the case of a motor vehicle or trailer, not being a motor cycle or three-wheeled vehicle, clearance lamps mounted at or near the front of the vehicle or trailer shall be so fitted that their centres are not less than 750 millimetres above the centre of the headlamp of the vehicle, and may be at any height up to the full height of the vehicle or trailer.

(3) Where a clearance lamp is required to display an amber colour to the front and a red colour to the rear, two separate lamps may be fitted to the vehicle, if the lamps comply with the requirements of these regulations, with regard to the colour of the light to be displayed and the position of the clearance lamp for which they are substituted.

(4) Clearance lamps and side marker lamps may be mounted in combination, if illumination as required in these regulations is given by both types of lamps.

(5) Reflectors, required on the bolster fitted to a motor vehicle or trailer, shall be so fitted that their centres are not more than 1.5 metres above the ground, and so that no part of the vehicle or its load or equipment, on the side to which the reflectors are fitted, projects more than 250 millimetres laterally from the centre of a reflector.

310. Clearance lamps and side marker lamps shall be of a power not exceeding seven watts and, when lighted, shall be visible at a distance of 200 metres.

Visibility of clearance lamps and side marker lamps.

PART 4.—OPTIONAL LAMPS AND REFLECTORS.

401. In addition to the rear lamps or reflectors required by these regulations, there may be fitted to the rear of a motor vehicle or trailer no more than two lamps, which are—

Optional rearward facing lamps and reflectors.

- (a) lighted only when the vehicle is proceeding backwards;
- (b) amber or white in colour and at a maximum height of 1.1 metres; and
- (c) where two lamps are used, of the same colour and symmetrically placed.

402. (1) In addition to the headlamp or lamps required by these regulations there may be fitted to the front of a motor vehicle, equipped with a dipping device, no more than two additional headlamps to which the provisions of regulation 204 do not apply and which are so fitted and of such a type that—

Optional forward facing lamps and reflectors.

- (a) they are not higher than 1.4 metres above the ground;
- (b) they are capable of showing white light only and of projecting the main beam in front of the vehicle; and
- (c) they are so connected electrically with the headlamps prescribed by these regulations that they are extinguished when the headlamps are in the dipped position, and can also be extinguished separately.

(2) In addition to any lamps required or permitted by these regulations there may be fitted to the front of a motor vehicle or trailer—

- (a) reflectors, symmetrically placed on opposite sides and equidistant from the centre line of the vehicle and at equal height from the ground; or
 - (b) one reflector fitted to the right hand side of the vehicle,
- and each reflector shall project to the front of the vehicle a white or amber reflection of the light projected by the lamp of a vehicle approaching from the opposite direction.

(3) In addition to the lamps prescribed or permitted under these regulations—

- (a) an omnibus may be equipped with a lamp or lamps which when lighted illuminate with white light a sign indicating the route, destination or any other necessary information;
- (b) a motor vehicle, licensed for the carriage of not more than eight passengers for hire or reward, may be equipped with a lamp or lamps, for the lighting of any sign authorised or required to be displayed on the vehicle by any regulations relating to taxi-cars; and
- (c) a motor vehicle used as an ambulance, may be equipped with a lamp or lamps for the purpose of illuminating a sign displaying the word "AMBULANCE", or any other sign ordinarily displayed by an ambulance service.

(4) Where clearance lamps are required by these regulations to be fitted to a vehicle, there may also be affixed, to, or above, the roof of the cabin of the vehicle, not more than five additional lamps, each of a power not exceeding seven watts, displaying an amber light to the front and having their centres not less than 120 millimetres apart.

403. A motor vehicle, trailer or semi-trailer may be equipped with a lamp or lamps, to illuminate the interior of the vehicle, if it does not project any light other than such as is necessary for that purpose. Interior lighting.

404. (1) An emergency vehicle and, with the authority of the Commissioner of Police a special purpose vehicle or a vehicle used by a person or persons authorised by the Commissioner of Transport under section 49 of the Transport Commission Act, 1966 or regulation 37 of the Transport Commission Regulations, 1967, may be equipped with a flashing lamp, in the manner and position approved by the Commissioner of Police, so that the lamp displays— Flashing warning lights.

- (a) an amber light, in the case of an emergency vehicle conveying a traffic inspector on urgent official duties or a special purpose vehicle or a vehicle used by a person or persons authorised by the Commissioner of Transport under section 49 of the Transport Commission Act, 1966 or regulation 37 of the Transport Commission Regulations, 1967;
- (b) a red light, in the case of an emergency vehicle, other than a police vehicle and a vehicle conveying a traffic inspector; and
- (c) a blue light, in the case of a police vehicle,

for use in the circumstances limited by the Road Traffic Code, 1974, and not otherwise.

(2) In this regulation, the expressions, "emergency vehicle" and "special purpose vehicle" have the same meaning as they have in, and for the purposes of, the Road Traffic Code, 1974.

(3) A vehicle, fitted with flashing lamp signalling devices that are of the type referred to in regulation 904 and that show only amber light to the front of the vehicle, may also be fitted with equipment that will permit, when the equipment is switched on, all the lamps of the signalling devices to flash simultaneously at a rate of not less than 60 or more than 120 times per minute and at the same time indicate to the driver of the vehicle when in his normal driving position, that the equipment is in operation by means of a visual and audible tell-tale indicator.

405. (1) In addition to any compulsory headlamp or alternative headlamp there may be fitted to the front of a motor vehicle, not being a motor cycle— Fog lamps.

- (a) two fog lamps of approximately equal candle power placed—
 - (i) on opposite sides of, and equidistant from, the centre line of the vehicle;

- (ii) at equal height from the ground; and
 - (iii) so that the centres of the lamps are not less than 600 millimetres apart; or
 - (b) one fog lamp, with which there is fitted symmetrically to the front of the vehicle and at equal height from the ground, two lamps of a power not exceeding seven watts, the centres of which are not less than 1.1 metres apart.
- (2) In addition to the compulsory headlamp, one fog lamp may be fitted to the front of a motor cycle.
- (3) Where, in accordance with subregulations (1) and (2) of this regulation a fog lamp is fitted to a motor vehicle, then—
- (a) the lamp shall be capable of showing only white or amber light;
 - (b) the beam of light from the lamp shall be deflected downwards or both downwards and to the left;
 - (c) the centre of the lamp shall not be higher than the centre of any compulsory headlamp or alternative headlamp fitted to the vehicle;
 - (d) the lamp shall be lighted under abnormal atmospheric conditions and in accordance with the provisions of the Road Traffic Code, 1974, only;
 - (e) when the lamp is alight, no other lamp of a power exceeding seven watts and capable of showing white light to the front of the vehicle shall be alight; and
 - (f) when only one fog lamp is affixed to the vehicle in accordance with paragraph (b) of subregulation (1) of this regulation and that lamp is alight, the other two lamps referred to in that paragraph shall also be alight.

406. A spot or search lamp may be fitted, or connected to, a motor vehicle, but it shall not be lighted except in accordance with the provisions of the Road Traffic Code, 1974.

Spot or search lamps.

407. In addition to the rear clearance and side marker lamps that are required to be affixed to a vehicle by these regulations, additional rear clearance and side marker lamps that comply with the requirements of these regulations may be fixed to the rear of a rigid motor vehicle that is 2.2 metres or more in width and additional combination clearance side marker lamps may be fitted to the sides of the vehicle.

Optional clearance and side marker lamps on rigid motor vehicle of 7 ft. or more in width. A.M.V.S.C. Reg. 407.

PART 5.—LAMPS AND REFLECTORS—GENERAL PROVISIONS.

501. A lamp or reflector shall not be attached to a motor vehicle or combination of motor vehicle and trailer unless—

Lamps—General requirements.

- (a) by its construction and adjustment, it so diffuses or directs its light, as to prevent any glare adversely affecting a person's vision; and
- (b) it is of a type prescribed or permitted by these regulations, or approved by the Director.

502. Unless specially exempted by the Director, a motor vehicle or trailer shall be provided with lamps or reflectors, or both lamps and reflectors, in accordance with these regulations.

Lamps and reflectors to be provided unless vehicle exempted.

503. (1) A reflector required to be fitted to a motor vehicle or trailer, in accordance with these regulations shall—

Requirements in regard to reflectors.

- (a) be such that, during the hours of darkness, it reflects the light of a headlamp complying with the provisions of regulation 202 and projected on it, so as to be clearly visible to the driver of the vehicle from which the light is projected, at a distance of 100 metres;
- (b) except as provided by paragraph (c) of regulation 306, be fitted in a vertical position and at right angles to the longitudinal axis of the vehicle; and
- (c) be unobscured and in a clean condition.

(2) A reflector required to be fitted to a motor vehicle or trailer in accordance with these regulations shall comply with the requirements of Australian Standard Interim Specification No. 355—1955, Retro Reflectors for Road Signs and Vehicles.

(3) Where reflective material is permitted to be fitted to a motor vehicle or trailer, it shall comply with the requirements of Australian Standard Interim Specification No. 354—1955, Retro Reflecting Materials for Road Signs and Vehicles.

504. (1) The wiring of a lamp prescribed by these regulations shall—

Electric wiring.

- (a) be stranded wire of a suitable size, material, and insulation;
- (b) be properly supported at intervals of not more than 600 millimetres, except in the case of a pole-type trailer so constructed that the length of the pole forward of the trailer frame can be adjusted;
- (c) be soldered and properly insulated at joints, unless the joint is made by a connector that provides adequate insulation and electrical contact;
- (d) be located in such a position that it cannot become overheated, cannot come into contact with moving parts, or constitute a fire hazard due to its proximity to the fuel system; and
- (e) be protected from chafing, with the edges of every hole in any metal through which the wiring passes rolled or bushed with a grommet of rubber or other suitable insulating material.

(2) A trailer shall be equipped with an electrical conductor that—

- (a) is of a suitable size and material;
- (b) is independent of the trailer coupling; and
- (c) provides a return path between the electrical lighting circuit, including any signalling circuit, of the trailer and that of any vehicle hauling it.

PART 6.—BRAKING EQUIPMENT.

601. (1) Subject to the provisions of subregulation (2) of this regulation a motor vehicle, other than a motor cycle, shall be equipped with an efficient braking system comprising brakes fitted to all road wheels, either with two separate methods of actuation, or with a separate emergency hand-brake system, so arranged, in both cases, that the emergency hand-brake is capable of acting on at least two wheels or wheel assemblies, and that, in the event of failure of any one part of the actuating mechanism, effective braking remains on not less than two wheels or wheel assemblies.

Brakes.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, where a vehicle complies with the performance requirements of regulation 604, then,—

- (a) if it was first registered before 1st January, 1930, it may have two independent, efficient braking systems, each of which acts on not less than half the number of road wheels or wheel assemblies, or, where the vehicle has less than four wheels or wheel assemblies, acts on two wheels or wheel assemblies; and
- (b) if the vehicle is a tractor, grader or other self-propelled mobile plant incapable of exceeding 40 kilometres per hour and is equipped with one efficient wholly mechanical braking system, acting on at least two wheels or wheel assemblies, and the actuating mechanism has a ratchet or locking device capable of holding it in any selected position,

it complies with the requirements of this regulation.

(3) The brake tubing, brake hose, brake cables, rods and other linkage shall, in every case,—

- (a) be so constructed as to ensure adequate, reliable and continued functioning;
- (b) be so fitted to the vehicle as to prevent chafing, kinking, or other mechanical damage, under normal motion of the parts to which they are attached; and
- (c) in the case of brake tubing and brake hose, conform to the British Standards Specification of the Society of Automotive Engineers or such other standards specified for hydraulic brake hose, air brake hose or vacuum brake hose as the Director may approve.

(4) Notwithstanding the provisions of subregulation (3) of this regulation, all motor vehicles manufactured on or after the 1st January, 1970, that are equipped with hydraulic brake hoses shall be so equipped with hydraulic brake hose that complies with Australian Design Rule No. 7—Hydraulic Brake Hoses.

(5) A braking system shall be so constructed that—

- (a) the service foot-brake acts directly on the road wheels and not through the transmission;
- (b) the emergency hand-brake is operated by a separate lever fitted with a ratchet or locking device capable of holding it in any selected position, and is applied by direct mechanical action without the intervention of any hydraulic, electrical or pneumatic device; and
- (c) both braking systems described in paragraphs (a) and (b) of this subregulation are so arranged that, when either system is operated, the brakes are equally applied to all the wheels of an axle.

(6) A braking system shall be so constructed that provision is made for the adjustment or taking up of the ordinary wear of the brakes and for adequately securing or locking the adjustment device over the whole of its effective range.

(7) Subject to the provisions of subregulations (11), (12) and (13) of this regulation, where a motor vehicle is fitted—

- (a) with an air operated braking system, it shall be equipped with at least one air storage reservoir; or
- (b) with a vacuum operated braking system, it shall be equipped with at least one vacuum storage reservoir.

(8) Subject to the provisions of subregulations (11), (12) and (13) of this regulation a motor vehicle, of which the aggregate weight is six tonnes or more, and an omnibus, shall, if fitted with air assisted or vacuum assisted braking system, be equipped with not less than one storage reservoir for air or vacuum, as the case may require.

(9) The storage reservoir with which the motor vehicle is equipped in accordance with subregulations (7) and (8) of this regulation shall—

- (a) be of adequate size and capacity to ensure that, in the event of the engine stopping or the source of supply of air or vacuum failing, not less than two applications of the service brake, each complying with the brake performance requirement prescribed by regulation 604, can be made;
- (b) be of adequate strength and, in the case of an air reservoir, be provided with a drain, plug or other means to permit the removal of water or other foreign matter that may accumulate, at the lowest point of the reservoir;
- (c) be provided with such a visible or audible warning signal or both as will readily indicate to the driver, while in his proper driving position, any loss or lack of air or vacuum sufficient to prevent the vehicle from being stopped in the distance prescribed by regulation 604; and a gauge indicating pressure or vacuum within the reservoir does not satisfy the requirements of this paragraph; and
- (d) be safeguarded by a check valve or equivalent device such as will, in the event of failure or leakage in its connection to the source of compressed air or vacuum, ensure that the air or vacuum supply in the reservoir is not depleted by the failure or leakage.

(10) Subject to the provisions of subregulations (12) and (13) of this regulation, a motor vehicle used to tow a trailer, semi-trailer or pole-type trailer required to be equipped with brakes, shall be equipped with means of providing that, in case of a breakaway of the tow, the service brakes of the motor vehicle remain operative and capable of stopping the motor vehicle, in the distance prescribed by regulation 604.

(11) On and after the 1st January, 1967, the requirements—

- (a) of subregulations (7), (8) and (9) of this regulation shall apply to omnibuses; and
- (b) of subregulations (7), (8), (9) and (10) of this regulation shall apply to every motor vehicle of which the aggregate weight is six tonnes or more and which is—
 - (i) first registered on or after that date; and
 - (ii) first fitted with air or vacuum operated or air or vacuum assisted brakes on or after this date.

(12) Notwithstanding the provisions of subregulation (5) of this regulation, emergency brakes applied by spring action, after the release of air pressure or vacuum holding them off, may be fitted to a motor vehicle, and, in that event,—

- (a) the brakes shall be so fitted and arranged that they will act directly on, and be applied equally to, all the wheels of any axle on which they are used;
 - (b) the lever or control by which the brakes are made to apply shall be fitted with a device that will lock the lever or control against inadvertent operation and shall be so located as to enable the driver to apply or release the brakes from the normal driving position;
 - (c) the brakes, when not deliberately brought into use, shall be held off by the normal air or vacuum supply in the vehicle and shall be applied by the near instantaneous discharge of the air or vacuum by which they are held off, through the operation of the lever or control mentioned in paragraph (b) of this subregulation;
 - (d) a separate air or vacuum reservoir, complying with the provisions of paragraphs (b) and (d) of subregulation (9) of this regulation, to provide at least two releases of the spring brakes when the normal air or vacuum supply is not available, shall be provided, together with a lever or control so located as to enable the driver to release and apply the brakes from the normal driving position;
 - (e) the brakes shall not operate, automatically, on loss of stored air or vacuum supply, before the pressure or vacuum in the system has fallen below the level at which the low level warning signal operates;
 - (f) where the brakes are fitted to a motor vehicle used to tow a trailer, semi-trailer or pole trailer, they shall not operate, automatically, before the breakaway brakes operate, and their application shall not cause the normal brakes of the trailer, semi-trailer or pole trailer to operate; and
 - (g) the brakes shall be capable of stopping the vehicle in the distances specified in Table B to regulation 604.
- (13) On and after the 1st July, 1967, the requirements of subregulations (7), (8), (9) and (10) of this regulation shall, where relevant, apply to every motor vehicle.

602. A motor cycle shall have two adjustable, independent and efficient service braking systems, one capable of acting directly on the front wheel and the other on the rear wheel. Brakes on motor cycles.

603. (1) Subject to the provisions of subregulations (6) and (8) of this regulation, a trailer and a semi-trailer shall be equipped with an efficient brake so designed, constructed and maintained that it is capable of acting upon all wheels. Brakes on trailers.

(2) The brake tubing and brake hose fitted to a trailer or semi-trailer shall be such as comply with the requirements of regulation 601.

(3) Subject to the provisions of subregulation (5) of this regulation, a trailer exceeding a gross weight of two tonnes and a semi-trailer and pole-type trailer shall—

- (a) be equipped with brakes of such a character as to be applied automatically and promptly, upon its breaking away from the towing vehicle and be so constructed as to maintain application of the brakes, in the event of a breakaway, for at least 15 minutes;
- (b) if fitted with an air or vacuum operated brake system, be equipped with such a storage reservoir for air or vacuum, as the case may require, as complies with the requirements of regulation 601; and
- (c) if fitted with an air operated brake system and manufactured or first registered after 1st January, 1960, be equipped with a system so designed that the air supply reservoir is safeguarded against back flow of air through the supply line.

(4) The storage reservoir with which a trailer is equipped in accordance with paragraph (b) of subregulation (3) of this regulation, shall be provided with such a visible or audible warning signal or both as will readily indicate to the driver, while in his proper driving position, any loss or lack of air or vacuum sufficient to prevent the vehicle from being stopped, in the distance prescribed by regulation 604; and a gauge indicating pressure or vacuum within the reservoir does not satisfy the requirements of this subregulation.

20

- (5) Where a vehicle to which subregulation (3) of this regulation applies—
- is registered, for the first time, after the commencement of these regulations; or
 - is used after the 1st January, 1967,
- it shall be so equipped as to comply with the provisions of that subregulation.
- (6) A brake is not required to be fitted to—
- a trailer that has a tare weight of less than 500 kilograms, and an aggregate weight of less than one tonne;
 - a caravan-trailer or a plant trailer that has a tare weight not exceeding one tonne; or
 - any other trailer exempted from that requirement by the Director, either generally by notice published in the *Gazette* or specially by notice in writing to the owner, but in either event so long only as the trailer is used in conformity with the conditions imposed by the Director in the notice exempting the trailer from that requirement.
- (7) Where brakes are required by these regulations to be fitted to a vehicle, over-run brakes are not a braking system for the purposes of that requirement except that over-run brakes of a make and type approved by the Director are deemed to be an efficient braking system where fitted to a trailer of which the aggregate weight does not exceed two tonnes.
- (8) A trailer of an aggregate weight not exceeding two tonnes that has two axles may be fitted with brakes that operate on the wheels fitted to one of those axles only.

604. Performance Ability of Brakes.

Performance
ability of
brakes.

(1) Service Brakes—

- Other than Omnibuses
Every motor vehicle or combination of motor vehicle and trailer, not being an omnibus, shall be capable at all times under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material, with one sustained application of the service (foot) brake control, within the distances specified in the Table A below from a speed of 30 kilometres per hour.
- Every omnibus shall be capable at all times under unladen conditions, of being stopped on a dry, smooth, level road free from loose material, with one sustained application of the service (foot) brake control within the distance specified in the Table A below from a speed of 30 kilometres per hour.

TABLE A

Categories of Vehicles	Metres to stop from 30 km/h	Equivalent "Over- all" deceleration in metres per second per second (nearest 0.1 m)
Vehicles or combination of vehicles under 2.5 tonnes gross weight	9	3.9 m/s ²
Any Omnibus (unladen)	12	2.9 m/s ²
Vehicles or combination of vehicles 2.5 tonnes gross weight or over.....	14	2.5 m/s ²
Vehicles or combination of vehicles with maximum speed of 25-30 km/h	15	2.3 m/s ²
Vehicles or combination of vehicles with speeds under 25 km/h		2.3 m/s ²

- Emergency (Hand) Brake—Every motor vehicle, articulated vehicle or combination of motor vehicle and trailer shall be capable at all times, and under all conditions of loading, of being stopped on a dry, smooth, level

road free from loose material upon application of the emergency (hand) brake control within the distances specified in Table B below, or shall be capable of being decelerated at a sustained rate corresponding to these distances:

TABLE B

Vehicle	Metres to stop from 30 km/h	Deceleration in metres per second per second
Under 2.5 tonnes gross weight.....	22	1.6 m/s ²
2.5 tonnes gross weight or over.....	34	1 m/s ²

PART 7.—PROVISION OF MUDGUARDS.

701. (1) Subject to subregulation (2) of this regulation, every motor vehicle shall, unless the forward portion of the vehicle is so designed or constructed that it fulfils all the conditions set out in paragraphs (a) and (b) of this subregulation, have a mudguard or mudguards for all the wheels on the foremost axle of the vehicle firmly fitted to it; and each mudguard shall be so constructed and fitted that—

Mudguards on wheels on foremost axle.

- (a) as far as practicable, it catches or deflects downwards any stones, mud, water or other substance thrown upwards by the rotation of the wheels; and
- (b) in the case of a motor vehicle, other than a motor cycle, it is capable, either alone or in conjunction with other components of the vehicle body or chassis, of preventing direct contact with the upper half of the wheel, in the event of a forward collision.

(2) The provisions of this regulation do not apply to a vehicle of which the construction or use is such, that, in the opinion of the Director, it is unnecessary or impracticable to provide a mudguard or mudguards.

702. (1) Subject to subregulation (2) of this regulation, every motor vehicle and every trailer and semi-trailer shall have a mudguard or mudguards, for all wheels on the rearmost axle of the vehicle, firmly fitted to it.

Mudguards for wheels on rearmost axle.

(2) Where a vehicle is so constructed that its body or equipment catches or deflects downwards any stones, mud, water or other substance thrown upwards, ahead of, or above, the wheel or wheels on the rearmost axle, but does not adequately catch or deflect downwards such of those substances as are thrown upwards to the rear, a section only of mudguard may be fitted to the body or equipment at the rear of the wheel or wheels on the rearmost axle, if that section complies, as to width and the lowest edge height requirement, with the provisions of regulation 703.

(3) The provisions of this regulation do not apply to—

- (a) a motor vehicle with an extended rear body overhang, of the passenger car type, or to a utility, station wagon, or panel van with similar extended rear end overhang, or to a caravan or trailer with a low level floor extended at the rear, or to a vehicle of which the body overhang, although not falling within the meaning of a mudguard, in regulation 109, is adequately equipped with a fitting or device to bring it within that meaning;
- (b) a pole-type trailer that is used solely or principally for work in a forest;
- (c) a fork lift truck;
- (d) a motor vehicle that is used solely for the purpose of hauling a trailer, semi-trailer or pole-type trailer; or
- (e) any other vehicle of which the construction or use is such that, in the opinion of the Director, it is unnecessary or impracticable to provide a mudguard or mudguards.

703. Where a mudguard is required to be fitted to a motor vehicle, trailer, or semi-trailer, under regulation 702,—

Width of mudguard.

(a) the width of the mudguard shall—

- (i) be not less than the overall width of the wheel or wheels for which it is provided; or
- (ii) be not less than 380 millimetres, if the motor vehicle, trailer or semi-trailer has a body of the tray type of which the width, together with any equipment or load thereon, is 2.2 metres or more;

- (b) the mudguards shall give protection at a point the height of which above the level ground shall not exceed—
- (i) in the case of passenger cars and derivatives thereof, one-half; or
 - (ii) in the case of other motor vehicles and trailers, one-third,
- of the distance such point is rearward of the centre line of the rear axle; and
- (c) the mudguard shall be continuous from the point defined in subparagraph (b) to a point 30° forward of the centre line of the rear axle.

704.¹¹ Every mudguard shall be in good order and condition, and free from cracks, tears and sharp or jagged edges. Condition of mudguard.

705. The portion of the external surface of a rear mudguard, that is, fitted to, and visible to the rear of, a motor vehicle, trailer or semi-trailer that, together with its equipment, is 2.2 metres or more in width and has a body of the tray type, shall be white or silver in colour and be maintained so as to be clearly visible. Visibility of mudguards.

706. A horizontal band, having a uniform depth of at least seventy-five millimetres, white or silver in colour and clearly visible, shall be displayed by painting or otherwise across the full width of the rear-most portion of the tray of a motor vehicle, trailer or semi-trailer that, together with its equipment is 2.2 metres or more in width and has a body of the tray type. Visibility of tray.

PART 8.—TYRES AND RIMS.

801. Except where otherwise approved by a licensing authority, a motor vehicle, trailer, or semi-trailer shall— Provision of pneumatic tyres or flat rims.

- (a) have pneumatic rubber tyres having an inflation pressure not exceeding 700 kilopascals on all wheels; and
- (b)¹² in the case of a tractor or other agricultural implement or machine fitted with metal wheels, have flat rims, on all wheels, without flanges, spikes, bars or projections.

802. (1) Every tyre fitted to a motor vehicle shall—

- (a) be free from any apparent defect likely to render the use of the vehicle unsafe or to cause, or result in, injury to any person or damage to any goods in or upon the vehicle;
- (b) unless specifically exempted by the Director, have a tread pattern of a depth not less than 1.5 millimetres on all parts of its surface which normally come into contact with the road surface; and
- (c) together with the rim, be of a size and capacity sufficient to carry the total weight of the vehicle and its loading.

Require-
ments for
tyres.

(2) Tyres shall not—

- (a) be fitted with cleats or any other gripping device of a type likely to cause damage to roads, bridges or culverts, other than by normal wear and tear; or
- (b) if treated by regrooving, be fitted to any vehicle of a tare of less than 1.5 tonnes.

(3) In the event that tyres of different forms of carcass construction are fitted to the wheels of a passenger car or derivative thereof, those on either side of the front and on either side at the rear shall be of the same form of carcass construction.

(4) In the event that the form of carcass construction of front and rear pairs of tyres is different such pairs of tyres shall be fitted to the vehicle only in the following combinations:—

Form of carcass construction on front wheels	Form of carcass construction on rear wheels.
cross ply	belted bias
cross ply	radial ply
belted bias	radial ply

¹¹ Regulation 704 is additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

¹² Paragraph (b) of regulation 801 is additional to draft regulation 801 of the Australian Motor Vehicle Standards Committee.

(5) The sum of the weight carrying capacity recommended for all tyres and rims with which the vehicle is equipped, shall be not less than the manufacturer's recommended maximum gross vehicle weight for that vehicle.

803. (1) The weight borne by a tyre or rim fitted to a vehicle shall not at any time exceed the weight carrying capacity recommended for that tyre or rim by the Tyre and Rim Association of Australia.

Weight carrying capacity for tyres and rims.
A.M.V.S.C. 803.

(2) All passenger cars and derivatives thereof manufactured on or after 1st January, 1974, shall, if fitted with passenger car tyres, comply with Australian Design Rule No. 23—New Pneumatic Passenger Car Tyres.

(3) All passenger cars and derivatives thereof and multipurpose passenger cars, manufactured on or after 1st January, 1973, shall, if fitted with passenger car tyres, comply with Australian Design Rule No. 24—Tyre Selection.

804. Where a vehicle of which the aggregate weight exceeds two tonnes is fitted with a group of two or more consecutive axles, the method of suspension shall be such that the centres of adjacent axles are included between parallel, transverse, vertical planes, spaced not less than one metre nor more than 2.5 metres apart, extending the full width of the vehicle, which axles shall be individually attached to and articulated from a common attachment to the vehicle including a connecting mechanism to equalize the load.

Proper suspension for distribution of weight of vehicle.
(Not in A.M.V.S.C. regs.)

805. (1) Every passenger car and derivative thereof manufactured on and after the 1st July, 1970, shall comply with Australian Design Rule No. 20—Safety Rims.

Safety rims.

(2) Every multipurpose passenger car manufactured on or after the 1st January, 1973, shall comply with Australian Design Rule No. 20—Safety Rims.

PART 9—SIGNALLING DEVICES.

901. Where the distance from the centre of the steering wheel to the outer extremity on the right hand side of a motor vehicle or its load exceeds 600 millimetres, or where the construction, equipment or load of a motor vehicle or of a trailer drawn by it, is such that it would prevent the driver of the vehicle, while remaining in his proper driving position, giving a clear signal of his intention to turn or diverge to the right, or to stop or slow down, by use of his arm and hand, a signalling device complying with the requirements of these regulations shall be fitted to the vehicle.

Signalling devices—requirements.

902. Every signalling device shall be so constructed and fitted that—

Requirements of signalling devices, generally.

- (a) signals are clearly visible in sunlight, at all distances up to sixty metres;
- (b) when illuminated, it is not glaring or dazzling to other road users;
- (c) when not in operation, it is not likely to mislead the driver of any other vehicle or any person controlling traffic;
- (d) it is readily operable by the driver from his proper driving position; and
- (e) it is mounted so that any signal given by it can be observed by the driver in his normal driving position directly or by means of a fixed mirror, or its operation is indicated by means of a tell-tale indicator that is visible and audible to the driver.

903. In addition to the requirements of regulation 902, individual signalling devices shall be so constructed and fitted that—

Construction and fitting of signalling devices.

- (a) where a stop signal is used on the right hand side of a vehicle, by means of a replica of a human hand,—
 - (i) the hand is not less than 150 millimetres long, and the width not less than half the length, with the palm of the hand turned to the front, the thumb adjacent to the vehicle and the fingers extended and pointing upwards;
 - (ii) the colour of the hand, or of any reflectors or reflectorised material fitted to it, is white or amber; and
 - (iii) if illuminated, the hand is lit by a steady white or amber light;

- (b) where a turn right signal is used on the right hand side of a vehicle, by means of a replica of a human hand,—
- (i) the hand is not less than 150 millimetres long, and the width not less than half the length, with the palm of the hand turned to the front, the thumb uppermost and the fingers extended and pointing to the right;
 - (ii) the colour of the hand, or of any reflectors or reflectorised material fitted to it, is white or amber; and
 - (iii) if illuminated, the hand is lit by a steady white or amber light;
- (c) where a turn left signal is used on the left hand side of a vehicle, by means of a replica of a human hand, the fingers point to the left and the device otherwise conforms to that described in paragraph (b) of this regulation;
- (d) where a turn right signal is used on the right hand side of a vehicle, by means of an illuminated indicator, it is so constructed and fitted that—
- (i) it is of amber colour;
 - (ii) it is at least 150 millimetres long, and of a width being not less than 25 millimetres and not exceeding one quarter of the length;
 - (iii) at least 150 millimetres of the length of the indicator is visible both to the front and rear of the vehicle while a signal is being given; and
 - (iv) the height from the ground is not more than two metres, or less than 500 millimetres; and
- (e) where a turn left signal is used on the left hand side of a vehicle by means of an illuminated indicator, it conforms to that described in paragraph (d) of this regulation.
904. Flashing lamp turn right and turn left signalling devices shall be so constructed and fitted that—
- Flashing
lamp Turn
Right and
Turn Left
signalling
devices.
- (a) each lamp of the device on the right hand side of a vehicle is paired by a similar lamp symmetrically positioned on the left hand side of the vehicle;
 - (b) the lamps of each pair are—
 - (i) not less than 750 millimetres apart, except in the case of a motor cycle where the front lamps shall be not less than 300 millimetres nor more than 750 millimetres apart and the rear lamps shall be not less than 300 millimetres apart;
 - (ii) not more than 500 millimetres from the extreme outer edge of the vehicle; and
 - (iii) not higher than two metres or lower than 400 millimetres from the ground;
 - (c) the switching on of a flashing light is followed by the appearance of the light within a maximum period of one second and the light flashes regularly at the rate of not less than 60, or greater than 120, per minute; and
 - (d) all lamps on the same side of a vehicle flash in phase and are operated by the same control switch.
905. (1) Where flashing lamp signalling devices are fitted to rigid vehicles not exceeding 7.5 metres in length, they shall be so fitted that—
- Fitting of
flashing lamp
devices in
certain cases.
- (a) there is one lamp on each side of the vehicle capable of showing a white or amber light clearly visible from the front of the vehicle and an amber light clearly visible from the rear of the vehicle; or
 - (b) there are four or more lamps of which—
 - (i) two are mounted on or towards the front of the vehicle, facing forward, and two are mounted on or towards the rear of the vehicle, facing rearward; and
 - (ii) the forward facing lamps are capable of showing a white or amber light and the rearward facing lamps are capable of showing an amber light or, in the case of a vehicle first registered before 1st January, 1960, of showing a red light.
- (2) Where flashing lamp signalling devices are fitted to articulated vehicles, or rigid vehicles exceeding 7.5 metres in length, there shall be four or more lamps, capable of showing an amber light, so fitted that—
- (a) there are two lamps at or towards the rear of the vehicle with an illuminated area facing to the rear;

25

- (b) there are two lamps at or towards the front of the vehicle, or in the case of an articulated vehicle, on the forepart of the vehicle, with an illuminated area facing to the rear or facing both to the rear and forward; and
- (c) where the signalling devices required by paragraph (b) do not have an illuminated area facing forward, there are two lamps at or towards the front or forepart of the vehicle with an illuminated area facing forward.

(3) The requirement of paragraph (a) of subregulation (1) of this regulation, concerning clear visibility to the front and rear of a vehicle is met, if the flashing signal lamp on the right or left of the vehicle is visible from any point, up to the maximum required distance from the lamp, on a line through the centre of the lamp and parallel to the longitudinal axis of the vehicle.

PART 10.—OTHER EQUIPMENT.

1001. (1) Every motor vehicle shall be so constructed that inflammable material is unable to fall on to an exhaust pipe, starter motor, generator or other electrical equipment. Drip trays.

(2) A drip tray fixed beneath the carburettor shall be so constructed that any overflow of petrol is not retained in the tray.

1002. (1) A motor vehicle first registered on or after 1st January, 1942, shall be equipped with a windscreen of safety glass. Safety glass.

(2) Subject to the provisions of subregulation (3) of this regulation a motor vehicle first registered on or after 1st February, 1955, shall be equipped with safety glass of a type approved by the Director, wherever glass is used in windows, windscreens or interior partitions; and a replacement of a window, windscreen or interior partition in any motor vehicle shall be of safety glass.

(3) Any transparent material other than glass used in windows or interior partitions of a motor vehicle shall be of a kind that does not shatter.

(4) Windscreens shall not be surface tinted.

(5) All motor vehicles manufactured on or after the 1st day of July, 1971, shall whenever glass is used in windscreens be equipped with safety glass complying with Design Rule No. 8.

(6) The provisions of this regulation do not apply to motor cycles.

1003. (1) Windows shall be sound and properly fitted and every movable window shall have a suitable contrivance for the purpose of opening and closing it. Windows.

(2) Not less than half the number of windows of a vehicle shall be capable of being opened or the vehicle provided with an alternative method of ventilation to the satisfaction of the licensing authority.

1004. (1) A motor vehicle shall be fitted with a horn or alarm, in good working order, capable of giving sufficient warning of the presence of the vehicle. Warning device.

(2) A siren, repeater horn, bell, exhaust whistle, compression whistle or other device capable of producing a sound resembling that emitted by any of those things shall not be attached to a vehicle, other than an ambulance, police vehicle, fire brigade vehicle or other vehicle to which the fitting of any such device has been approved by the Director.

(3) In this regulation, "repeater horn" means a device that emits audible sounds varying in tone or frequency on a regular time cycle.

1005. (1) Except as provided in subregulation (3) of this regulation, a motor vehicle fitted with a windscreen shall be equipped with a device that is capable of effectively removing rain, snow or other moisture, from the portion of the windscreen immediately in front of the driver of the vehicle, and the device shall— Windscreen wiper.

- (a) be so constructed and positioned that it can be operated or controlled by the driver while retaining his correct driving position;
- (b) in the case of a motor vehicle first registered on or after 1st January, 1935, be operated by electrical, pneumatic or other continuous mechanical means; and
- (c) sufficiently clear the windscreen as to afford the driver a clear view of the road in front of the vehicle.

(2) Except as provided in subregulations (3) and (4) of this regulation, a motor vehicle fitted with a windscreen and first registered on or after 1st January, 1958, shall be equipped with a device or devices, capable of effectively removing rain, snow or other moisture from the portion of the windscreen immediately in front of the driver and from a corresponding area of windscreen to the left of the vertical centre line of the windscreen, and the device or devices as the case may be shall—

- (a) comply with provisions of subregulation (1) of this regulation; and
- (b) if operated by engine manifold vacuum, be provided with a vacuum reservoir or pump to maintain their effective operation, while the vehicle is in motion.

(3) The requirements of subregulations (1) and (2) of this regulation do not apply to a motor cycle or a motor vehicle, equipped with a windscreen, so constructed as to permit the driver, while retaining his correct driving position, to obtain adequate vision of the roadway ahead of the vehicle, over the top, below or to the side of the windscreen, in the event of vision through the windscreen being obscured.

(4) The requirements of subregulation (2) of this regulation do not apply to a motor vehicle equipped with a windscreen, so constructed that the windscreen does not extend to the left beyond the longitudinal centre line of the vehicle.

(5) All passenger cars and derivatives thereof, manufactured on or after 1st January, 1973, and all multipurpose passenger cars manufactured on or after the 1st January, 1974, having a windscreen shall, at the time of first registration, be equipped with a device or devices complying with Australian Design Rule No. 16—Windscreen Wipers and Washers.

1006. (1) A motor vehicle, including a motor cycle, shall have a mirror or mirrors that are so designed and fitted as to be capable of reflecting to the driver, while retaining his normal driving position, a view of the approach of a vehicle overtaking his own, from either side. Rear vision mirror.

(2) The mirror or mirrors shall be fitted to the outside of the vehicle with a maximum projection of 150 millimetres beyond the sides of the vehicle, its load, or its equipment, excluding signalling devices, where—

- (a) the vehicle is designed for the carriage of goods or is a public passenger vehicle designed to carry not less than eight passengers; or
- (b) the view through the rear window of the vehicle is so obscured, by the manner in which the vehicle is constructed, equipped or loaded, the fact that it is drawing a trailer or other vehicle, or for any other reason, that the driver could not, by means of a mirror fitted to the inside of the vehicle, obtain a view of an overtaking vehicle.

(3) Every rear vision mirror fitted to vehicles of two tonnes gross vehicle weight and over shall be at least 150 square centimetres in area.

(4) All passenger cars and derivatives thereof manufactured on and after January 1, 1972, shall, at the time of first registration be equipped with rear vision mirrors complying with Australian Design Rule No. 14—Rear Vision Mirrors.

(5) All multipurpose passenger cars, manufactured on and after 1st January, 1973, shall, at the time of first registration, be equipped with rear vision mirrors complying with Australian Design Rule No. 14—Rear Vision Mirrors.

1007. A device of a type approved by the Director shall be securely fastened to a motor vehicle or trailer, other than a motor cycle, in such a manner as to enable the prescribed number plate to be fitted— Fittings for licence plates.

- (a) to the rear of the vehicle or trailer, in the centre or to the right hand side of the centre, so that no part of the plate is more than 1.3 metres from the ground; and
- (b) to the front of the vehicle, forward of, and parallel to, the front axle, so that no part of the plate is more than 1.3 metres from the ground and is in the centre of the front of the vehicle or to the right hand side of the centre.

1008. An efficient silencing device, so constructed that all exhaust from the engine is projected through the device, in such a manner as to effectively prevent the creation of undue noise, shall be securely fitted to the engine. Silencer.

1009. Every—
- (a) passenger car and derivative thereof manufactured on and after the 1st January, 1974;
 - (b) multi-purpose passenger car manufactured on and after the 1st January, 1974;
 - (c) petrol engined vehicle, other than a motor cycle and a specially constructed vehicle, manufactured on and after the 1st July, 1974; and
 - (d) motor vehicle, other than a specially constructed vehicle, manufactured on and after the 1st July, 1975,
- shall, at the time of first registration, conform to Australian Design Rule No. 28—Motor Vehicle Noise.
1010. (1) Every—
- (a) passenger car and derivative thereof manufactured on and after the 1st January, 1969; and
 - (b) other motor vehicle except—
 - (i) a motor cycle;
 - (ii) a specially constructed motor vehicle; or
 - (iii) a motor vehicle of which the gross weight exceeds 4.5 tonnes, manufactured on and after the 1st January, 1970,
- shall be equipped with seat belts and anchorages for the front seat positions.
- (2) Every motor vehicle other than—
- (a) a motor cycle;
 - (b) a specially constructed motor vehicle; or
 - (c) a motor vehicle of which the gross weight exceeds 4.5 tonnes,
- manufactured on and after the 1st January, 1971, shall be equipped with seat belts and anchorages for the rear seat positions.
- (3) Seat belts required to be fitted to a motor vehicle pursuant to subregulations (1) and (2) of this regulation shall conform to the standards and specifications of Australian Design Rule No. 4.
- (4) Every—
- (a) passenger car and derivative thereof manufactured on and after the 1st January, 1974;
 - (b) multi-purpose passenger car manufactured on and after the 1st January, 1974; and
 - (c) other motor vehicle, except—
 - (i) a motor cycle;
 - (ii) an omnibus;
 - (iii) a specially constructed vehicle; and
 - (iv) a motor vehicle of which the gross vehicle weight exceeds 4.5 tonnes, manufactured on and after the 1st July, 1974,
- shall, at the time of first registration, be fitted with seat belts that conform to Australian Design Rule 4A—Seat Belts.
- (5) Seat belt anchorages required to be fitted to a motor vehicle pursuant to this regulation shall conform to the standards and specifications of Australian Design Rule No. 5A.
1011. (1) Each seat of a motor vehicle shall be soundly constructed and securely fixed to the structure of the motor vehicle.
- (2) Every—
- (a) passenger car manufactured on or after 1st January, 1971;
 - (b) passenger car derivative manufactured on or after 1st January, 1972;
 - (c) multi-purpose passenger car manufactured on or after 1st January, 1973; and
 - (d) motor vehicle except motor cycles, omnibuses, specially constructed vehicles and vehicles exceeding 4.5 tonnes gross vehicle weight, manufactured on or after 1st July, 1974,
- shall, at the time of first registration, comply with Australian Design Rule No. 3—Seat Anchorages for Motor Vehicles.

Motor
Vehicle
Noise.Seat belts
and
anchorages.Seats and
seat
anchorages.

1012. (1) A motor vehicle that is first registered on or after 1st January, 1969, and that is required by these regulations to be fitted with a windscreen wiper or wipers shall be equipped with a device or devices capable of directing water onto that part of the exterior of the windscreen that is within the area swept by the wiper or wipers when operating.

Windscreen washers.
A.M.V.S.C.
Reg. 1011.

(2) The device referred to in subregulation (1) of this regulation shall—

- (a) be fitted to the vehicle in a manner that will enable the driver to operate it while sitting in his normal driving position; and
- (b) have a container or reservoir for the fluid to be used in the device of a capacity of not less than 1.1 litres.

1013. Every pipe or tube fitted to a vehicle and through which fluids flow shall be mechanically secured to the fittings on which they terminate so that there is no leakage.

Pipes and tubings.
A.M.V.S.C.
Reg. 1012.

1014. Every—

- (a) passenger car and derivative thereof manufactured on or after 1st January, 1971;
- (b) multi-purpose passenger car manufactured on or after 1st January, 1973;
- (c) motor vehicle, except motor cycles, vehicles exceeding 4.5 tonnes gross vehicle weight, omnibuses and specially constructed vehicles, manufactured on or after 1st July, 1974; and
- (d) motor vehicle, except motor cycles and omnibuses, manufactured on or after 1st July, 1975,

Door latches and hinges.

shall, if fitted with doors, be equipped with door latches and hinges complying with Australian Design Rule No. 2—Door Latches and Hinges, but the provisions of this regulation do not apply to components on folding doors, roll-up doors and doors that are designed to be easily attached to, or removed from, motor vehicles manufactured for operation without doors.

1015. Every—

- (a) passenger car manufactured on or after 1st January, 1971;
- (b) passenger car derivative manufactured on or after 1st January, 1973;
- (c) motor vehicle, except motor cycles, omnibuses, specially constructed vehicles and vehicles exceeding 4.5 tonnes gross vehicle weight, manufactured on or after 1st July, 1973; and
- (d) motor vehicle, except motor cycles, omnibuses and specially constructed vehicles, manufactured on or after 1st July, 1976,

Demisting of wind-screens.
A.M.V.S.C.
1016.

shall comply with Australian Design Rule No. 15—Demisting of Windscreens.

1016. Motor vehicles manufactured on and after the 1st January, 1971, having an exterior movable body panel forward of the windscreen that serves to cover an engine, luggage storage or battery compartment shall be provided with a latch system. A panel opening from the front which in any open position partially or completely obstructs the driver's forward view through the windscreen must be provided with a second latch position on the latch system or with a second latch system.

Forward body panel latches.

1017. Every—

- (a) passenger car and derivative thereof, manufactured on or after 1st January, 1972; and
 - (b) multi-purpose passenger car manufactured on or after 1st January, 1973,
- shall, at the time of first registration, be equipped with devices complying with Australian Design Rule No. 25—Anti-Theft Locks.

Anti-theft locks.
A.M.V.S.C.
1015.

1018. (1) A motor vehicle shall not be equipped with a child-restraining device unless that device complies with the standard specified in Australian Standard E46-1970 "Child-Restraining Devices for Passenger Cars".

Child restraining devices.

(2) In this regulation "child-restraining device" means any set of components, not being a seat belt, designed to minimise the risk of bodily injury to a child in an accident by restraining the child and the restraining device itself.

1019. (1) Every motor vehicle manufactured on or after 1st July, 1974 and capable of being driven at a speed in excess of 40 kilometres per hour on a level road shall be fitted with a speedometer which shall give an indication of the vehicle speed on a single scale calibrated in kilometres per hour.

Speedometers.

- (2) The instrument referred to in subregulation (1) of this regulation—
- (a) shall have such a degree of accuracy that the indicated speed is not less than the actual speed by more than 10% when the vehicle speed is greater than 50 kilometres per hour; and
 - (b) shall be so fitted that it is readily visible to the driver.

PART 11—LOADING AND DIMENSIONS OF VEHICLES.

1101. (1) The length of a motor vehicle or trailer (not being an articulated vehicle), together with its load or equipment, shall not, in the case of—

- (a) an omnibus that is equipped with tandem rear axles and two steering axles and that operates over a route predetermined by the Commissioner of Main Roads, exceed 12.8 metres.
- (b) an omnibus, other than an omnibus referred to in paragraph (a) of this subregulation, that operates over a route predetermined by the Commissioner of Main Roads, exceed 11.3 metres;
- (c) any other omnibus, exceed 11 metres;
- (d) any other motor vehicle or trailer, exceed—
 - (i) 11 metres where the distance from the front of the vehicle to the centre of the rear axle or rear group of axles does not exceed 8.5 metres;
 - (ii) ten metres where the distance from the front of the vehicle to the centre of the rear axle or rear group of axles exceeds 8.5 metres.

Maximum length, width and height.

(2) The length of an articulated vehicle together with its load or equipment shall not exceed 13.8 metres, but if the distance between the front of any rigid portion of the vehicle to the centre of the rear axle or rear group of axles on that portion does not exceed 9.5 metres, the length of the vehicle together with its load or equipment may exceed 13.8 metres but not 15.3 metres.

(3) Subject to any other restrictions contained in this regulation the length of a motor vehicle (not being an articulated vehicle) together with a trailer being drawn by that motor vehicle and the projecting parts of its load or equipment shall not exceed 15.3 metres; but if the length of the trailer draw bar does not exceed 4.9 metres, then the maximum length of the motor vehicle together with the trailer and the projecting parts of the load or equipment may exceed 15.3 metres but shall not exceed 16.8 metres.

(4) The maximum width of a motor vehicle, and of a trailer, pole trailer or other towed vehicle, together with its load or equipment, other than the rear vision mirror or mirrors or signalling devices required or permitted to be fitted in accordance with these regulations shall be 2.5 metres.

(5) The maximum height of a motor vehicle or trailer, together with its load or equipment, shall be—

- (a) 4.4 metres, in the case of a double-deck omnibus; and
- (b) 4.3 metres, in the case of any other motor vehicle or a trailer.

(6) The provisions of subregulation (4) of this regulation do not apply to an implement used, or intended to be used, in agricultural or horticultural pursuits, while the implement is being driven, used or towed, during the hours between sunrise and sunset, in conformity with such special or general directions as the Commissioner of Police may from time to time give, either directly or by notice in the *Government Gazette*.

1102. (1) A motor vehicle (other than an articulated vehicle) and a trailer having front and rear axles shall have a rear overhang of a length that—

- (a) in the case of an omnibus of 12.8 metres in length equipped with tandem rear axles and two steering axles, is not less than 3 metres or more than 3.2 metres;
- (b) in the case of an omnibus exceeding 10 metres in length (other than an omnibus referred to in paragraph (a) of this subregulation), is not less than 2.5 metres or more than 3.2 metres; or
- (c) in any other case, does not exceed 2.9 metres; but the length of the rear overhang shall be further restricted—
 - (i) in the case of a vehicle of which the tare weight exceeds one-half of its aggregate weight to the same distance of the loading space forward of the line from which the rear overhang is measured;

Rear overhang.

A.M.V.S.C.
Reg. 1102.

- (ii) in the case of a vehicle of which the tare weight does not exceed one-half of its aggregate weight, to 90 per centum of the distance of the loading space forward of the line from which the rear overhang is measured; and
- (iii) to 60 per centum of the distance measured horizontally and parallel to the longitudinal axis of the vehicle, from the centre line of the foremost axle to the line from which the rear overhang is measured,

whichever length is the least, but nothing in subparagraphs (i) and (ii) of this paragraph shall operate so as to prevent a vehicle of a tare weight not exceeding 2 tonnes from having a rear overhang of any length that does not exceed 50 per cent of the distance, measured horizontally and parallel to the longitudinal axis of the vehicle, from the centre line of the foremost axle of the vehicle to the line from which the rear overhang is measured.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, the maximum rear overhang of a rigid vehicle greater than 9.5 metres in length shall not exceed 3.7 metres.

(3) The rear overhang of a semi-trailer shall not exceed—

- (a) 50 per centum of the distance between the line from which the rear overhang of the hauling unit to which it is attached is measured and the line from which the rear overhang of the semi-trailer is measured; or
- (b) 2.9 metres,

whichever length is the lesser.

(4) The provisions of this regulation do not apply to a rigid mobile crane that is 9.5 metres or less in length or to an articulated mobile crane that is 13.7 metres or less in length.

1103. (1) The load or equipment, other than a rear vision mirror or approved signalling device, upon a motor vehicle, other than a motor cycle, or upon a trailer drawn by the vehicle, shall not project— Projecting loads.

- (a) more than 1.2 metres in front of the headlamps of the motor vehicle;
- (b) more than 1.2 metres to the rear of the motor vehicle or trailer, as the case may be, except as provided in subregulation (4) of this regulation; or
- (c) more than 150 millimetres beyond the extreme outer portion of either side of the vehicle or trailer as the case may be.

(2) The load or equipment upon a motor cycle without a sidecar attached shall not project more than 150 millimetres in front of the outer extremity of the front wheel, or more than 300 millimetres behind the outer extremity of the rear wheel, or project at all, beyond the extreme outer portion of the cycle on either side.

(3) The load or equipment upon, or any part of, a motor cycle with a sidecar attached shall not project—

- (a) more than 600 millimetres in front of the outer extremity of the front wheel, or more than 900 millimetres behind the outer extremity of the rear wheel of the motor cycle; or
- (b) at all, beyond the extreme outer portion of the vehicle on either side.

(4) Notwithstanding the provisions of subregulation (1) of this regulation it is not an offence to permit any load or equipment to project more than 1.2 metres to the rear of a motor vehicle or a trailer drawn by it, if—

- (a) the overall length of the vehicle or of the combination of vehicle and trailer, as the case may be, together with its load or equipment is within the relevant limit fixed by regulation 1101;
- (b) a red flag or other suitable red object, not less than 300 millimetres square, is carried at the extreme rear of the load or equipment and the flag or object is kept clearly visible to persons on the road in the near vicinity of the vehicle or trailer; and
- (c) between the hours of sunset and sunrise, or when there is insufficient daylight to render a person dressed in dark clothing easily discernible at a distance of 100 metres, there is fitted to the extreme rear of the load or equipment—

- (i) a lighted lamp showing a clear red light to the rear, visible at a distance of 200 metres; and

(ii) not less than two reflectors capable of projecting a red reflection of light from the lamp of any following vehicle.

(5) For the purposes of paragraph (b) of subregulation (1) of this regulation and subregulation (4) of this regulation, "equipment" includes the pole of a pole-type trailer.

(6) Where any portion of the load or equipment of a motor vehicle or of a trailer drawn by it projects in such a manner that it would not be readily visible to any person following immediately behind the vehicle, the driver of the vehicle shall—

- (a) mark the end of the load or equipment, by means of a red flag or other suitable red object not less than 300 millimetres square, so that it is clearly visible to persons in its vicinity; or
- (b) between the hours of sunset and sunrise or when there is insufficient daylight to render a person dressed in dark clothing easily discernible at a distance of 100 metres cause a lighted lamp and reflectors as prescribed in paragraph (c) of subregulation (4) of this regulation to be fitted to the extreme rear of the load or equipment.

(7) Notwithstanding any other provisions of this regulation, the length of the rear overhang and projecting load of a rigid vehicle greater than 9 metres in length shall not exceed 3.7 metres.

1104. (1) A MOTOR VEHICLE AND A TRAILER OR OTHER VEHICLE ATTACHED TO IT, SHALL HAVE A GROUND CLEARANCE NOT LESS THAN THAT SPECIFIED IN THE FOLLOWING TABLE—

Distance Between Any Two Consecutive Axles	Ground Clearance (millimetres)
(a) Over 3.7 metres but not over 6.7 metres	205
(b) Over 6.7 metres but not over 7.3 metres	230
(c) Over 7.3 metres but not over 7.9 metres	255
(d) Over 7.9 metres but not over 8.5 metres	280
(e) Over 8.5 metres but not over 9.1 metres	290
(f) Over 9.1 metres but not over 9.8 metres	320

(2) For the purposes of this regulation "ground clearance" means the minimum vertical distance, measured not closer than one metre to any axle, from the underside of a motor vehicle or trailer or other vehicle drawn by a motor vehicle, to the surface of the road, when the motor vehicle, trailer or other vehicle is standing on a flat, level section of road, under any conditions of loading.

(3) In the case of a trailer or semi-trailer, the ground clearance specified in this regulation shall be increased by seventy-five millimetres, unless the lowest point on any cross-section, within the limits defined in subregulation (2) of this regulation, is the under-surface of a longitudinal member or members constituting the frame or chassis of the trailer or semi-trailer and the under-surface is free from any projections, steps or irregularities.

1105. No part of the trailer unit of an articulated vehicle, not being a vehicle to which a pole-type trailer is attached, or its load shall project more than 1.9 metres radially forward of the axis of the pivot pin.

Maximum projection forward of the pivot pin, of the rear portion of an articulated vehicle.

1106. (1) A motor vehicle or trailer not being a passenger car or derivative thereof shall not be altered from the manufacturer's specifications, or from its form on the occasion of its first registration in regard to chassis frame, wheels, suspension, steering, brakes, axles, engine, body structure or exhaust system without the prior approval of the licensing authority.

Chassis body or equipment extensions or alterations.

(2) A passenger car or derivative thereof shall not, without the prior approval of the licensing authority, be altered from the manufacturer's specifications or from its form on the occasion of its first registration—

- (a) in respect of any part of its construction, equipment or fittings which was effected, manufactured or constructed in accordance with an Australian Design Rule; or
- (b) by—
 - (i) fitting an engine of greater displacement volume than an engine that was available as an option for the vehicle with the same braking system;
 - (ii) making modifications to braking systems which include the fitting of smaller diameter brake drums, or narrower brake drums or brake shoes which reduce the swept area of braking surface or which reduce the weight of the brake drum or disc;
 - (iii) fitting any wheel rim with more than a single weld around the circumference, or which does not conform to one of the dimensional standards for wheel rims set down in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association;
 - (iv) widening the wheel track of front or rear wheels by more than twenty-five millimetres beyond the maximum specified by the vehicle manufacturer;
 - (v) fitting spacers between wheels and hubs additional to any provided by the vehicle manufacturer;
 - (vi) fitting wheel nuts which do not engage the thread of the wheel studs for at least the same length as the nuts provided by the vehicle manufacturer, or wheel nuts which do not match with the taper on the wheel;
 - (vii) fitting tyres other than those appropriate to the wheel rim as specified in the Tyre and Rim Standards Manual issued by the Tyre and Rim Association;
 - (viii) making modifications to an axle, axles or suspension which reduces the available suspension travel from static conditions to full bump position to less than two-thirds of that provided by the vehicle manufacturer;
 - (ix) making modifications to an axle, axles or suspension such that any part of the vehicle other than the tyre or rim will contact a road surface in the case of the deflation of any tyre;
 - (x) welding or heating any axle, stub axle, steering arm or steering knuckle support; or
 - (xi) lengthening or shortening the chassis frame, or the body structure in the case of a vehicle of mono (chassis-less) construction.

(3) Equipment fitted to a vehicle whereby compliance with any prescribed Design Rule is achieved shall be maintained in good repair and any replacement equipment or part thereof fitted to such a vehicle shall be so manufactured and so fitted to the vehicle as also to comply with the prescribed Design Rule.

(4)¹³A person shall not change or alter the body or equipment of a motor vehicle in such a way as adversely to affect the safe operation of the vehicle.

(5)¹³The owner of a licensed or registered motor vehicle shall, wherever any alteration is made to the vehicle or its equipment affecting the accuracy of any particulars of the description in the license of certificate of registration of the vehicle, give immediate notification of the alteration to the licensing authority.

1107.¹³ (1) Every manufacturer or distributor of motor vehicles shall, on demand, supply to a licensing authority known particulars of—

- (a) the construction;
- (b) the weight; and
- (c) the manufacturer's gross vehicle weight (where applicable),

of any new type of motor vehicle imported into the State or manufactured within the State.

Particulars
of vehicles to
be supplied.

¹³. The provisions of regulations 1106 (2) and (3), 1107 and 1108 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

(2) Every vehicle for which any Australian Design Rules are applicable at the time of manufacture shall, unless specially exempted by the Director, be fitted with a plate approved by the Australian Motor Vehicle Certification Board indicating compliance with those Design Rules.

1108. ¹³ (1) Where a vehicle is used for the transport of loose materials or small objects that cannot be individually secured, then the vehicle shall be equipped with front, side and tail boards of a sufficient height to prevent the load or any portion of the load from falling from the vehicle.

Front, side and tail boards to be fitted to certain vehicles.

(2) Subregulation (1) of this regulation does not apply to a vehicle that is carrying bricks securely tied in lots or packages and notwithstanding the provisions of that subregulation, the Minister may, subject to such terms and conditions as he may impose, issue to any person a permit to use a vehicle carrying a load of bricks or other material on a body of a type approved by the Minister, although not equipped with front, side and tail boards.

PART 12.—DANGER AND ANNOYANCE.
USE OF VEHICLES.

1201. All parts and fittings of a vehicle shall be maintained in such condition as to be unlikely—

Avoidance of danger, smell, smoke, etc.

- (a) to cause danger or annoyance to any person by smell, the projection of an undue amount of smoke, or by being in a poor state of repair; or
- (b) ¹⁴ to render the use of the vehicle unsafe.

1202. (1) The lubrication and the working mixture of the motor of a motor vehicle shall be so controlled that no undue amount of smoke is projected from the exhaust or from any other part and oil or grease is not dropped on to the roadway.

Lubrication, fuel control and exhaust.

(2) The outlet of the exhaust of a motor shall not be so fitted as to project the exhaust directly on to the roadway and is not permitted to escape at any point along the left side of the vehicle in such a manner as to cause danger or unreasonable annoyance to any person.

(3) A motor vehicle that is powered with a petrol engine and is first registered on or after the 1st July, 1970, shall be constructed or fitted so that the crank case gases do not escape into the atmosphere.

(4) Every passenger car manufactured on or after the 1st January, 1972, shall comply at the time of first registration with Australian Design Rule No. 26—Vehicle Engine Emission Control.

(5) Every passenger car manufactured on and after the 1st January, 1974 shall, at the time of first registration, conform to Australian Design Rule 27—Vehicle Engine Emission Control.

1203. A vehicle shall be so constructed and loaded and its equipment so adjusted that—

Noise and vibration.

- (a) no undue or avoidable noise or vibration is caused; and
- (b) the driver, when the motor vehicle is stationary, is able to stop the action of any of its equipment, so far as may be necessary for the prevention of noise.

1204. A motor vehicle shall not be equipped with—

Dangerous fittings.

- (a) an object or fitting, not technically essential to the vehicle, that protrudes from any part of the vehicle in a manner likely to increase the risk of bodily injury to a person;
- (b) an object or fitting technically essential to the vehicle unless its design, construction and condition and the manner in which it is fitted to the vehicle are such as to reduce to a minimum the risk of bodily injury to a person;
- (c) an object or fitting which, because of its pointed nature or sharp edge, is likely to increase the risk of bodily injury to a person;
- (d) a door handle which is likely to hook or catch on to a person or object; or
- (e) a bumper bar, the end of which is not turned towards the body of the vehicle to a sufficient extent to avoid the risk of hooking or grazing.

¹³ The provisions or regulations 1106 (2) and (3), 1107 and 1108 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

¹⁴ The provisions of paragraph (b) of regulation 1201 are additional to the provisions of the draft regulations of the Australian Motor Vehicle Standards Committee.

PART 13.—TRAILER COUPLINGS AND SAFETY CHAINS.

1301. (1) A trailer shall be securely fastened to the motor vehicle drawing it, by a coupling so fitted as to prevent, as far as is possible, any lateral swing of the trailer, while the motor vehicle and trailer are in motion. Trailer coupling.

(2)¹⁵ A coupling fitted for the first time, on and after 1st January, 1960, shall have clearly stamped, moulded or branded on it—

- (a) the name or trade mark of the manufacturer; and
- (b) the maximum gross weight which the coupling is designed to tow.

(3) A coupling used as a connection between a passenger car or derivative thereof and a trailer first registered on or after the 1st January, 1971, and of a laden weight not exceeding 2.3 tonnes, shall be a ball coupling complying with Australian Standard D18-1968 for Ball Couplings for Automotive Purposes provided that the coupling body shall have a loading capacity equal to the static weight of the trailer together with its maximum load.

1302. (1) Where a trailer, not being a pole-type trailer, is attached to a motor vehicle by means of a coupling and drawbar that controls the movement of the trailer, the coupling and drawbar, between the motor vehicle and the trailer, shall be so constructed and fitted that— Trailer couplings—
general specifications.

- (a) it permits an adequate amount of angular movement between the alignment of the motor vehicle and the trailer while in motion;
- (b) the strength of the coupling and drawbar is sufficient to take the gross weight, inclusive of the load, if any, of the trailer while being towed;
- (c) the coupling is equipped with a manually operated mechanism so constructed as to prevent accidental disengagement of the unit while in operation;
- (d) the positive locking mechanism prescribed by paragraph (c) of this subregulation is so designed that it can be disconnected regardless of the angle of the trailer to the towing motor vehicle; and
- (e) the brackets, or other means of securing the forward portion of the couplings to the motor vehicle and the rearward portion of the coupling and the drawbar to the trailer, are of sufficient strength to take the gross weight, inclusive of load, if any, of the trailer while being towed.

(2) In addition to the coupling prescribed by, and fitted in accordance with the requirements of, paragraphs (a) to (e) inclusive of subregulation (1) of this regulation, a safety connection, consisting of two chains, to hold the trailer in tow, in the event of failure or accidental detachment of the trailer coupling, shall be so fitted to a substantial portion of the motor vehicle and to the frame or other substantial portion of the trailer that—

- (a) it is not liable to accidental disconnection and permits all normal angular movements of the coupling, without more slack than is necessary;
- (b) the chains are as short as practicable and fitted in a crossed over position so as to prevent the forward end of the drawbar from striking the ground in the event of accidental disconnection of the coupling;
- (c)¹⁶ the forward ends of the chains are attached as near to the pivot of the coupling as practicable; and
- (d)¹⁶ the chains conform to the size prescribed in column 2 of the Table to this subregulation, for the corresponding gross weight of the towed trailer, caravan or other vehicle, inclusive of the load, if any, as is specified in column 1 of the Table.

THE TABLE

ITEM	Column 1 GROSS WEIGHT	Column 2 MINIMUM SIZE OF CHAIN
1.	Up to but not exceeding 0.5 tonne....	6 mm diameter
2.	Exceeding 0.5 tonne but not exceeding 1.25 tonnes	9 mm diameter
3.	Exceeding 1.25 tonnes but not exceeding 3 tonnes.....	12 mm diameter
4.	Exceeding 3 tonnes.....	15 mm diameter

¹⁵ The provisions of regulation 1301 (2) are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

¹⁶ The provisions of regulation 1302 (2) (c) and (d) and 1302 (3), (4) and (5) are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

(3)¹⁶ Where hooks, known as ramshorns, are used for attaching the chains referred to in subregulation (2) of this regulation, the initial bend of the hook, at the point of attachment, shall be upwards and be constructed of material of a diameter at least three millimetres greater than the diameter of the chains prescribed in paragraph (d) of subregulation (2) of this regulation.

(4)¹⁶ Where rings and shackles are used for attaching the chains referred to in subregulation (2) of this regulation, the rings and shackles shall be made of steel of a diameter at least as great as the diameter of the chains prescribed in paragraph (d) of subregulation (2) of this regulation.

(5)¹⁶ The provisions of subregulations (2), (3) and (4) of this regulation do not apply to a towed vehicle fitted with breakaway equipment in accordance with regulation 603.

1303. The aggregate weight of a trailer or other vehicle that is being towed by a motor vehicle—

Restriction on weight of towed vehicles.

- (a) designed for the carriage of passengers;
- (b) designed for the carriage of both passengers and goods and generally known as a utility; or
- (c) that is a tractor (not prime mover type),

shall not exceed—

- (d) in the case of a trailer or vehicle not required by these regulations to be fitted with brakes the tare weight of the motor vehicle by which it is being towed; and
- (e) in the case of a trailer or vehicle equipped with brakes in accordance with these regulations, one and one-half times the tare weight of the motor vehicle by which it is being towed.

[Part 14*]

PART 15—GENERAL PROVISIONS FOR PUBLIC PASSENGER CARRYING VEHICLES.

1501. (1) Effective means of ventilation shall be provided for omnibuses, independently of windows and door openings, but, in the case of a vehicle other than an omnibus, the equipment of a vehicle with suitable "no draught" or "vent" windows is a sufficient compliance with this subregulation.

Ventilation.

(2) Each window adjacent to a passenger seat in an omnibus shall be movable and be fitted with a suitable contrivance or finger grip for the purpose of opening and closing it.

1502. (1) Every omnibus shall be provided with and carry, in such a position as to be readily available for use,—

Fire extinguishers.

- (a) an efficient fire extinguisher of a capacity not less than 1.1 litres or the equivalent, if of a pressure type approved by the licensing authority; or
- (b) not less than two efficient fire extinguishers each having a capacity not less than 1.1 litres, if of a non-pressure type, approved by the licensing authority.

(2) A fire extinguisher fitted to an omnibus in accordance with this regulation shall be approved by, and be effectively maintained to the satisfaction of, the licensing authority.

1503.¹⁷ (1) An omnibus, operating on a route, the whole or major portion of which route lies outside the metropolitan area shall be equipped with a comprehensive and serviceable first-aid kit, carried in a position on the vehicle so as to be readily available for use.

First aid kit.

(2) For the purpose of this regulation "metropolitan area" has the same meaning as is given it in the Traffic (Licensing Authorities) Regulations, 1974, as amended from time to time.

¹⁶ The provisions of regulation 1302 (2) (c) and (d) and 1302 (3), (4) and (5) are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

*See footnote 2 to regulation 102.

¹⁷ The provisions of regulations 1503 and 1504 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

1504. ¹⁷ (1) An omnibus shall be fitted with an efficient speedometer that—

Speedometer.

- (a) is serviceable at all times;
- (b) indicates to the driver, within a margin of accuracy of plus or minus ten per cent., the speed at which the omnibus is being driven; and
- (c) is illuminated whenever necessary for the driver's purpose.

(2) The provisions of subregulation (1) of this regulation do not apply to a school bus that—

- (a) is not designed with a speedometer; and
- (b) is licensed at the time of coming into operation of this subregulation, until on and after the 1st January, 1968.

PART 16.—SPECIAL PROVISIONS FOR OMNIBUSES AND SCHOOL BUSES.

1601. (1) An omnibus, other than a school bus, shall have a longitudinal aisle with a width of not less than 380 millimetres and a double deck omnibus shall have such an aisle on each deck; but in the case of a single deck omnibus that is to operate under circumstances which do not necessitate frequent stops for the purpose of taking up or setting down passengers en route, the Director may approve the use of an omnibus that has no longitudinal aisle or has a longitudinal aisle with a width of 300 millimetres or more.

Aisle and aisle width.

(2) A school bus that is constructed with a longitudinal aisle shall have an aisle that is not less than 300 millimetres in width.

1602. (1) An omnibus with a longitudinal aisle, shall have at least one means of entrance and exit on the left hand side and it shall be—

Entrance and exit.

- (a) kept clear of any obstruction;
- (b) at least 550 millimetres in width;
- (c) at least 1.8 metres in height from the lowest step to the top of the entrance and exit; and
- (d) except in the case of an omnibus referred to in subregulation (2) of this regulation, fitted with a suitable handgrip to each side.

(2) An omnibus not having a longitudinal aisle, and fitted with seats all of which are arranged in transverse rows, shall, as far as practicable, have a means of entrance and exit to each such row, by a door fitted to the left hand side of the omnibus, being—

- (a) not less than 550 millimetres in width, when measured at the height of the seat; and
- (b) not less than 1.4 metres in height, from the floor level to the top of the door.

(3) In the case of a double deck omnibus, having a doorless opening connecting the lower deck with a rear platform, the provision of access to the platform from outside the omnibus by means of an opening, of not less than 910 millimetres in width, on the left hand side of the omnibus, and complying in other respects with the requirements of that subregulation, is sufficient compliance with the requirements of subregulation (1) of this regulation.

(4) Means of entrance or exit, other than an emergency exit or a driver's door, shall not be provided on the right hand side of an omnibus.

(5) A double deck omnibus that does not comply with the requirements of subregulation (3) of this regulation shall have two entrances, one at the front and one at the rear, complying with the provisions of subregulation (1) of this regulation.

¹⁷The provisions of regulations 1503 and 1504 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

1603. (1) An omnibus with a longitudinal aisle, other than a double deck omnibus, shall be so constructed that the height inside the omnibus from any point on the floor on the centre line of the aisle to the roof is— Head room
(interior
height).

- (a) not less than 1.8 metres where the omnibus is to be operated in a service necessitating frequent stops, for the purpose of taking up or setting down passengers, and is to be used for the carriage of both seated and standing passengers;
- (b) not less than 1.68 metres, where the omnibus is to be operated in a service not necessitating frequent stops, for the purpose of taking up or setting down passengers, and is to be used for the carriage of seated passengers only;
- (c) not less than 1.5 metres in the case of a school bus with a tare of 1.5 tonnes or greater; and
- (d) not less than 1.375 metres in the case of a school bus with a tare of less than 1.5 tonnes.

(2) An omnibus fitted with seats arranged in transverse rows, without the provision of a longitudinal aisle, shall be so constructed that the height inside the omnibus, from any point on the floor, on the longitudinal centre line of the omnibus, to the roof, is not less than 1.45 metres.

(3) A double deck omnibus shall be so constructed that the height inside the omnibus from any point on the floor, on the centre line of the aisle, of either deck, to the roof of the deck, is not less than 1.68 metres.

(4) Paragraphs (a) and (b) of subregulation (1), and subregulation (2) of this regulation, apply to an omnibus first registered on or after 1st January, 1963, only.

1604. (1) An omnibus shall have safe and convenient steps firmly and appropriately fitted at each entrance. Steps.

(2) The lower step shall—

- (a) be not more than 400 millimetres, nor less than 250 millimetres, from the ground to the tread of the step, when the vehicle is unladen and is standing upon level ground; and
- (b) have a tread that is not less than the width of the entrance and not less than 225 millimetres, in transverse depth.

(3) The tread of steps other than the lower step shall be not less than 225 millimetres in transverse depth and shall have a clear width of not less than 450 millimetres.

(4) Where interior lighting does not afford adequate illumination of the steps of an omnibus, a light, such as will adequately illuminate the steps, shall be provided on either side or immediately above the well of the step.

1605. (1) Where, in an omnibus, the driving position is not sufficiently enclosed, a suitable guard rail or panel shall be fitted about the driving position, to prevent a passenger from coming into contact with the driver or control levers of the vehicle and from obstructing the driver's view to the front and either side of the vehicle. Guard rails
and safety
partitions.

(2)¹⁸ An omnibus shall have an effective safety partition fitted at the entrance and exit to the vehicle, between the well of the step and the foremost seat on the left hand side, behind the well of the step.

1606. A mirror or mirrors of such dimensions, and so fitted, as to be capable of reflecting to the driver, whilst retaining his normal driving position, a view of such doors, door approaches and parts of the passenger compartment, generally, as are not directly visible to him, shall be provided within every omnibus. Inside
mirror.

1607. A sufficient number of hand straps or hand grips shall be provided for the convenience and safety of passengers in an omnibus. Hand straps.

1608. The floor of an omnibus shall be— Floor.

- (a) finished with a non-slip surface;
- (b) of sound construction; and
- (c) sealed so as to prevent fumes from the engine from entering the interior of the vehicle.

¹⁸ The provisions of regulation 1605 (2) are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

1609. (1) The fuel tank and the fuel tank filler pipe of an omnibus shall not be located in its interior, in the engine compartment or in any separate compartment provided for the driver. Fuel tank and filler pipe.

(2) The fuel tank filler pipe shall be situated so that it is not less than 900 millimetres from either side of any entrance or exit referred to in regulation 1602 or any emergency exit referred to in regulation 1610 and shall be so arranged that any overflow or leakage of fuel cannot accumulate in or upon the omnibus.

(3)¹⁹ Petrol or other volatile spirit shall not be carried on an omnibus except in the operating tanks provided for that purpose.

1610. (1) A single deck omnibus, other than such as is mentioned in subregulation (2) of this regulation, shall have— Emergency exits.

- (a) at least one means of emergency entrance and exit at the extreme rear of the passenger compartment, of a minimum area of 0.7 square metre and having no dimensions less than 530 millimetres; or
- (b) at least one means of emergency entrance and exit fitted in the roof of the rear half of the passenger compartment, of a minimum area of 0.7 square metre and having no dimension less than 530 millimetres and, unless a door accessible to passengers is fitted in each side of the vehicle, a further means of emergency entrance and exit, of not less than 600 millimetres by 530 millimetres in dimensions, is located in the rear half of the passenger compartment on the side of the vehicle opposite that in which the door is fitted.

(2) In the case of a single deck omnibus that has its engine fitted at the rear, there shall be means of emergency entrance and exit as prescribed by paragraph (b) of subregulation (1) of this regulation, but the means of emergency entrance and exit fitted in the roof shall be fitted as near as practicable to the centre of the passenger compartment.

(3) In the case of a double deck omnibus, there shall be, at the rear, at least two means of emergency entrance and exit, each having minimum dimensions of 1.37 metres by 530 millimetres, one situated above, and the other below, the level of the upper deck, but if—

- (a) the omnibus is fitted with a rear platform in accordance with subregulation (3) of regulation 1602;
- (b) access to the platform extends rearward to the left hand rear corner of the omnibus, and is extended transversely across the rear of the omnibus for a distance of not less than 450 millimetres; and
- (c) there is at the rear of the omnibus at least one means of emergency entrance and exit, situated above the level of the floor of the upper deck, complying in other respects with the requirements of this subregulation,

the requirements of this subregulation are satisfied.

(4) A means of emergency entrance and exit shall—

- (a) be kept clear of obstruction;
- (b) be capable of being opened from both inside and outside; and
- (c) be indicated by a prominent notice, inside and outside, displaying the words "Emergency Exit", with a description of operation, where necessary.

(5)²⁰ An emergency exit of the push in and push out type may be used, if it is of a type and construction approved by the Director.

(6)²⁰ Where an emergency exit is too high to be easily reached by a person standing on the ground, a suitable hand grip shall be fitted beneath the emergency exit.

1611. Seats for passengers in omnibuses shall be so constructed and fitted that— Seats for passengers.

- (a) a space of not less than 400 millimetres measured along the front of the seat, is provided for each passenger, and each seat is not less than 355 millimetres in depth, or, in the case of a school bus, 305 millimetres;

¹⁹ The provisions of regulation 1609 (3) are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

²⁰ The provisions of regulation 1610 (5) and (6) are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

- (b) where seats face to the front of the omnibus, the shortest horizontal space between the inside back of one seat and the back of the seat in front is not less than 660 millimetres, or, in the case of a school bus, 580 millimetres and, where the seats face one another, the shortest distance between the inside back of one seat and that of the opposite seat is not less than 1.2 metres, or, in the case of a school bus, not less than one metre;
- (c) a floor space of not less than 200 millimetres, measured from the vertical plane at the front edge of the seat, is provided in front of each seat;
- (d) the height from the floor to the top of each seat is not less than 400 millimetres, or, in the case of a school bus, not less than 380 millimetres;
- (e) each seat has a back so constructed that reasonable comfort and adequate support will be provided for passengers;
- (f) each passenger seat is soundly constructed and securely fixed to the structure of the omnibus; and
- (g) at least two-thirds of the seats are arranged transversely.

1612. The driver's seat of an omnibus shall be— Driver's seat.

- (a) so constructed that a person cannot occupy any portion of the seat on the right hand side of the driver;
- (b) soundly constructed and securely fitted to the vehicle; and
- (c) designed and so placed that the driver is comfortable and has proper control of the vehicle.

1613. Interior doors or doors that open inwards shall not be fitted to an omnibus, but the prohibition does not apply to a door, commonly known as a "Jack-Knife" door, so constructed that no part of the door opens inwards beyond the lowest step. Interior doors.

1614. An omnibus shall be equipped with a passenger stop signal, within convenient reach of every passenger, so as to provide communication with the driver. Passenger stop signal.

1615. ²¹ A signalling device to enable the driver of an omnibus to indicate his intention of stopping the vehicle and his intention to turn to the right, which complies with the requirements of these regulations, shall be attached to the omnibus. Signalling device for driver.

1616. (1) The cushions and linings in an omnibus shall be— Furniture and appointments.

- (a) of sound material;
- (b) unless comprising sponge rubber, suitably sprung; and
- (c) covered with leather or an approved substitute that is non-absorbent and not readily inflammable.

(2) All hand and guard rails shall be securely fitted.

1617. The interior of an omnibus shall be equipped with such lamps as give sufficient light for the reasonable convenience of the passengers. Interior lighting.

1618. In addition to the requirements of these regulations, a double deck omnibus shall be so constructed that— Special requirements for double deck omnibuses.

- (a) there is a suitable stairway to the upper deck of not less than 400 millimetres in width, fitted with a guard rail and guard panel;
- (b) the height of the floor of the upper deck does not exceed 2.75 metres from the ground and is so constructed and drained as to prevent water entering the lower deck;
- (c) the upper deck is enclosed on all sides; and
- (d) the construction or seating capacity of the upper deck is such as will not interfere with the equilibrium or safety of the vehicle.

1619. ²² (1) The destination of an omnibus, other than a school bus, when plying for hire, shall be clearly and conspicuously exhibited on the destination sign fitted to the vehicle, and be capable of being read, in daylight or when illuminated at night, at a distance of twenty-seven metres. Painting numbers and signs.

²¹. The provisions of regulation 1615 in draft regulations of the Australian Motor Vehicle Standards Committee relate to a signalling device for the driver covered by Part 9 of these regulations.

²² The provisions of regulations 1619, 1620, 1621 and 1622 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

40

(2) A school bus shall have—

- (a) the exterior of the body painted in a predominantly orange colour, relieved with green, and the roof of cream or white; and
- (b) the words "SCHOOL BUS" conspicuously painted on both the front and rear, in letters of not less than 100 millimetres in height.

(3) An omnibus shall be finished suitably by painting or other similar process.

1620. ²² (1) The chassis of an omnibus shall be of good construction and of suitable type. Construction and alteration of chassis.

(2) The construction of an omnibus shall not be altered or modified unless and until the approval in writing of the licensing authority has been obtained.

(3) An omnibus shall not be constructed unless and until its chassis has been submitted for inspection by the licensing authority, together with the necessary blue-prints, where required, and a plan of the proposed body and seating arrangements.

1621. ²² An omnibus shall be kept in a clean and hygienic condition, and the floors shall be washed at least once a week with a disinfectant solution. Cleaning of omnibus.

1622. ²² (1) The number of passengers an omnibus, other than a school bus, is licensed to carry, is that number which is one and a half times the seating capacity of the vehicle, and that number shall be painted on the interior of the vehicle, in letters and numerals of at least twenty-five millimetres in height. Number of passengers to be carried.

(2) The number of passengers that a school bus is licensed to carry is that number which is—

- (a) in the case of a school bus that has an interior height of 1.5 metres or more, one and one-half times the seating capacity of the vehicle; and
- (b) in the case of a school bus that has an interior height of less than 1.5 metres, equivalent of the seating capacity of the vehicle.

PART 17.—SPECIAL CONDITIONS FOR PARTICULAR CLASSES OF VEHICLES.

1701. Where a vehicle is constructed principally for the carriage of goods, effective means of ventilation shall be provided for the driver, independently of the door and window openings, but the fitting to the vehicle of suitable "no draught" or "vent" windows is a sufficient compliance with these regulations. Ventilation.

1702. Where an omnibus is so constructed that the chassis construction or the placement of the engine or other rigid components of the vehicle do not, in the opinion of the licensing authority, provide adequate protection for the driver and driving controls of the vehicle, additional protection shall be provided to the satisfaction of the licensing authority, immediately in front of the driver and the driving controls. Forward control, rear engine and underfloor engine type vehicles—protection for driver.

1703. Where a trailer or motor vehicle is subject to registration and has no windscreen, a holder for the registration label shall be fitted to the left hand side of the motor vehicle or trailer, in such a position as to be clearly visible to a person facing the holder from a distance of six metres. Holders where no windscreen.

1704. (1) Where a motor vehicle is propelled by steam, the engine of the vehicle is, for the purpose of regulation 601, deemed to be an independent braking system, if the engine is capable of being driven in reverse and, is incapable of being disconnected from the driving wheel, except by the sustained effort of the driver. Steam vehicles—brakes.

(2) Where a road roller propelled by steam is used solely for road-making purposes, the equipment of the road roller with at least one effective braking system capable of stopping and holding the vehicle, is sufficient compliance with the provisions of regulation 601.

1705. The semi-trailer of an articulated vehicle shall be securely joined to the prime mover. Articulated vehicle.

²² The provisions of regulations 1619, 1620, 1621 and 1622 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

1706. (1) A sleeper berth of a sleeper cab motor vehicle shall— Sleeper
berths.
- (a) be located within, or immediately adjacent to, the cab and, unless completely and securely separated from the remainder of that space, not be located within the cargo space or, at all, within a trailer, whether it forms part of an articulated vehicle or not;
 - (b) be so constructed that an occupant is unlikely to be thrown out, in the event of the sudden deceleration of the vehicle;
 - (c) be so constructed as to provide internal dimensions, generally rectangular in shape, of at least 1.9 metres, in length, and throughout that length, 530 millimetres, in width, and 530 millimetres, in height above the mattress, except that the corners of horizontals may be rounded to radii not exceeding 270 millimetres; and
 - (d) be properly equipped as sleeping quarters, with springs and a mattress or, alternatively with an innerspring, air or cellular rubber mattress, at least 100 millimetres, in thickness, together with usual and necessary bed-clothing and be so constructed as to permit the ready removal of mattress and bed-clothing.
- (2) Unless it forms part of the cab, with a doorway or opening, between the berth and the driver's position, of at least 450 millimetres in height and 910 millimetres in width or, in the case of berths installed prior to the 31st December, 1962, with an opening of sufficient area to contain an ellipse having a major axis of 600 millimetres and a minor axis of 400 millimetres, a sleeper berth shall be so designed, constructed and maintained as to provide an occupant with two exits, one at each side of the vehicle, of at least 450 millimetres in height and 530 millimetres in width, capable of being used by him, without assistance.
- (3) Unless it is located within, or forms part of, or affords direct entrance to, the cab of the vehicle, a sleeper berth shall be provided with means of communication between an occupant and the driver, whether by telephone, speaker tube, buzzer, pull-cord or any other electrical or mechanical means.
- (4) A sleeper berth shall not be so located as—
- (a) to permit the ready entrance of gases from the vehicle's exhaust system;
 - (b) to be overheated by the vehicle's exhaust system; or
 - (c) in the event of a defect in the vehicle's fuel system, to enable fuel to leak into or upon it.
- (5) A sleeper berth shall be provided with louvres or such other adequate means of ventilation as will reasonably exclude dust and rain.
1707. ²³ A caravan of the trailer type shall be so designed, constructed and equipped that—
- (a) the chassis and body are of adequate strength and rigidity to ensure safe towing and stability under all road conditions;
 - (b) it is, without movable contents, heavier at the forward end;
 - (c) when equipped with springs of the leaf-type,—
 - (i) the springs are of suitable strength and design with a distance not greater than 915 millimetres between eye centres; and
 - (ii) the distance between the spring eyes is greater than the distance between the spring hangers;
 - (d) when fitted with leaf springs and the caravan is unladen, there is a clearance of at least 100 millimetres between the axle and the chassis;
 - (e) spring "U" bolts do not protrude below the lower edge of the rims of the wheels;
 - (f) the springs are as widely spaced as practicable and in no case are more than 355 millimetres inside the outer alignment of the body;
 - (g) the draw-bar is of sufficient strength to withstand all road shocks and extends backward, from the forward end of the caravan body, at least as far as it extends forward;
 - (h) where the draw-bar is single and centrally located, it is reinforced by radius rods or bars connected from the forward end of the draw-bar;

²³ The provisions of regulation 1707 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

- (i) where a water tank is fitted, it is so placed that the rear extremity of the tank is not more than 460 millimetres to the rear of the axle and as near to floor level as practicable; and
- (j) the entrance door is on the left side or the rear end, and, in the case of a caravan equipped with fuel burning facilities or living or sleeping accommodation, is capable of being opened outward.

1708. A motor vehicle that is powered with a compression ignition engine and is first registered after the 1st January, 1971, shall be fitted with a locking device that will prevent the engine from starting accidentally or through inadvertence.

Compression
ignition
engines.

1709. Every motor vehicle or trailer registered on or after 1st January, 1971, which is equipped with any closet, urinal, lavatory basin, or sink shall comply with the following requirements:—

Lavatories
and wash
basins on
motor
vehicles and
trailers.

- (a) no vehicle shall be equipped with a closet or urinal the contents of which can be discharged directly on to the road and, except in the case of a living van, every closet pan or urinal pan shall empty into a tank carried by the vehicle, such tank being efficiently ventilated by means of a pipe the outlet of which is outside the vehicle;
- (b) every tank into which a closet pan or urinal pan empties and, where no such tank is fitted, every closet and urinal, shall contain non-inflammable and non-irritant chemicals of such character and in such quantity as to form at all times an efficient deodorant and germicide in respect of the contents of the tank, closet or urinal as the case may be; and
- (c) no lavatory basin or sink shall drain into any closet or urinal or into any tank into which a closet or urinal empties.

1710. Every semi-trailer manufactured on and after 1st July, 1971, shall be provided with an approved continuous rear bumper which shall be so constructed and located that—

Rear end
protection.

- (a) with the vehicle unladen, the contact surface of the bumper is not more than 610 millimetres from the ground;
- (b) the bumper contact surface is located not more than 610 millimetres forward of the rear of the vehicle and is painted white;
- (c) the ends of the bumper extend to within 300 millimetres of each side of the vehicle, unless the rearmost point of the tyres is within 610 millimetres of the rear of the vehicle, in which case the tyres shall be considered as meeting the requirements over their width;
- (d) the member which is, or directly supports the bumper contact surface is of material having no less strength than steel tubing of 102 millimetres outside diameter and eight millimetres wall thickness; and
- (e) the structure supporting the member prescribed in (d) can transmit no less force than that member can sustain, and provides a continuous force path to vehicle members of a strength consistent with the forces to be sustained,

but the provisions of this regulation shall not apply to a semi-trailer so constructed that—

- (f) cargo access doors, tailgates or other such structures when closed afford comparable protection; or
- (g) a vertical plane tangential to the rearmost surface of the rear wheels is 150 millimetres or less from a parallel vertical plane containing the rearmost point of the semi-trailer.

PART 18.—SPECIAL PROVISIONS FOR MOTOR CYCLES.

1801. (1) A side-car shall not be so attached to a motor cycle, or be of such weight or dimensions, as to prevent the driver—

Side-car.

- (a) driving the vehicle with safety; and
- (b) having a sufficient view to the front, rear and either side of the vehicle.

(2) A side-car shall not be fitted to the right hand side of a motor cycle.

1802. For the purpose of enabling the prescribed number plate to be securely fitted to the cycle, a device of a type approved by the licensing authority shall be fitted—

Fittings for number plates.

- (a) to the front of a motor cycle, on the mudguard or in some other suitable position, so that the centre of the plate is not more than 915 millimetres and not less than 300 millimetres from the ground; and
- (b) to the rear of the cycle, so that the centre of the plate is not more than 915 millimetres and not less than 300 millimetres from the ground.

1803. A holder for the registration label shall be fitted to the handlebar, on the left hand side of a motor cycle, in a position as near as practicable to the top of the steering head.

Holder for label.

1804.²⁴ A motor cycle shall not be used for the carrying of a passenger on a pillion, unless—

Pillions and footrests.

- (a) a suitable pillion seat, in a serviceable condition,—
 - (i) fixed to a steel base, having suitable lugs that are bolted to the rear mudguard or carrier, behind the rear of the rider's seat; or
 - (ii) being a properly constructed extension to the rider's seat; and
- (b) suitably constructed and located foot-rest on each side, are securely fitted to the motor cycle.

1805. (1) Motor cycle handlebars shall be symmetrical on either side of the front wheel and steering head assembly.

Handlebars.

(2) The distance between extreme points of the handlebars shall be not less than 550 millimetres.

(3) The handlebars shall not extend vertically above the part of the steering head to which such handlebars are attached for a greater distance than 385 millimetres.

(4) Where the handlebars extend vertically above that part of the steering head to which they are attached by a greater distance than 205 millimetres the distance between the extreme points of the handlebars shall be not less than 660 millimetres.

[Part 19*]

PART 20.—VEHICLES DRAWN BY ANIMAL POWER.

2001. For the purposes of this Part of these regulations—

Interpretation.

- “trailer” means a trailer attached to a vehicle drawn by animal power; and
- “vehicle” means a vehicle drawn by animal power.

2002. (1) A two-wheeled vehicle shall be equipped on opposite sides with two lamps, capable of showing a bright white light to the front, and a red light to the rear, of the vehicle.

Front and rear lights.

(2) A four-wheeled vehicle, or a vehicle having more than four wheels other than a pole-type jinker, shall be equipped—

- (a) on opposite sides at the front, at a height of not more than 1.9 metres from the ground, with two lamps capable of showing a bright, white light to the front; and
- (b) at the rear of the vehicle in the centre or to the right hand side of the centre, at a height of not more than 1.5 metres from the ground, with a lamp capable of showing a bright, red light to the rear.

(3) A pole-type jinker shall be equipped—

- (a) on opposite sides, at the front, at a height of not more than 1.9 metres from the ground, with two lighted lamps capable of showing a bright, white light visible to the front of the jinker; and
- (b) upon the rear end of the pole of the jinker, with a lamp capable of showing a bright red light to the rear.

²⁴The provisions of regulation 1804 are additional to the draft regulations of the Australian Motor Vehicle Standards Committee.

*See footnote ³ to regulation 102.

2003. (1) In addition to the rear light prescribed by regulation 2002, there shall be symmetrically fitted to each side of the rear of a vehicle or trailer a reflector, that—

Rear reflectors.

- (a) is so placed that it is not higher than 1.5 metres from the ground; and
- (b) is capable of projecting a red reflection of light from the lamp of any following vehicle.

(2) The provisions of subregulation (1) of this regulation do not apply to a vehicle or trailer to which a reflector as prescribed by regulation 2005 is affixed.

2004. (1) A vehicle, other than a trailer, that, together with its load or equipment is 2.2 metres or more in width, shall be equipped on each side of the front of the vehicle with a lamp capable of showing a white light, only, to the front of the vehicle.

Front clearance lamps.

(2) The lamps prescribed by subregulation (1) of this regulation shall be fitted, so that no part of the vehicle or its load or equipment on the side of the vehicle to which the lamp is fitted, projects more than 150 millimetres, laterally, from the centre of the lamp.

(3) The provisions of this regulation do not apply to a vehicle, of which no part, including its load or equipment on either side, projects more than 150 millimetres laterally from the centre of a lighted lamp, fitted pursuant to regulation 2002.

(4) Where a vehicle drawing a trailer that, together with its load or equipment, is 2.2 metres or more in width, or that projects 150 millimetres or more on either side, beyond the width of the vehicle by which it is drawn, then, in addition to any other requirements of this Part with respect to lights on vehicles, a lamp, capable of showing a white light, only to the front, shall be fitted to each side of the front of the trailer, in such a manner that no part of the trailer, its load or equipment, on the side to which the lamp is fitted, projects more than 150 millimetres laterally from the centre of the lamp.

2005. A vehicle that, together with its load or equipment is 2.2 metres or more in width shall have a lamp or reflector fitted to each side at the rear of the vehicle, or, in the case of a vehicle and trailer, at the rear of the trailer; and the lamp or reflector shall—

Rear clearance lamps or reflectors.

- (a) be so placed that it is not higher than 1.5 metres from the ground, and no part of the vehicle or, in the case of a vehicle drawing a trailer, no part of the trailer, and no part of any load or equipment on either vehicle or trailer, projects, on either side on which the lamp or reflector is fitted, more than 150 millimetres laterally from the centre of the lamp or reflector; and
- (b) be capable of showing a clear red light to the rear and no other light.

2006. A reflector required to be fitted to a vehicle or trailer in accordance with regulations 2003 and 2005 shall—

Requirements in regard to reflectors.

- (a) have a diameter of not less than thirty-two millimetres and, if not circular, be of a size that a circle thirty-two millimetres in diameter might be described on its surface;
- (b) be such that, at any time during the hours of darkness, when light from a headlamp, complying with the provisions of these regulations applicable to motor vehicles, and placed at a distance not exceeding 100 metres, is projected directly on to the reflector, the reflector gives a red reflection that is clearly visible to the driver of the vehicle to which the headlamp is fitted;
- (c) if rectangular, be fitted in a vertical position; and
- (d) be unobscured and in a clean condition.

2007. (1) Where the load of a vehicle projects more than 1.2 metres beyond the rearmost portion of the vehicle, or where the load of a pole-type jinker projects beyond the rear end of the pole, a lamp capable of showing a clear red light shall be fitted upon the extreme rear of the load.

Light on projecting load.

(2) The light required by this regulation to be fitted is in addition to the rear light required by regulation 2002, and a person shall not place the rear light required by regulation 2002 upon the extreme end of the load.

2008. A vehicle, or a combination of vehicles together with its load or equipment shall not exceed twelve metres in length, 2.5 metres in width or four metres in height.

Maximum dimensions.

2009. (1) No part of a vehicle or its load shall project— Projecting loads.
- (a) past the head of a horse or other animal drawing the vehicle;
 - (b) more than 1.2 metres backward of the body of a two-wheeled vehicle, or more than 1.2 metres backward of the body, or the rear wheels, of a four-wheeled vehicle; or
 - (c) more than 300 millimetres from the outside of the wheels or body of the vehicle.

(2) Notwithstanding the foregoing provisions of this regulation, a load, not exceeding eight metres in length, may project more than 1.2 metres to the rear of a vehicle, if a red flag of not less than 300 millimetres square, or a red metal disc, of not less than 225 millimetres in diameter, is carried at the extreme rear end of the load and the flag or disc is kept clearly visible to persons on the road, in the near vicinity of the vehicle.

2010. ²⁵ (1) An efficient brake capable of stopping and holding the vehicle shall be fitted in some convenient part of the vehicle, but a vehicle having two wheels and drawn by an animal attached to the vehicle by harness, that is suitable and sufficient to keep the animal attached to the vehicle, is deemed to be equipped with an efficient brake. Brakes.

(2) Notwithstanding the provisions of this regulation, the use of a nave brake is prohibited on an animal-drawn vehicle, exceeding one tonne in weight.

[Parts 21-29. *]

PART 30.—SPECIAL PROVISIONS FOR PEDAL CYCLES.

3001. A bicycle shall be capable of being braked by either or both of the following means:—

- (a) an effective foot brake operated by turning the pedals in the reverse direction; or
- (b) an effective hand operated brake fitted to the rear wheel having the operating handle fixed in a position providing for convenient operation.

3002. A bicycle shall have a bell or other effective warning device fixed in a convenient position.

3003. The handle bar of a bicycle shall extend not less than 200 millimetres nor more than 330 millimetres on each side of the centre of the bicycle and the height of the upper most point of the handle bar shall not exceed the height of the upper most part of the seat by more than 300 millimetres.

3004. The horizontal distance between the axle of the front wheel of a bicycle and a line dropped vertically from the centre of the pivot head bearing on the front tube of the frame shall not exceed 250 millimetres.

3005. The overall width of any equipment or load carried on a bicycle shall not exceed 660 millimetres.

3006. (1) A bicycle shall have affixed a reflector which will effectively reflect red light when illuminated by the headlight of a vehicle approaching from the rear and that reflector shall—

- (a) comply with the requirements specified in regulation 503 and have a reflective area of not less than the area of a circle of 38 millimetres diameter;
- (b) be mounted on the rear part of the bicycle at a height which is not less than 330 millimetres nor more than 1 metre;
- (c) be mounted vertically and facing to the rear in such a manner that the light reflected from the headlight of a vehicle approaching from the rear is clearly visible to the driver of that vehicle.

(2) The reflector may be in the form of a reflecting lens fitted to the rear lamp.

(3) A bicycle shall not have affixed a reflector capable of reflecting red light in the forward direction.

²⁵ The provisions of regulation 2010 are more extensive than the draft regulation 2010 of the Australian Motor Vehicle Standards Committee.

* See footnote 4 regulation 102.

3007. (1) Where ridden during the hours of darkness a bicycle shall have affixed thereto—

- (a) upon the front of the bicycle, a lighted headlight showing a clear white light to the front visible under normal atmospheric conditions at all distances up to 200 metres;
- (b) upon the rear of the bicycle, a lighted rear light showing a clear red light to the rear visible under normal atmospheric conditions at all distances up to 200 metres.

(2) The head and tail lights shall be fixed in positions such that the vertical distances from the ground to the centres of the lights shall not be less than 330 millimetres.

3008. Where a rear mudguard is fitted to a bicycle the surface of the mudguard facing to the rear shall be white or silver in colour.

PART 40—BASIC GUIDE FOR SPECIAL CONDITIONS RELATING TO ROAD TRAINS. Part 40.

4001. A road train shall comply with the provisions of these regulations generally and particularly with the provisions of the regulations in this Part. Application.

4002. (1) The overall length of a road train shall not exceed forty-five metres. Maximum length.
 (2) A road train shall comprise not more than—
- (a) a motor tractive unit and three trailers; or
 - (b) an articulated vehicle and one trailer.

4003. (1) A motor tractive unit of a road train that does not comprise an articulated vehicle, shall not— Dimensions.

- (a) exceed 12.2 metres in length;
- (b) exceed 9.5 metres over that part measured from the front of the unit to the centreline of the rear axle; and
- (c) have a rear overhang exceeding 3.2 metres.

(2) An articulated vehicle that is comprised in a road train shall not—

- (a) exceed seventeen metres in length;
- (b) exceed 13.8 metres over that part measured from the front of the vehicle to the centreline of the rear axle or group of axles of the semi-trailer;
- (c) exceed 9.5 metres over that part measured from the front of the semi-trailer to the centreline of the rear axle or group of axles; and
- (d) have a rear overhang of the semi-trailer portion exceeding 3.2 metres.

(3) A trailer that is comprised in a road train shall—

- (a) not exceed 12.2 metres in length (excluding the tow-bar and coupling);
- (b) not have a wheel base exceeding 8.9 metres;
- (c) where it exceeds 10.7 metres in length, be fitted with tandem axles at the rear; and
- (d) where it is used in combination with two other trailers, be not less than 7.3 metres in length.

(4) A road train or a component vehicle together with any load or equipment thereon, other than any rear vision mirror or signalling device required or permitted to be fitted in accordance with these regulations, shall not exceed 2.5 metres in width.

4004. The braking system of a road train shall, in addition to complying with the requirements of Part 6, be so constructed that the service brakes are capable of being operated by a single control device. Brakes.

4005. A road train shall be equipped with a tachograph of a type approved by the Director. Tachographs.

4006. A road train shall have affixed to it—

- (a) on the rear of the rearmost vehicle, in the highest practicable position that is not more than 3 metres from the ground; and Warning signs.
- (b) on the front of the hauling vehicle,

a sign bearing the words "ROAD TRAIN", in non-reflectorised black letters of not less than 200 millimetres in height, on a reflectorised yellow background.